Chapter 11

Human Rights

Human rights pose a different dilemma from security, welfare and economic relations or the environment (Donnelly 2006). The human rights dilemma is not based on material interdependencies between states; human rights infringements in one state usually do not have any material effects on other states. The human rights dilemma derives 'only' from moral interdependencies across state borders: human rights violations in one, often authoritarian, state can give rise to moral outrage in other, usually democratic, states; giving rise to an active international human rights policy (Liese 2006a; Risse & Sikkink 1999: 22–4). The existence of such international moral interdependencies crucially depends on the activities of transnational networks of human rights organizations which construct local human rights violations as global problems which require governance beyond the nation-state (see Rittberger et al. 2010: 617–22). Even more than in other issue areas, global human rights problems are socially constructed rather than naturally given issues of international governance. Despite a growing global concern for human rights and an almost universal (at least rhetorical) acceptance of basic human rights, there remains for each individual state the temptation to keep the costs of its human rights policy as low as possible, or even to pass them on to others. Should all states follow this temptation then the individually and collectively desirable result of an active international human rights policy is likely to fail. The years of discussion about an economic embargo against South Africa because of apartheid clearly exemplified this problem (Klotz 1995). Thus international cooperation is needed in order to bring about active human rights policies aimed at those states that violate such rights.

But, whereas cooperation is comparatively easy to organize among democratic states that have a good human rights record, it is particularly difficult to achieve with authoritarian states that regularly violate human rights (Moravcsik 2000). Nonetheless, international organizations working jointly with civil-society actors (including well-known international non-governmental organizations (INGOs) such as Amnesty International or Human Rights Watch) can contribute to achieving international cooperation and governance in the issue area of human rights. Through generating reliable information about human rights violations and mobilizing civil society, transnational networks of human rights organizations can exert pressure on governments to act

against offending states (Finnemore & Sikkink 1998: 896–901; Risse & Sikkink 1999: 22–5), and international organizations can support these efforts through their policy-programming, operational and information activities. In order to get a feel for the contributions of international organizations to international cooperation and governance in the human rights field we shall concentrate on the activities of the United Nations (UN) at the global level and the Council of Europe at the regional level.

Global human rights protection: the UN

The necessity of securing human rights internationally became apparent in the light of the crimes against humanity, particularly those committed by Germany during the Second World War. Previous attempts had been limited to more specific issues, such as the ban on the international slave trade or the establishment of minimum standards in working conditions (Krasner 1999: 106–10). More recently, the human rights violations by General Pinochet in Chile, Idi Amin in Uganda, Pol Pot in Cambodia, Charles Taylor in Liberia and Sierra Leone, the politics of apartheid in South Africa, the massacre in Tiananmen Square in Beijing, the Rwandan genocide and the atrocities committed in the civil war in the Darfur region of Sudan – to name but a few – have kept human rights issues on the international political agenda. In all these cases, it was apparent that pressure by international civil-society actors was the trigger for an active human rights policy. Nevertheless, it was only with the support of powerful states that a policy of international human rights protection became possible (Donnelly 2006: ch. 1; Krasner 1999).

Policy programme of the UN

The first steps towards a policy programme for the international protection of human rights can be seen primarily as a reaction to the atrocities committed under Nazi rule in Germany and the territories conquered and occupied by Germany during the Second World War. The Preamble to the UN Charter reaffirms 'faith in fundamental human rights, the dignity and worth of the human person, in the equal rights of men and women and of nations large and small'. However, the Charter does not mention the specific human rights which states have to guarantee and respect beyond Article 55, which urges the promotion of 'universal respect for, and observance of, human rights and fundamental freedoms for all without distinction of race, sex, language, or religion'. Thus, initially, human rights protection by the UN remained in the form of a declaration.

However, the UN Economic and Social Council (ECOSOC) was charged with translating this general declaration into a human rights policy programme. To this end, as early as 1946, ECOSOC set up a Commission on Human Rights as a subsidiary body to develop programmes for international human rights protection. Until it was replaced by the UN Human Rights Council in 2006, the Commission on Human Rights – with the support of the Sub-Commission on the Promotion and Protection of Human Rights – represented the central forum for intergovernmental negotiation of policy programmes for the protection of human rights through the UN.

Initially, the decision-making process was dominated by the Western coalition of liberal democracies under the leadership of the USA. It was thus possible to reach an international consensus based on liberal ideas about what rights should henceforth be recognized and guaranteed as human rights. As a result, in 1948 the UN General Assembly adopted the Universal Declaration of Human Rights (GA Resolution 217A (III)). The General Assembly decision was taken by majority vote and the UN human rights programme formulated within the Declaration remained legally non-binding. Nevertheless, thereafter states could no longer violate human rights without the risk that their actions would come on to the agenda of the principal organs of the UN. This means that states' exercise of authority over their citizens was removed from their exclusive jurisdiction and the principle of non-interference in domestic affairs began to lose its validity insofar as human rights were concerned.

The Universal Declaration of Human Rights established a normative frame of reference to be followed in the second phase with the legally binding codification of human rights. Immediately following the adoption of the Declaration by the General Assembly the Commission on Human Rights proceeded to lengthy intergovernmental negotiations about the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Although by 1954 both covenants had largely been negotiated, they were only adopted by the General Assembly and recommended to states for signature in 1966. Another ten years passed before a sufficient number of states had ratified them and they could come into force. The number of parties to the covenants grew steadily throughout the 2000s and by the end of 2010 stood at 167 (Civil Pact) and 160 (Social Pact), respectively.

The Universal Declaration of Human Rights and the two Covenants form the core of the UN's policy programme on human rights containing a large range of human rights norms. Each individual norm has a prescriptive status and together the human rights standards form an international normative structure (Dicke 1998; Donnelly 2006: 15; Hurrell 1999: 277; Ramcharan 2007: 434–44; Risse & Ropp 1999:

166; Tomuschat 2008: ch. 3). The UN programme on human rights, starting with the dignity and equality of all people (Articles 1 and 2, Universal Declaration of Human Rights), formulates, in Articles 3 to 21 of the Universal Declaration of Human Rights and Articles 6 to 27 of the International Covenant on Civil and Political Rights, a canon of liberal rights for the protection of individuals against a state's arbitrary and excessive exercise of power. They include: the right to life, liberty and personal security; protection against discrimination; prohibition of torture and slavery or servitude; protection of the private sphere; the right to freedom of thought, conscience and religion; the right to freedom of expression, assembly, association and movement; protection of the family; the right to marry; the right to equal access to public service and the right to take part in the government of one's country; the right to participate in periodic, universal and equal elections; entitlement to equality before the law and to a fair and public hearing in courts of law; the right to legal assistance in the course of court proceedings and to be presumed innocent until proved guilty; and the right of being convicted only on the basis of laws in existence at the time the offence was committed.

