

Role of State/Public Authorities in the Realization of Human Rights

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Universal Role of the State

- Fostering the rule of law and security of its citizens
- Maintaining an independent judiciary
- Adopting a stable economic policy
- Free and fair elections
- Investment in social services and infrastructure
- Protection of the environment
- Protection of human rights

Vienna Declaration and Programme of Action

- adopted in June 1993 by the World Conference on Human Rights
- “all human rights are universal, indivisible and inter-dependent and inter-related”
- reaffirmed the important and constructive role played by national human rights institutions

National Human Rights Institutions

Bodies furthering fundamental rights:

- Judicial bodies
- Non judicial bodies
 - The ombudsman
 - Various government commissions

National Human Rights Institutions

- Commission/Centre/Public Defender/Ombudsman :
 - established by the Government
 - combine government legitimacy and authorisation with independence and the watch dog element usually associated with civil society
 - enjoys an important degree of autonomy

National Human Rights Institutions – the Roles

- Promoting and ensuring harmonization between domestic legislation and international treaties
- Facilitating public awareness of international and governmental human rights policies
- Encouraging the involvement of various sectors of the society in the formulation, implementation and review of relevant policies

National Human Rights Institutions – the Roles

- Crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights
- Assisting in the formulation of programmes for the teaching of and research into human rights
- Receiving complaints and responding to queries from civil society

National Human Rights Institutions – the Roles

- Contributing to the State's reports submitted to international and regional inter-governmental bodies
 - UN instruments for human rights protection
 - ICCPR, ICESCR, ICERD, CAT, CEDAW, CRC
 - CoE instruments for human rights protection
 - ECHR, ECPT, ECRML, FCNM

National Plans of Action

- the World Conference on Human Rights recommended that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights.
 - e.g. to combat discrimination, for social inclusion of vulnerable groups, for integration of Roma etc.

Conclusion

- The political role of the state is dominated by
 - democratization
 - free and fair elections
 - good governance
 - protection of human rights