

International organizations in the field of human rights protection and problems of their functioning at the beginning of the XXI century

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Abstract. The article is devoted to the study of the problem of the functioning of international organizations for the protection of human rights. The authors note a certain decrease in the degree of influence of international human rights organizations on the possibility of effective protection of human rights in the world. They consider the reasons for this to be the intensification of political confrontation between states and their blocs, as well as the presence of a significant bias in favor of protecting civil and political rights to the detriment of social and cultural ones.

Keywords: international human rights organizations, human rights, democracy, legality, social welfare, political confrontation of states.

In the field of human rights protection, one of the most key positions, as you know, belongs to international organizations. There are many such organizations, but the question is not in their number, but in the effectiveness of their activities and approach to the problem of protecting human rights. The modern world is beginning to realize that the active role of democracy does not always coincide with the growth of universal respect for human rights. In this regard, the following questions are not always resolved: what approach is necessary, or rather will become the most effective for the protection of vulnerable groups of the population, how should the proper functioning of institutions that support democracy and ensure compliance with laws should be monitored, which should be applied equally to all.

Currently, there is often a certain degree of dissatisfaction in society with the inability of democracy to ensure the progressive development of society as a whole, as well as to ensure full

protection of human rights. It is obvious that democracy itself is in crisis today¹. Constant and growing social inequality, poverty and social insecurity, lack of confidence in the future lead to disappointment and mistrust within society. This leads to the desire of citizens to actively participate in the adoption of many strategic decisions, to new forms of such participation, which is often expressed in protests, demonstrations, which have become massive in recent years in a number of countries. Very often, such protests are a form of struggle for political influence in the country. Sometimes representatives of human rights organizations take part in them, trying to express their civil position or to ensure the protection of the rights of participants in such actions.

In essence, human rights organizations are so-called "goodwill" organizations that abandon the interests of the market seeking to maximize profits and political associations seeking to concentrate power. In this sense, human rights organizations are "micro-powers" that can both stabilize and vice versa, destabilize political power, and sometimes create difficulties for leaders of different states, especially when it comes to demanding justice based on human rights. However, this does not mean that they have and use more opportunities than government institutions and law enforcement agencies.

Perhaps the active concern of human rights organizations is based on the redefinition of their roles, especially when they are associated with negative assessments from the political authorities. How, in modern conditions, a human rights organization can successfully prove itself, have a significant impact on state power and at the same time maintain a largely leading role in the implementation of human rights protection - these are the pressing questions for such organizations today. Human rights organizations are not "representative" in the strictest sense of the word, as they do not seek to act on behalf of individuals or groups².

Given the significant complexity of society and the many connections between social phenomena, it is not possible to predict the outcome of a specific action taken by a human rights organization. For example, losing a lawsuit can lead to the most unexpected consequences (inability to support human rights in the face of concerns about some injustice). On the other hand, reports of a series of unfair practices simply remain unexplored. It is, therefore, hoped that the chances of successfully building respect for human rights will increase in line with the growing diversity of organizations and their strategies for action. Opportunities for the advancement of human rights can arise from a range of short- and long-term actions, structural and economic interventions, or actions with public and diplomatic impact. It is important to remember that the activeness, consistency and perseverance in the actions of international human

¹ Grachev N.I. Transformation of public authorities and the crisis of democracy in the context of globalization // Legal culture. 2020. № 3 (42). P. 13.

² Malak El-Chichini Poppovic and Oscar Vilhena Vieira Reflections on the international human rights movement in the 21st century [Electronic resource]. URL: <https://sur.conectas.org/en/reflections-on-the-international-human-rights-movement-in-the-21st-century/1> (appeal date: 31.05.2021).

rights organizations are the secret keys to success in the protection of human rights around the world, including the protection of human rights in the courts.

Much of the success of international human rights organizations stems from their ability to take risks, set goals, change plans, test multiple strategies, and use different opportunities to uphold their values. The world is constantly faced with the emergence of new forms of struggle for the recognition of human rights and new requirements for social well-being. Technological and environmental changes are profoundly affecting the way people relate to each other and organize themselves as a society.