In addition, Articles 22 to 27 of the Universal Declaration of Human Rights mention basic economic, social and cultural rights, reinforced and further developed in the International Covenant on Economic, Social and Cultural Rights (Hamm & Kocks 2006). These include, among others, the right to sufficient food and an adequate standard of living as well as the right to physical and mental health; the right to work, as well as to just and favourable conditions of work; the right to strike as well as the right to leisure, holidays and social security; and the right to education as well as to participation in the cultural and scientific life of one's country.

To these rights, which are subject to a multitude of reservations, others have been added in a series of conventions for the protection of human rights, which set new standards. The most important ones include the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1965 Convention on the Elimination of all Forms of Racial Discrimination, the 1979 Convention on the Elimination of all Forms of Discrimination against Women, the 1984 Convention against Torture and other Forms of Cruel, Inhuman and Degrading Treatment or Punishment, the 1989 Convention on the Rights of the Child, the 2006 Convention on the Rights of Persons with Disabilities and the 2006 Convention for the Protection of All Persons from Enforced Disappearance (see Table 11.1)

The activities of the UN regarding human rights violations have benefited from significant support through the activities of NGOs. This involvement became apparent in the 1970s when the number of internationally active NGOs in the issue area of human rights multiplied

Table 11.1 The main global human rights conventions

Convention	*Treaty body*	*Year opened for signature*	*Year entered into force*	*Number of ratifications (as of end of 2010)*
Convention on the Prevention and Punishment of the Crime of Genocide	none	1948	1951	140
Convention on the Elimination of all Forms of Racial Discrimination	Committee on the Elimination of Racial Discrimination	1965	1969	174
International Covenant on Civil and Political Rights	Human Rights Committee	1966	1976	167
International Covenant on Economic, Social and Cultural Rights	Committee on Economic, Social and Cultural Rights	1966	1976	160
Convention on the Elimination of all Forms of Discrimination against Women	Committee on the Elimination of Discrimination against Women	1979	1981	186
Convention against Torture and other Forms of Cruel, Inhuman and Degrading Treatment or Punishment	Committee against Torture	1984	1987	147
Convention on the Rights of the Child	Committee on the Rights of the Child	1989	1990	193
Convention on the Rights of Persons with Disabilities	Committee on the the Rights of Persons with Disabilities	2006	2008	99
Convention for the Protection of All Persons from Enforced Disappearance	Committee on Enforced Disappearances	2006	2010	24

(Boli & Thomas 1999: ch. 2; Liese 1998: 37). But in fact the NGO involvement dates back even to the negotiations over the Universal Declaration of 1948 (Korey 1998: ch. 1). Since the end of the Cold War human rights organizations have made abundant use of the platforms available to them in the UN system, through both human rights conferences (such as the 1993 Second World Conference on Human Rights in Vienna or the 2001 World Conference against Racism in Durban) and access to standing bodies (such as the Human Rights Council), to give an impetus to new programmes and insist on reliable implementation of existing norms.

The special value of the UN policy programme for human rights protection is its function as a system of reference for criticism of violations. Thus societies affected by human rights violations can use the UN programme to exert pressure on their governments by pointing out their disregard of internationally recognized norms. The activities of transnational supporters of human rights contribute to the creation of a 'boomerang effect', which emerges when members of national civil society do not address their human-rights-violating government directly, since access to it is frequently blocked or suppressed, but seek international and transnational allies. Frequently, they establish links to transnationally networked NGOs able to mobilize international organizations, civil society and governments in liberal democracies. These external actors can translate the information obtained from the affected societies into pressure on the offending state (Keck & Sikkink 1998: 12–14; Risse & Sikkink 1999: 18–20).

A good example for the interplay between national and transnational human rights actors is provided by developments in Eastern Europe and the former USSR after the 1975 CSCE Final Act of Helsinki (see Chapter 3). The Conference on Security and Cooperation (CSCE) was established in the early 1970s as a multilateral forum for dialogue and negotiation between members of the Warsaw Pact and the North Atlantic Treaty Organization (NATO). After two years of negotiations in Helsinki and Geneva, the 35 CSCE member states reached agreement on the Helsinki Final Act in 1975. Apart from provisions aimed at a détente in the political relations between states of the East and the West, the Final Act also included human rights provisions that became central to the so-called Helsinki process. So, one of the ten fundamental principles (the 'Decalogue') of the Helsinki Final Act referred to respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief. The inclusion and even more the implementation of these human rights provisions were supported by NGOs in the East and the West. Numerous groups of dissidents were formed, such as Charter 77 in the former Czechoslovakia, while in the Western democracies the NGO Human Rights Watch (initially named Helsinki Watch) was established

as a reaction to the dissidents' activities. The 'Helsinki effect' on domestic political change in the former Eastern bloc resulting from dissidents' as well as Human Rights Watch's efforts, and strengthened by subsequent Conference on Security and Cooperation in Europe meetings, has been well documented (Thomas 1999, 2001) and would not have been possible without reference to the existence of a UN human rights programme.

Operations of the UN

After concentrating until the mid-1960s almost exclusively on the generation of human rights policy programmes, the UN has since increasingly striven for their implementation. However, the great progress on the programme side is not matched by the UN's operational activities (Alston 1995a; Forsythe 2006: 57–9; Ramcharan 2007: 453).

In analysing the UN's operations we must differentiate between supervisory organs or procedures existing by virtue of the UN Charter or emanating from it, and those organs and procedures created as part of particular international human rights treaties. The latter only supervise the activities of parties to those treaties and not those of all UN member states. ECOSOC and the Human Rights Council belong to the former group.

Throughout the post-Second World War period until the creation of the Human Rights Council in 2006, the Commission on Human Rights was the main human rights-monitoring body of the UN. It relied on two supervisory procedures, i.e. procedure 1235 and procedure 1503, so named after ECOSOC Resolutions 1235 (1967) and 1503 (1970). Procedure 1503 allowed individuals and groups of individuals to submit reports to the Commission on Human Rights alleging gross and systematic human rights violations. The Commission then confidentially examined whether such violations had taken place. If the allegation was upheld the Commission could recommend measures against the offending state in its annual report to ECOSOC. Under procedure 1235 the Commission on Human Rights handled information about gross and systematic human rights violations, this time publicly. During its annual session, in which government representatives and representatives of NGOs could refer in public meetings to human rights violations, the Commission could decide on thorough investigations on country-specific human rights conditions or major instances of specific gross human rights violations in more than one country.

