

NAME-VANSHIKA SINGH

SAP ID -500107391

B TECH CSE

1. Discuss the main provisions and implementation procedures and mechanisms of international Covenants on human rights.

The International Covenants on Human Rights refer primarily to two key legal instruments: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). These covenants form part of the broader framework of the International Bill of Human Rights, which also includes the Universal Declaration of Human Rights (UDHR). Together, they seek to protect fundamental human rights on a global scale.

Main Provisions of the ICCPR and ICESCR:

International Covenant on Civil and Political Rights (ICCPR):

The ICCPR focuses on rights necessary for individual freedoms and participation in civil and political life. These include:

Right to life (Article 6)

Freedom from torture or cruel treatment (Article 7)

Right to a fair trial (Article 14)

Freedom of thought, conscience, and religion (Article 18)

Freedom of expression (Article 19)

Right to peaceful assembly (Article 21)

Right to participate in public affairs (Article 25)

Equality before the law and protection against discrimination (Articles 2 and 26)

International Covenant on Economic, Social, and Cultural Rights (ICESCR):

The ICESCR covers rights that enable individuals to attain an adequate standard of living and participate in societal life. These rights include:

Right to work and favorable working conditions (Article 6)

Right to social security (Article 9)

Right to education (Article 13)

Right to health (Article 12)

Right to an adequate standard of living, including adequate food, clothing, and housing (Article 11)

Implementation Procedures and Mechanisms:

Ratification and Domestic Legislation: States that ratify these covenants are obliged to incorporate their provisions into their national laws. Each government must enact legislation that reflects the rights enshrined in the covenants to ensure they can be enforced within domestic legal frameworks.

Monitoring Bodies:

ICCPR: The Human Rights Committee oversees the implementation of the ICCPR. State parties are required to submit periodic reports on their progress in implementing the covenant's provisions. The committee reviews these reports and issues recommendations.

ICESCR: The Committee on Economic, Social and Cultural Rights (CESCR) monitors the implementation of the ICESCR. Like the Human Rights Committee, it reviews state reports and issues observations to encourage better compliance.

Optional Protocols:

Both covenants have Optional Protocols that allow individuals to bring complaints of violations directly to the monitoring bodies, provided all domestic remedies have been exhausted. The First Optional Protocol to the ICCPR provides this mechanism, while the Optional Protocol to the ICESCR similarly enables complaints regarding violations of economic, social, and cultural rights.

General Comments:

Monitoring committees issue General Comments to clarify the scope and interpretation of specific rights under the covenants. These comments help states and courts understand the expectations for implementing various provisions.

State Accountability and International Cooperation:

The covenants emphasize that the protection of human rights is a global responsibility. Through mechanisms like the Universal Periodic Review (UPR) and collaboration with other United Nations bodies, the international community holds states accountable for their human rights obligations.

International Assistance:

The ICESCR specifically highlights the importance of international cooperation and assistance in achieving full realization of economic, social, and cultural rights, particularly in developing countries. This recognizes the need for resource sharing and global efforts to meet the standards set by the covenant.

2. Name the core international human rights treaties.

The core international human rights treaties are foundational legal documents that outline the key rights and freedoms to which individuals are entitled globally. These treaties are monitored by various UN committees to ensure compliance by state parties. The following are the main treaties:

International Covenant on Civil and Political Rights (ICCPR) – 1966

International Covenant on Economic, Social and Cultural Rights (ICESCR) – 1966

Convention on the Elimination of All Forms of Racial Discrimination (CERD) – 1965

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – 1979

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) – 1984

Convention on the Rights of the Child (CRC) – 1989

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW) – 1990

Convention on the Rights of Persons with Disabilities (CRPD) – 2006

International Convention for the Protection of All Persons from Enforced Disappearance (CPED) – 2006

These treaties form the backbone of the international human rights legal framework, aiming to ensure that states uphold the basic rights and freedoms of all individuals.

3. Describe briefly the regional human rights mechanisms.

Regional human rights mechanisms are systems established in different parts of the world to promote and protect human rights within specific geographical regions. These mechanisms operate through treaties, conventions, and commissions, providing additional layers of protection to complement the international human rights framework. The main regional systems are:

1. European System:

European Court of Human Rights (ECtHR): Established under the European Convention on Human Rights (ECHR), this court allows individuals to bring

cases against states for alleged human rights violations after domestic remedies are exhausted. The judgments of the ECtHR are binding on member states of the Council of Europe.

European Committee of Social Rights: Monitors the implementation of the European Social Charter, which guarantees social and economic rights in Europe.

2. Inter-American System:

Inter-American Commission on Human Rights (IACHR): Created under the Organization of American States (OAS), the IACHR promotes and monitors human rights in the Americas. It also examines individual petitions and conducts investigations.

Inter-American Court of Human Rights: This court adjudicates cases referred by the IACHR and issues binding rulings on human rights violations within the member states.

3. African System:

African Commission on Human and Peoples' Rights: Established under the African Charter on Human and Peoples' Rights, this commission promotes human rights and monitors compliance across African Union (AU) member states.

African Court on Human and Peoples' Rights: This court complements the work of the African Commission and issues binding judgments on human rights cases referred to it.

4. Arab System:

Arab Human Rights Committee: Responsible for monitoring the Arab Charter on Human Rights, this committee reviews state reports and advises on compliance with the charter's provisions.

5. ASEAN System:

ASEAN Intergovernmental Commission on Human Rights (AICHR): This body, formed under the Association of Southeast Asian Nations (ASEAN), promotes human rights through dialogue and cooperation, although it lacks enforcement powers.

These regional mechanisms provide avenues for addressing human rights issues at a level closer to the cultural and legal contexts of the regions they serve.