Obviously, a normative approach to human rights should not distract from their political and social dimensions. Strict standards of equality and demands for freedom and dignity undoubtedly run up against the obstacles that characterize the power structures of all kinds of societies. Abuses and deviations from the requirement of legal regulations to some extent exist in all societies to a greater or lesser extent. It follows that any process of change that includes human rights as an objective must take into account the need to function both within social structures and political institutions. In other words, the ideal of human rights must be expanded through social standards, education and culture. In addition, human rights and freedoms should be recognized as non-negotiable for those who seek the legitimate exercise of power in society.

Modern digital and communication technologies obviously have an impact on the field of human rights, as well as on virtually all other areas of society. The monopoly on information is significantly destroyed, and the time factor is increasingly truncated. The challenge for human rights organizations today is to understand what their new role is and find ways to change their agenda to help those who seek social change through the realization of human rights. When you take into account street protests around the world that used social media as a communication platform, the presence of human rights discourse was noticeable: improved quality of public services, democracy, justice and equality were required. The question is whether human rights organizations play a particularly significant role, as they did in the last decades of the last century. As in the case of print media and communication networks, human rights organizations must be prepared to find new space for themselves.

Given that human rights are the result of a particular historical context and a series of decisions taken at a particular time and place, they do not necessarily have the same impact on different cultures and societies. Politically, however, human rights have become a kind of moral guideline. Despite the systematic violations on the part of many governments that do not want to eliminate social tensions in their countries, it has become difficult for the governments of several countries to argue that such human rights violations are one-off or less frequent. The Internet and telegram channels very often increase the feeling of injustice and social instability in society.

Human rights non-governmental organizations, in defining their key priorities, are obliged to a certain extent to limit their activities to specific areas in the broad area of human rights. Since most human rights organizations have focused their priorities on protecting civil and political rights, faced with the specific challenge of fighting authoritarian right and left regimes around the world, there are not so many organizations defending social and cultural human rights in the world today. Despite the enormous importance of these organizations, their activities began to be questioned not only by those who tried to evade their obligations in the field of human rights, but also by those whose criticism was more legitimate, and who realized that one-dimensionality and control over a certain direction in the case protecting human rights undermines the very idea of priority and full respect for human rights.

As international human rights policy has gradually expanded, traditional organizations such as Amnesty International and Human Rights Watch have pledged to take action in different directions, expanding the scope of rights protected and restructuring their relationships with regional and local organizations. These changes also gradually influenced the specifics of international cooperation of states in the field of human rights protection, placing a significant emphasis on providing international human rights organizations with all opportunities to monitor violations of human rights and freedoms on the territory of national states and to influence governments to eliminate and prevent them in future.

The surge of optimism in the protection of human rights that occurred in the 90s of the XX century, which determined the content of the conferences in Rio de Janeiro (1992) and Vienna (1993), gradually faded as it became clear that the commitment to new democracies ideas and values of human rights was partial. The heated debate over the inclusion of provisions on justice, the rule of law and security in the new Millennium Development Goals illustrates the level of tension. Political relations between states, which today quite often can be characterized as tense and mistrustful, undoubtedly have a negative impact on the development of international human rights organizations and their ability to defend and protect human rights around the world.

A key challenge faced by international human rights organizations is the need to focus on the fundamental aspect of human rights, which is to view everyone as a goal in themselves and treat people with equal respect and consideration in the many different situations in which they find themselves. That is why the main problems of the functioning of international human rights organizations at the present time should be recognized as a decrease in their influence on the processes taking place in states, due to the prevailing atmosphere of political confrontation in a number of states and blocs, as well as the presence of a significant bias in favor of protecting civil and political rights to the detriment of social and cultural. It is obvious that the role of

international organizations in the field of human rights protection is now gradually decreasing, and the international community should be interested in finding ways to revitalize their activities. Without a solution to this problem, the degree of guarantee of human rights in the global dimension will undoubtedly only decline. This state of affairs in the future threatens to turn into serious problems in the field of legal independence and personal protection.

References

1. Grachev N.I. Transformation of public authorities and the crisis of democracy in the context of globalization // Legal culture. 2020. № 3 (42). P. 7–22.
2. Malak El-Chichini Poppovic and Oscar Vilhena Vieira Reflections on the International human rights movement in the 21st century [Electronic resource]. URL: <https://sur.conectas.org/en/reflections-on-the-international-human-rights-movement-in-the-21st-century/>