In 2006, after lengthy intergovernmental negotiations, the Commission on Human Rights was replaced by the Human Rights Council through General Assembly Resolution (60/251). The Council replaced the Commission on Human Rights, whose reputation had increasingly suffered from a standoff between Western states and a

group of frequently criticized states trying to prevent country resolutions and the appointment of special rapporteurs (Heinz 2006: 131–2; Rittberger et al. 2010: 643–6). The Human Rights Council, which is a standing body, consists of 47 member states elected by the General Assembly. The membership rights of states with gross and systematic human rights violations can be suspended by a two-thirds majority vote of the General Assembly. Nonetheless, some states with a bad human rights record are still represented in the Human Rights Council (Heinz 2006: 137–9).

The supervisory procedures of the Human Rights Council resemble those at the disposal of the Commission on Human Rights (see Table 11.2; Rittberger et al. 2010: 644–5; Weiß 2009: 76–8). In the Universal Periodic Review (UPR) the compliance of all UN member states with their human rights obligations is assessed once every four years. For that purpose, a working group, consisting of the members of the Council, is set up, which takes into account reports and comments from the state under review, the OHCHR, other UN and treaty organs, as well as civil society organisations. However, it mainly asks states to declare what actions they have taken to improve the human rights situations in their countries. Its main outcome is a final report ('outcome report') which documents the questions, comments and recommendations directed at the country under review, as well as the responses by

Table 11.2 Monitoring procedures of the Human Rights Council

Procedure	*Object of investigation*	*Providers of relevant information*	*Investigating actors*
Universal periodic review	Compliance with human rights obligations of all states	States under review, OHCHR, human rights treaty organs, NGOs	Working group of the Human Rights Council
Special procedures	Situation in specific countries; global thematic issues of human rights protection	Special rapporteurs, working groups of the Human Rights Council, states, NGOs	Special rapporteur, independent experts, or working group of the Human Rights Council
Complaints procedure	Massive and systematic human rights violations by one state	Individuals, (state and non-state) organizations	Working Group on Communications, Working Group on Situations

Source: Based on data in Rittberger et al. (2010: 645).

the reviewed state. In the following review, the state must provide information on how it implemented the recommendations from the preceding review.

Special Procedures are mechanisms established by the Human Rights Council to address country-specific situations or global thematic issues. As of December 2010 there are 33 thematic and eight country mandates. The mandate holders ('special rapporteurs' or 'independent experts') ask for information from governments on their human rights policies, carry out country visits, prepare reports as well as draft resolutions and provide technical assistance and capacity-building measures. These procedures were largely taken over from the Commission on Human Rights. The Special Procedures do not provide for hard sanctions in the case of states' non-compliance with their human rights obligations.

Finally, the Human Rights Council uses complaints procedures which are open to individuals as well as organizations and generally correspond to the 1503 procedure of the Commission on Human Rights. Incoming complaints ('communications') are first examined by a Working Group on Communications, which consists of five independent experts and assesses the admissibility of a communication. If the communication is admissible, it is transferred to the Working Group on Situations, which finally presents the Council with a report on proven human rights violations and policy recommendations for the respective country. Again, apart from suspension of membership in the Council, there are no sanctions beyond 'naming and shaming' available to the Human Rights Council, even in cases of reliably attested gross and systematic human rights (Heinz 2006: 133–5; Rittberger et al. 2010: 645).

The powers to examine human rights practices by way of the second group of supervisory organs or procedures, those based on human rights treaties, are limited to the signatory states. All major human rights treaty systems share the relatively weak instrument of accepting and examining reports. In these reports, which have to be completed every four to five years or at the request of the competent treaty organ, signatory states give an account of their implementation of the respective human rights treaty. However, these reports are frequently lacking in detail, and often merely contain a general assurance that the binding human rights obligations are being observed, or a list of the national laws meant to guarantee national observance of the internationally negotiated rights (Liese 2006b). Many states fail to comply with their reporting obligation (Steiner & Alston 2000: 774). The competent treaty organ simply examines the reports in the light of the information available to it, which it may have gained through the media or human rights NGOs. In case of inconsistencies the organ can publicly request further information from the country under examination. The results

of this state-by-state scrutiny are contained in reports published by the treaty organ, which are circulated to all parties to the treaty and to ECOSOC (Liese 2006b).

In some treaty systems for the protection of human rights the possibilities for supervision go beyond the duty to report. With the exception of the procedures for states within the framework of the Convention on Racial Discrimination, these additional supervisory procedures can only be used by the treaty organs once the parties to the treaty have either ratified an additional protocol or declared their willingness to submit to these far-reaching procedures. The best known of such protocols, the first Optional Protocol to the 1966 International Covenant on Civil and Political Rights, establishes the right of individuals, or their families, who claim to have been the victims of human rights violations to submit a complaint to the Human Rights Committee (Simmons 2009: ch. 5). The Human Rights Committee was founded on the basis of the Covenant and not only receives complaints from individuals as well as states but is also the competent treaty organ to examine the periodic reports submitted by member states. This committee of 18 experts, which meets three times a year for four-week sessions in Geneva and strictly speaking is not a UN organ, analyses the complaints submitted by individuals or states. The human rights violations treated under the Optional Protocol do not have to be gross and systematic. Individual human rights violations can be examined by the Committee. By the end of 2010 a total of almost 2000 complaints (by individuals and states) had been registered and more than half of them were deemed admissible. If the Committee decides that human rights have been violated it will communicate its findings to the state concerned and the individuals who have complained. In its annual report, which reaches the General Assembly through ECOSOC, the committee lists the states that have been investigated, thus putting violations by a state into the public domain. These investigations, although relatively well conducted, are limited by the fact that the Optional Protocol needs to be ratified; by the end of 2010, 113 states, that is, approximately two-thirds of all signatories, had ratified it and were therefore subject to its procedures.

The four other human rights treaty systems – the Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of all Forms of Racial Discrimination, and the Convention on the Rights of Persons with Disabilities – which foresee the possibility of complaints by individuals after agreement by the state parties (in the form of ratification of an optional protocol or a formal declaration) are in a similar situation (Simmons 2009: chs. 6–8). In all these cases cooperation restraining the arbitrary or excessive exercise of state authority is

easiest to achieve where it is least required; those states which have ratified the protocols or have made additional declarations generally do not belong to the group of 'black sheep' in the international human rights field (O'Flaherty 2002; Ramcharan 2007: 451–2).

