



HINDUSTHAN COLLEGE OF ARTS & SCIENCE

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HUMAN RIGHTS –UNIT V

MONITORING MECHANISMS OF HUMAN RIGHTS

International monitoring mechanisms ensure that states **respect, protect, and fulfil** human rights. The United Nations has set up several bodies and procedures to monitor, investigate, report, and prevent human rights violations across the world.

The major UN monitoring mechanisms are:

1. UN Commission on Human Rights (now replaced by UN Human Rights Council)**
2. UN High Commissioner for Refugees (UNHCR)**
3. UN Special Procedures**

* **Country Rapporteurs*

* **Thematic Rapporteurs*

1. UN COMMISSION ON HUMAN RIGHTS (UNCHR)**

(Historical but important for exams)

The UN Commission on Human Rights (UNCHR) was established in **1946** by the **UN Economic and Social Council (ECOSOC)**.

It functioned until **2006**, after which it was replaced by the **UN Human Rights Council (UNHRC)**.

However, the Commission's contributions are foundational and still part of the syllabus.

Objectives of UNCHR**

- * Promote respect for human rights worldwide
- * Develop international human rights instruments
- * Monitor violations of civil, political, economic, social, and cultural rights
- * Receive complaints from individuals and groups

- * Conduct investigations into violation reports

Major Achievements of UNCHR**

1. Drafting International Human Rights Instruments**

The Commission drafted some of the most important human rights documents:

- * **Universal Declaration of Human Rights (UDHR, 1948)**
- * **International Covenant on Civil and Political Rights (ICCPR)**
- * **International Covenant on Economic, Social and Cultural Rights (ICESCR)**

2. Creation of Special Rapporteurs System**

The Commission developed the **Special Procedures**, including:

- * *Country Rapporteurs*
- * *Thematic Rapporteurs*

3. Monitoring Human Rights Violations**

The Commission addressed issues such as:

- * Apartheid
- * Torture
- * Enforced disappearances
- * Women's rights
- * Racial discrimination

4. Public Reporting**

Created global awareness by publishing annual human rights reports.

Limitations of UNCHR

- * Politicization of decisions
- * Selective criticism of countries
- * Lack of enforcement power
- * Influence of powerful nations

This led to its transformation into the **UN Human Rights Council (UNHRC)** in 2006.

UN COMMISSION FOR REFUGEES (UNHCR)

(Commonly called the United Nations High Commissioner for Refugees)

****Founded:**** 1950

****Purpose:**** To protect refugees, asylum seekers, internally displaced persons (IDPs), stateless persons, and returnees.

UNHCR is the world's primary humanitarian institution for refugee protection.

Objectives of UNHCR**

1. Provide ****international protection**** to refugees
2. Ensure ****non-refoulement**** (refugees must not be forcibly returned to danger)
3. Provide ****emergency relief**** such as food, shelter, medical care
4. Help refugees secure asylum, resettlement, or voluntary repatriation
5. Support refugee education, livelihood, and integration
6. Work with governments to develop ****refugee laws and policies****

Functions of UNHCR**

Protection**

- * Issue identity documents
- * Prevent deportation of refugees
- * Protect women, children, and vulnerable groups

Assistance**

- * Emergency camps
- * Relief supplies
- * Health services
- * Shelter and water facilities

Durable Solutions**

1. ****Voluntary repatriation**** (return to home country)
2. ****Local integration**** (settling in host country)
3. ****Resettlement**** in third countries

Advocacy**

- * Encourage governments to adopt refugee-friendly laws
- * Educate international community about refugee rights

Areas of Work**

UNHCR works in crisis zones such as:

- * Syria
- * Afghanistan
- * Sudan
- * Myanmar (Rohingya crisis)

It is one of the largest humanitarian agencies globally.

UN SPECIAL PROCEDURES**

Special procedures are ****independent human rights experts**** appointed by the UN to examine human rights situations.

They include:

Country Rapporteurs**

Thematic Rapporteurs**

Independent Working Groups**

Special Representatives**

These mechanisms provide ****non-political, expert-driven monitoring****, making them crucial for global accountability.

Country Rapporteurs**

These are UN-appointed experts sent to specific countries where ****serious or persistent human rights violations**** are reported.

Purpose**

- * Investigate human rights conditions in a particular country
- * Meet victims, NGOs, government officials
- * Prepare ****annual reports**** for the UN
- * Recommend corrective measures

Examples of Countries with Rapporteurs**

- * Myanmar
- * Iran
- * North Korea
- * Sudan

Role**

- * Document abuses such as torture, disappearances, political repression
- * Monitor civil, political, economic, social, and cultural rights
- * Provide independent and unbiased reports

Thematic Procedures / Thematic Rapporteurs**

These experts focus on **specific human rights themes** that occur across many countries.

Examples of Thematic Mandates**

- * Report on **Torture**
- * Report on **Extrajudicial Executions**
- * Report on **Human Trafficking**
- * Report on **Violence Against Women**
- * Report on **Freedom of Expression**
- * Report on **Minority Rights**
- * Children in armed conflict
- * Right to Education
- * Right to Health
- * Racism and discrimination

Functions of Thematic Rapporteurs**

- * Study global trends and violations
- * Visit countries to assess specific issues
- * Present reports and recommendations to UNHRC

- * Raise early warnings for emerging crises
- * Interact with NGOs, victims, and governments
- * Develop guidelines or standards

Importance of Special Procedures**

- * Independent and impartial reporting
- * Early detection of human rights abuses
- * Global comparison of human rights conditions
- * Helps UN take action (sanctions, warnings, resolutions)
- * Creates pressure on violating governments
- * Protects vulnerable groups

4. Significance of UN Monitoring Mechanisms**

Strengthen global accountability

Ensure international standards are followed

Protect vulnerable communities

Prevent future violations

Provide transparency in human rights situations

Support peace, stability, and justice

The UN Commission on Human Rights, UNHCR, and Special Procedures collectively create a ****strong international monitoring system****. Though enforcement power is limited, these mechanisms play a crucial role in:

- * Documenting abuses
- * Pressuring governments
- * Protecting victims
- * Promoting global human rights standards