The plethora of organs dealing with human rights violations raises the question of coordination of the preparatory work of all the committees. The response, in 1993, was the establishment of the Office of the UN High Commissioner for Human Rights (OHCHR) by the General Assembly (Resolution 48/141). Following restructuring in 1997, operational activities now form the core of the High Commissioner's role. The OHCHR endeavours to promote worldwide respect for the human rights enshrined in international law by supporting the bodies created by human rights treaties and the Human Rights Council as well as through technical assistance programmes in many countries. However, its work is severely hampered by financial constraints and lack of personnel (De Zayas 2002).

Despite these serious efforts an effective supervisory system is still a long way off. However, there is sufficient transparency to make human rights violations more susceptible to discovery. This has been substantially facilitated through information supplied by NGOs such as Amnesty International and Human Rights Watch (Baehr 2009; Gaer 1996; Keck & Sikkink 1998; Liese 2006a: 103–6). The NGOs also make it their business to scrutinize the operational activities of the UN and the various treaty bodies (Liese 1998: 40). Effective supervision of human rights practices through international organizations presupposes the employment of sanctions against states committing violations. Despite significant advances during the 1990s, such sanctions are still in their infancy. The most frequent although not the only form of sanction remains the publication and denunciation of violations by individual states, that is, 'naming and shaming' (Franklin 2008; Hafner-Burton 2008; Lebovic & Voeten 2006; Liese 2006a: 103–14).

Far-reaching collective sanctions against a state are only possible in cases where the UN Security Council declares the human rights violations of that state to be endangering international peace and security. This allows the Security Council to take all the measures listed in Chapter VII of the Charter (see Chapter 8). With the end of the Cold War the Security Council redefined its role in implementing the human rights codified in the framework of the UN. Whereas before 1990 the Security Council did not take collective enforcement measures against perpetrators of human rights violations – with the exception of economic sanctions against the former Rhodesia and the arms embargo against South Africa (see Chapter 3), the behaviour of the Security Council has changed somewhat (Forsythe 2006: 59–61). Since the early 1990s the Security Council has agreed to enforcement measures

in a substantial number of humanitarian crises such as those in Bosnia, Kosovo, Haiti, Somalia, East Timor, the Democratic Republic of Congo and Libya.

If, however, one compares the number of resolutions in which the Security Council declares itself 'worried' about human rights violations or humanitarian crises with the frequency of enforcement measures – that is, sanctions – a substantial gap comes to the fore (Kühne 2000a: 299; Petersohn 2009). For example, the civil war in the Darfur region of Sudan (2003–10), in which gross and systematic human rights violations took place and several hundred thousand people were killed, was condemned by the Security Council in several resolutions. At the same time, resembling its hesitancy and ineptitude in the Rwandan Genocide (1994), the Security Council was unable to reach agreement on substantial enforcement measures to stop these gross human rights violations. Moreover, there have been many humanitarian crises on which the Security Council did not agree in time or did not agree at all. For example, gross human rights violations in Chechnya in the 1990s and 2000s and in the Sri Lankan civil war throughout the 1980s, 1990s and 2000s have been widely ignored by the Security Council. In addition, in some humanitarian crises the enforcement measures decided by the Security Council have failed; this is the common perception of the humanitarian intervention in Somalia (1992–95; see Chapter 8). These failed interventions and non-interventions overshadow the successes of the UN, such as the intervention in East Timor.

However, at least in part driven by motives to avoid costly military sanctions (Forsythe 2006: 98, 103; Rudolph 2001), the Security Council has revitalized another instrument of adjudication and sanctioning, that of international courts for the legal pursuit of individuals – rather than states – who are accused of being responsible for gross infringement of international humanitarian law. Acting under Article 29 of the UN Charter, the Security Council set up two international (ad hoc) tribunals for the former Yugoslavia and for Rwanda. With its Resolution 827 (1993) the Security Council, starting from the procedures adopted by the Allied Powers after the Second World War in Nuremberg and Tokyo, created the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague for the prosecution of persons accused of being responsible for serious violations of international humanitarian law. Later Security Council Resolutions 955 (1994) and 977 (1995) established the International Criminal Tribunal for Rwanda (ICTR). The offences prosecuted are genocide, crimes against humanity and war crimes. Both tribunals have led to the arrest, handover and sentencing of a number of prominent war criminals. The former Yugoslav President Slobodan Milosevic was accused of crimes against humanity, war crimes and genocide and handed over to the ICTY in 2001, but died before his trial was completed. By contrast, the

former Prime Minister of Rwanda, Jean Kambanda, was sentenced to life imprisonment for genocide in 2000 (Gareis & Varwick 2005: 230).

Whereas the ICTY and the ICTR are clearly subsidiary organs of the UN, there are also so-called hybrid tribunals with a mixed composition of national and international personnel. These hybrid tribunals, such as the Special Court for Sierra Leone (SCSL, 2002) or the Extraordinary Chambers in the Courts of Cambodia ('Khmer Rouge Tribunal', 2004), rest on a contractual agreement between the UN and the national government to address past international crimes in post-conflict societies (Goldstone 2007; Hoffmann-Van de Poll 2011).

The symbolic significance of these tribunals and their precursor role in relation to the Statute for an International Criminal Court, signed in Rome in 1998 by representatives of 120 states, is widely recognized (Boekle 1998: 14–16; Schabas 2011: 11–15). Equally important was the advocacy work by a transnational Coalition for the International Criminal Court (CICC) which supported a substantial number of small and middle powers (the Like-Minded Group) in calling for a strong, independent court (Deitelhoff 2009: 37; see Fehl 2004). In contrast to the ICTY and the ITCR, the authority of the ICC is not limited to prosecuting and sentencing gross violations of international humanitarian law on the territory of two countries, namely the former Yugoslavia and Rwanda. It can sentence crimes against humanity, war crimes, crimes of aggression and genocide either committed on the territory of a country that has ratified its statute or committed by a citizen of such a country (Rudolph 2001). While the ICC is an independent international organization located in The Hague and is not part of the UN system, it maintains in general cooperative relations with the UN, in particular with the Security Council. The ICC prosecutor can initiate investigations on the basis of a referral from any state party or from the Security Council, but also by his or her own initiative on the basis of information received from individuals or (civil-society) organizations. States parties must cooperate with the Court, which also includes surrendering suspects upon request of the Court. As of June 2011, 116 states have ratified the Rome Statute, with powerful states such as China, India, Russia and the USA still not being party to the ICC. The ICC has begun its work in 2002, conducting investigations, issuing arrest orders and hearing cases concerning situations in the Democratic Republic of Congo, Uganda, the Central African Republic and Sudan (Deitelhoff 2009: 34).

Information activities of the UN

Although UN human rights organs and treaty bodies rely largely on information from the media and NGOs for their supervisory activities, they also contribute to the generation of such information. The Human

responsible for generating, transmitting and evaluating information to and for members of the Council. Similarly, the Committee on the Elimination of Racial Discrimination also has a rapporteur responsible for examining each state's submission prior to discussion in the Committee.

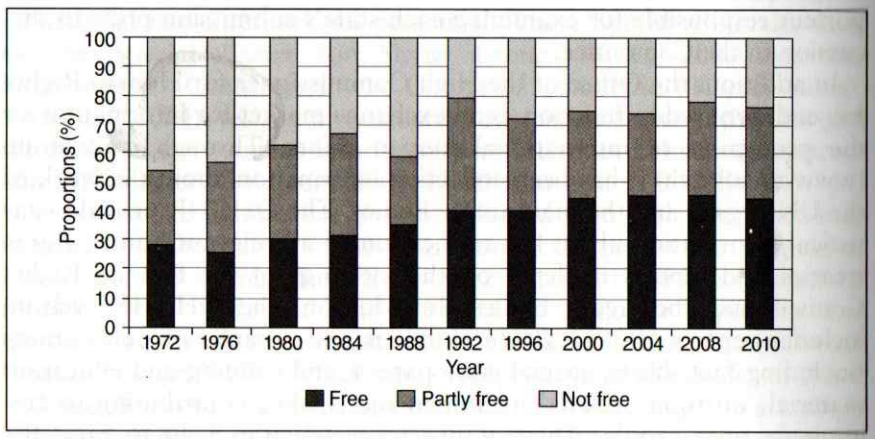
In addition, the Office of the High Commissioner for Human Rights has endeavoured to function as an exchange market for information on the protection of international human rights. Through its website (www.unhchr.ch) it has been collecting information about the work of the UN organs and the main treaty bodies. The OHCHR provides statistical information about the ratification of all relevant human rights treaties and reports in detail on the meetings of the Human Rights Council and the treaty bodies. In addition, the OHCHR website includes reports about its own activities and a range of publications (including fact sheets, special issue papers, and training and education material) on topics related to human rights, thus contributing to creating its own profile. These information activities help to raise the profile of the OHCHR as a centre for collecting and coordinating information on human rights questions, despite the institutional fragmentation of political human rights activities within the UN (Ramcharan 2002).

Evaluation of the organization's effectiveness

The effectiveness of the UN's response to human rights violations must be assessed against the background of particularly challenging conditions for international cooperation and governance in this field. International human rights protection affects the core of states' domestic sovereignty since it rules out and/or demands particular practices of rule within states. Authoritarian states, in particular, tend to reject their domestic practices of rule being subject to international scrutiny. Moreover, it is still debated in how far human rights constitute truly universal or culturally specific (above all Western liberal) values, which further complicates consensus on international human rights norms and their implementation (Jetschke 2006; Renteln 1990).

One first indication that UN activities in the human rights field can nonetheless have a positive impact on the human rights situation within member states might be that the global human rights situation has improved since the 1980s. This finding is underlined by an intertemporal comparison of country ratings by the American NGO Freedom House. Freedom House rates all countries in the world based on criteria of political participatory rights and civil liberties. Figure 11.1 shows that between 1972 and 2010 the share of 'free' countries has increased whereas the proportion of 'not free' countries has

Figure 11.1 Proportion of 'free', 'partly free' and 'not free' countries, 1972–2010 *(in % of overall number of states, based on Freedom House Country Ratings)*



Source: Based on data from Freedom House (2011).

become smaller. This improvement in the global human rights situation correlates with UN human rights activities being no longer limited to policy-programme activities but increasingly including operational activities, as well.

However, this improvement of the global human rights situation (particularly in the field of political rights and civil liberties) might have very many reasons, some of which are unrelated to the UN human rights regime. Therefore, a closer look at the effectiveness of specific UN activities is warranted.

Some, mainly qualitative, studies suggest that international human rights norms have a positive impact on states' human rights policies. Keck & Sikkink (1998) show that, especially in Latin America, transnational networks of human rights NGOs relied on international organizations' programme, operational and information activities in bringing about significant change in the human rights policies of particular states. In a similar vein, Risse et al. (1999) find evidence that cooperative efforts by transnationally operating networks of human rights NGOs, international organizations, Western states and domestic opposition groups have indeed brought about improvements in domestic human rights practices in 11 countries representing five different world regions – Northern Africa, Sub-Saharan Africa, Southeast Asia, Latin America and Eastern Europe. They show that UN human rights norms provide transnational human rights networks with an

important reference system, allowing them to put pressure on states to improve their record of human rights protection (Risse et al. 2002). Furthermore, UN human rights norms offer transnational human rights networks important arguments with which to convince democratic states to engage in more active human rights policies which then lead to improved human rights policies in, or even a democratic transition of, non-democratic countries (Klotz 1995; Risse 1999). Klotz (1995) was, for instance, able to demonstrate that international human rights norms helped advocacy groups to force the US government to impose sanctions on South Africa which, in the late 1980s, clearly contributed to the collapse of the apartheid regime.

In a large-scale, statistical study, Simmons (2009) finds that, at state level, international human rights law has made a positive contribution to the respect for human rights, in particular in the fields of civil rights, equality for women, prevention of torture, and the rights of the child. States' ratifications of treaties do lead over time to improved human rights practices by influencing legislative agendas, altering intra-state political coalitions, and defining the terms of acceptable state action. However, other scholars are more sceptical. In a quantitative analysis encompassing 166 states over a period of almost forty years in five areas of human rights law, Hathaway (2002) examines whether countries comply with the requirements of human rights treaties that they have joined. Hathaway finds that, although the practices of countries that have ratified human rights treaties are generally better than those of countries that have not, noncompliance with treaty obligations is still common. Hathaway explicitly blames weak monitoring and enforcement of human rights treaties for these incidences of noncompliance which give rise to a gap between formal acceptance and actual implementation of human rights norms. Institutional weaknesses in monitoring and sanctioning allow states to reap the reputational benefits of treaty membership, while the risks of detection or even hard sanctions in the case of non-compliance are relatively low.

As outlined above, for most human rights treaty regimes mandatory state reporting is the most important monitoring mechanism. Against this background, Liese (2006b) analyzes the impact of the Civil Pact's mandatory system of state reporting on national human rights policies. She finds that, despite restricted competences and limited resources of the Human Rights Committee, the reporting procedure contributes to a certain extent to compliance *de jure*, i.e. states usually comply with their reporting obligations. However, it is much more difficult to establish whether the reporting procedure contributes to the *de facto* improvement of national human rights performance, i.e. whether it has a positive impact on the human rights situation in reporting states (Liese 2006b). There seems to be a clear gap between compliance with reporting on human rights practices and their actual improvement.

Naming and shaming of human rights violations is still the most common instrument of (promoting) international and transnational human rights enforcement. Thus it is encouraging that states' practices of naming and shaming in UN organs is indeed based less on partisan ties among political allies and power politics, and more on countries' actual human rights records and treaty commitments. This holds especially for the time after the end of the Cold War (Lebovic & Voeten 2006). Moreover, naming and shaming by NGOs, organs of the UN human rights regime, and the Council of Europe (see below) can contribute to some change in intrastate human rights policies, especially as far as the adaptation of formal-legal and institutional provisions is concerned (Liese 2006a). It is also noteworthy that international organizations that do not belong to the core of the international human rights regime may give bite to multilateral naming and shaming in UN and human rights treaty bodies. The World Bank and other multilateral aid institutions have sanctioned human rights violators based on shaming in the (then) UN Commission on Human Rights (Lebovic & Voeten 2009). The adoption of a resolution condemning a country's human rights record regularly produces a sizeable reduction in multilateral, and especially World Bank, aid – whereas it has no significant effect on the country's aggregate bilateral aid receipts (Lebovic & Voeten 2009).

However, naming and shaming by no means guarantees sustained norm compliance in political practice; its impact on the actual day-to-day human rights situation within countries is often limited (Liese 2006a: 24–5). Hafner-Burton (2008) quantitatively analyses the effect of naming and shaming on states' human rights policies for 145 countries from 1975 to 2000. Her statistics show that governments put in the spotlight for abuses continue or even exacerbate some violations afterwards, while reducing others. Governments may make improvements in response to international pressure to stop violations of particular rights for which they are publicly named and shamed; however at the same time they frequently continue with other less exposed (and less criticized) violations (Hafner-Burton 2008; see also Hafner-Burton 2005; Hafner-Burton & Ron 2009). Moreover, human rights improvements are often not sustained once international criticism ebbs down (Franklin 2008).

One way to make sense of these mixed results of the UN's programme, operational as well as information activities in terms of improving human rights policies within states, is to contextualize their impact (Neumayer 2005). International commitments and activities of UN and treaty bodies are the more likely to improve the human rights situation the more democratic the country is or the more INGOs its citizens participate in. By contrast, there is empirical evidence that in autocratic regimes with weak civil society, ratification can be expected to have little or no positive effect (Neumayer 2005). While this contextualization seems highly plausible in the light of the mechanisms that are commonly associated with domestic change of human rights policies, it also suggests a conclusion that is sobering from a normative point of view: the more improvement of domestic human rights policies is needed, the harder it is to achieve.

For cases of gross and systematic human rights atrocities, international criminal tribunals provide relatively hard adjudication and sanctioning mechanisms– and they do so in increasing scale and normative scope (Sikkink & Walling 2007). Despite their proliferation, international criminal tribunals such as the ICTY and the ICTR have often been regarded as relatively ineffective or at least inconsistent in the promotion of international justice (Barria & Roper 2005: 349; Hoffmann-van de Poll 2011). Sceptics of international criminal tribunals argue that these tribunals are irrelevant or even dangerous for achieving the goals of justice, deterrence of human rights violations and peace (see Snyder & Vinjamuri 2003/04). Ku & Nzelibe (2006) doubt that international criminal tribunals can deter crimes because perpetrators' calculations are much more influenced by harsh local sanctions than uncertain and usually lighter international ones. Thus, pessimists are largely unconvinced of international criminal tribunals' transformative potential (Simmons & Danner 2010: 225–6; see Bloxham 2006; Goldsmith 2003). All-too bleak assessments of international criminal tribunals do not seem justified, though. It can be shown that international criminal tribunals have important influences on domestic values and cultural orientations towards violence (Kiss 2000; see also Sikkink & Walling 2007). Moreover, while there are certainly deficits in the reliability with which perpetrators of gross human rights violations have actually been brought before the tribunals, sweeping claims that international criminal tribunals are unable to deter any atrocities are questionable on both methodological and empirical grounds (Akhavan 2001; Gilligan 2006; Scheffer 2002).

At any rate, these ad hoc international criminal tribunals were important precursors for the establishment of the ICC, which enjoys considerably broader authority. As the ICC has been operating for only about ten years, it is too early to make definite assessments of its effectiveness in combating impunity, deterring human rights violations and reducing intra-state violence. In an early study of the ICC's effects on member states' human rights policies in violent conflict, Simmons and Danner (2010) come to the conclusion that ratification of the Rome Statute is associated with tentative steps towards violence reduction and peace, at least in some countries, and that the ICC is potentially helpful as a mechanism for governments to credibly commit to reduce violence and get on the road to peaceful negotiations (Simmons & Danner 2010).

Finally, the hardest sanction available to the UN in cases of gross and systematic human rights violations is military intervention authorized by the Security Council under Chapter VII. The Security Council needs to find that these human rights violations constitute a threat to international peace and security. However, as mentioned above, Security Council authorization of military intervention to stop massive atrocities within states is highly selective (Petersohn 2009), which hampers its effectiveness in stopping or even deterring gross human rights violations. Multilateral military interventions to protect citizens from their government are thus far from being a reliable bulwark against the worst human rights atrocities.

European human rights protection: the Council of Europe

In Western Europe during the immediate post-Second World War period there were three conditions that made international cooperation in the field of human rights feasible (Moravcsik 1995, 2000): the common experience of Fascist and Nazi terror, the rejection of the Communist system, and a high degree of consensus on fundamental values. In the early 1990s, after the end of the Cold War, Eastern European societies were confronted with similar conditions. Here, too, the desire to prevent a return to the Communist system and a consensus on basic values helped cooperation in the field of human rights. These conditions were conducive to the adherence of the states from the former Eastern bloc to the human rights agreements of Western European states. We shall focus on how the Council of Europe contributed to sustaining international human rights cooperation in Europe.

Policy programme of the Council of Europe

Significantly, the first steps towards the protection of human rights came from members of Western European societies and not from their states. In 1948, at The Hague Congress, more than 700 participants from 16 European countries formed the European Movement. They demanded a European Human Rights Charter under the protection of European courts. The states reacted swiftly, and as early as 1949 the Council of Europe was formed. Its statute provides that 'every member of the Council must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms' (Article 3). The Council of Europe thus established an institutional framework for the protection of human rights in Western Europe (see Chapter 3).

In the same year the European Movement submitted a plan for a European convention on human rights to the Committee of Ministers, the intergovernmental organ of the Council of Europe. The Consultative (now Parliamentary) Assembly, the parliamentary organ of the Council of Europe, actively supported the European Movement's proposal. It requested that the Committee of Ministers should agree immediately on a convention for the protection of human rights. The governments were therefore put under pressure. After a year of intense intergovernmental negotiations, repeatedly spurred on by the European Movement as a transnational civil society actor, the European Convention on the Protection of Human Rights and Fundamental Freedoms (ECHR) was signed in 1950. Since then it has been supplemented by 14 additional protocols, requiring ratification. A further improvement to the human rights policy programme was made in 1961 with the signing of the European Social Charter (revised in 1996), which guarantees citizens of signatory states social and economic rights dealing with housing, health, education, employment, social and legal protection, free movement of persons and non-discrimination. Like the earlier ECHR and its additional protocols this Charter, too, was negotiated within the framework of the Council of Europe (Janis et al. 2000: 16–23).

With the end of the Cold War, the Western European human rights programme was extended to Eastern Europe. The states of the former Eastern bloc changed from Communist regimes into democratic states and joined Western European states in the Council of Europe, thereby adopting the ECHR. Its membership nearly trebled from 16 in 1990 to 47 by the end of 2010, including most of the successor states of the former Soviet Union.

In its content the regulatory policy programme of human rights protection contains all the normative essentials of democratic states respecting the rule of law. To be sure, it does not go far beyond the human rights programme of the UN, but the human rights standards of the Council of Europe are formulated more precisely, making it more difficult for states to invoke a let-out clause due to special circumstances (Steiner & Alston 2000: 787–9).

Operations of the Council of Europe

In the field of human rights the main difference between the UN and the Council of Europe is not the policy programme but rather operational activities. The procedures for supervision of human rights practice in Europe are without parallel elsewhere (Brummer 2005; Donnelly 2006: 68–72; Janis et al. 2000; Keller & Stone Sweet 2008). This supervision rests on three different procedures: a complaint by individuals, a complaint by states, and the duty to report (Klein & Brinkmeier 2001). The weakest form of supervision is the duty to

report, just as in the UN system. It is part of the Convention on the Protection of Human Rights and Fundamental Freedoms and the European Social Charter. Under the latter it is the only possibility for supervising member states. Every two years member states are obliged to send a report to the Secretary-General of the Council of Europe on the implementation of their commitments. However, writing the reports is not just left to governments as they must be submitted to trade unions and employers' organizations for comment (Clements et al. 1999: 246–8). Their comments are sent to the nine-member Committee of Experts which examines and evaluates the reports (Harris 2000).

Within the framework of the ECHR the duty to report is given little prominence. Although the Secretary-General can request a report from a member state on its implementation of the Convention, this has only happened very rarely. This is due to the effectiveness of supervision through complaints from individuals and states within the ECHR and its protocols. Not only states, but also individuals have the right to file a complaint to the European Court of Human Rights about human rights violations by a member state of the Convention. Since the coming into force of the 11th Additional Protocol of 1998, which fundamentally reformed the court system, the competency of the Court to accept individual complaints and not just state complaints no longer requires a separate declaration of acceptance of its competency by the so-called High Contracting Parties. If the Court, made up of the same number of judges as there are states parties to the Convention (Article 20 ECHR), receives an individual or state complaint (individual or state application), it must first examine its admissibility. Each individual application is examined by a Court rapporteur who decides whether it should be dealt with by a single judge, a three-member committee or a seven-member chamber. The designated single judge or committee may decide to declare inadmissible or strike out an application, if the inadmissibility of the complaint is evident. An individual complaint is only admissible when all state procedures have been exhausted. Individual applications which are not declared inadmissible by a single judge or committee, or which are referred directly to a chamber by the rapporteur, and all state applications are examined by a chamber. Chambers determine both admissibility and merits of a case. If a case is admitted then the procedure is almost identical, whether for complaints by individuals or those by states. Yet, compared to individual complaints, state parties rarely take cases against other state parties to the Court.

In any case, after a case is admitted the Court first must establish the facts. A chamber of the Court proceeds to examine the facts in cooperation with the parties before the Court, by questioning witnesses and local inspection of state institutions, for example prisons. This is like a

plaints. Even then no decision is taken about the alleged violation of the Convention. The chamber dealing with the complaint is available to facilitate a 'friendly settlement' of the dispute on the basis of the observation of human rights. Where no out-of-court settlement is reached the Court, represented by a chamber of seven judges, decides whether there has been a violation of the norms of the Convention. The judgement is final if there is no request to refer the case to the Grand Chamber, the third body of judges, consisting of 17 judges, or if the Grand Chamber rejects the request for referral. If the Court upholds the complaint, the accused state is requested to take measures to avoid future cases of the specified violation. In addition, the state can be obliged to pay compensation to the natural or juridical person having suffered a human rights violation. The Committee of Ministers supervises implementation of these measures, which has to be reported upon in detail by the state concerned (Brummer 2008: ch. 5, Leach 2001).

The European Court of Human Rights' authority to receive and examine complaints from individuals or states and to make binding rulings is an unusually effective form of supervising the human rights practices of states (Blome & Kocks 2009; Keohane et al. 2000: 459–69). However, the sanctions available when states refuse to correct the behaviour deemed by the Court to be in violation of the Convention are not well developed. Thus, supervision of human rights practices can only function as long as the states are constitutional democracies and willingly submit to the decisions of the Court or those of the Committee of Ministers (Moravcsik 2000). Where a state abandons its constitutional democratic system the legally binding ruling of an international court is unlikely to move it to correct its human rights practices. In such situations the Council of Europe does not have many options to intervene beyond publicly charging the state as being in breach of human rights norms. Nonetheless, compliance with Court rulings (also on the part of the member states from the former Eastern bloc) is exceptionally high when compared with other international courts (see the evaluation below; Blome & Kocks 2009).

Information activities of the Council of Europe

Unlike in the UN, information activities play only a minor role in generating the policy programmes for protection of human rights of the Council of Europe. Besides publishing information about its own activities, the Council concentrates on implementing existing programmes for the protection of human rights in Europe and promoting their further development. The Council is supported in its information activities by some 400 NGOs with observer (in the terms of the Council:

'participatory') status. These NGOs must federate national member organizations in several of the 47 member states, be competent in European human rights issues and file an application with the Council in order to be granted participatory status. NGOs may act as consultants in Council projects; they may prepare memoranda for the Secretary General, make oral or written statements to the committees of the Parliamentary Assembly and address seminars and other meetings organized by the Council of Europe. There is also a special Conference of INGOs which represents the NGOs enjoying participatory status vis-à-vis the intergovernmental bodies of the Council and meets in Strasbourg three to four times a year during the ordinary sessions of the Parliamentary Assembly of the Council.

Information activities of the Council of Europe can be important because states' human rights violations can be unintentional as well as intentional. Seen thus, information about possible human rights violations, by Council officials as well as NGOs, can be helpful for states attempting to avoid such unintentional violations. In Europe, informing a state about a human rights investigation is frequently enough to result in a correction of behaviour. Thus Council of Europe bodies such as the Commissioner for Human Rights, through their informational activities and advice, help states try to find out in advance whether certain policies are compatible with the Convention and its additional protocols. Overall, the ability of the Council of Europe to generate independent, high-quality information from member states represents an organizational output essential for the smooth functioning of the European human rights regime.

Evaluation of the organization's effectiveness

The European human rights system seems to be able to bring about real changes in states' human rights policies. Although naming and shaming by the Council of Europe is not always successful in changing governmental actors' human rights practices (Liese 2006a), the strong standing of the European Court of Human Rights gives European human rights norms considerable impact. The frequent use of the individual petition – over 50,000 new individual petitions are submitted every year – is a first indicator for the effectiveness of the European human rights regime. In comparison, the number of state petitions is far smaller (in fact there have been fewer than 20 inter-state applications since the establishment of the Court). This is an indication that the right of individuals to submit petitions to the Court enhances the likelihood of human rights violations being discussed and prosecuted. Since its establishment the Court has taken more than 10,000 decisions. The almost total compliance with the Court's verdicts provides further proof of the Council's effectiveness in protecting human rights.

According to data from the secretariat of the Committee of Ministers, the rate of compliance within the time allowed is 90 per cent (Klein & Brinkmeier 2001). Thus, compliance with the Court's judgements can be considered almost 'as effective as those of any domestic court' (Helfer & Slaughter 1997: 283; see also Janis et al. 2000). In fact, the European human rights regime is widely acknowledged as being the world's most advanced and effective international regime for promoting and enforcing human rights (Moravcsik 2000: 218; see Liddell 2002).

Over time, the Court has substantially increased its autonomy from member states. The Court has not flinched from passing negative rulings even against powerful member states; it has increasingly exercised its authority vis-à-vis all member states in highly contested public policy issues (Hawkins & Jacoby 2006: 220–1). For example, the Court has required Great Britain to allow gays in the military, to curtail wire-tapping and other police powers, and to ban corporate punishment in state schools (Hawkins & Jacoby 2006: 214). In a wide range of issues, governments have amended legislation, granted administrative remedies, reopened judicial proceedings, or paid monetary damages to individuals whose rights protected by the European human rights treaties had been found to be violated (Moravcsik 2000: 219; see Polakiewicz & Jacob-Foltzer 1991). Blackburn & Polakiewicz (2001) show in a survey of 32 member states that every single state had to change important domestic policies, practices, or legislation in response to Court rulings (see also Hawkins & Jacoby 2006: 214; Shelton 2003: 147–9). Shelton (2003: 147) reports that, for example, Belgium has amended its Penal Code, its laws on vagrancy, and its Civil Code; Germany has modified its Code of Criminal Procedure regarding pre-trial detention, given legal recognition to transsexuals, and taken action to expedite criminal and civil proceedings; the Netherlands has modified its Code of Military Justice and the law on detention of mental patients; Sweden introduced rules on expropriation and legislation on building permits; and France has strengthened the protection for privacy of telephone communications. Despite politically costly verdicts of the Court, states have displayed a constant high level of judicialization in their dispute settlement behaviour vis-à-vis the Court. In most cases, states followed Court procedures when they were accused of violating the European Convention on Human Rights, rather than disregarding or avoiding Court procedures (Zangl et al. 2011: 12–13; see Blome & Kocks 2009). This also holds for relatively new members of the Council from the former Eastern bloc (Blome & Kocks 2009: 263).

However, the overall effectiveness of the Court is constrained by the fact that the implementation of Court rulings within member states can be quite lengthy (Shelton 2003: 148). Moreover, the Court has, to an

extent, become the victim of its own success (Blome & Kocks 2009: 264; Shelton 2003: 148–9). Its caseload has virtually exploded, with the Court receiving more than 50,000 petitions a year now, compared to a 'meager' 4000 in 1988. This creates a huge load of pending cases before the Court. The continuous enlargement of the Council's membership from 10 original members to 47 states (as of end of 2010) has also put a strain on the Court's resources. The Court must often examine petitions submitted in an unfamiliar language in order to ensure that the right of petition for every citizen is guaranteed. To deal with these challenges, reforms of the Court's proceedings have been undertaken in recent years to speed up the screening and processing of petitions.

Conclusion

In the end, the advanced system of human rights protection in Europe is only effective because it reflects a high degree of consensus of values among European societies and states. If this consensus is not present, as was the case during the Cold War, or if there are normative differences about some aspects of the legitimate exercise of state authority (as it has been the case, for example, with Russia), the Council of Europe and its organs quickly reach the limits of their effectiveness. This also explains the even greater limits to the impact that international organizations on the global level have on the human rights policies of their member states. Nonetheless, both regional and global organisations play a key role in enhancing, in coalitions with national and transnational NGOs, the recognition and implementation of international human rights. Without the relevant international organizations, international cooperation and governance in the issue area of human rights would hardly be feasible.

Discussion Questions

1. To what extent do international governmental organizations and (local as well as transnational) NGOs depend on one another's activities in bringing about improvements of states' human rights policies?
2. Why has a more effective system of human rights protection developed in the regional European context than on the global level?

Further Reading

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