

THE PROTECTION OF HUMAN RIGHTS

The concern for the protection and promotion of Human Rights has assumed a new priority at the international level. The periodic monitoring of human rights situation in different parts of the world by the reputed international NGO's is well recognized. However, the regular monitoring and the assessments carried out by UN Council on Human Rights mechanisms and mandate holders appears to have assumed a new priority. That the states have opened up spaces for the mandate holders and special rapporteurs of the Council to assess the human rights situations in the respective states and report the same to the Council is a welcome step. The assessment reports of the special rapporteurs do enable the states and the governments to rectify the lapses and attend to shortcomings, if any, relating to the protection and promotion of human rights.

The history of recognition of human rights, as basic fundamental and inalienable rights of human beings is a long and arduous one. The visionaries of different hues have contributed to this recognition of human rights as the essence of human existence. For the last six decades or so, a huge corpus of human rights jurisprudence has developed. This Jurisprudence clearly lays down the normative basis of the rights; provides the guidance in framing the laws for the protection of human rights and lays down the rules of interpretation of these laws. Thus, a bulwark has emerged for the protection of human rights globally. Of late, a serious effort is being made to safeguard the human rights while dealing with the issues of national security. A set of international standards is in place to bring about a balance in the two paradigms. The constant theme of striking a balance between the protection of human rights while seeking to safeguard the national security concerns of states has been debated during the UN Council of Human Rights sessions from time to time. The level and participation of states' representatives during these deliberations indicate the willingness of states in striking a balance between these crucial concerns.

The latest concern of the human rights regimes as articulated by the Council of Human Rights appears to address the culpability of the so called 'non-state actors' in violating and undermining the human rights of individuals and groups particularly in conflict zones of the world. The statistical data collected and made available by the NGO's and accepted by the UN Council Special rapporteurs reveal the horrendous tales of these violations. It is clear that the non-state actors, pursuing their political objectives and even the objectives set out for them by the outside powers to settle their own scores, have been ruthlessly dealing with the ordinary innocent people. The actions of these actors clearly establish the fact that they subject the innocent sections of the population and unwilling young people, through the tactics of terror and fear, to a state of subjugation and oppression. An overview of the majority of the cases of conflict areas across the world indicate that most of the situations may not be categorized as uprisings and protest movements against the regimes or revolts against the systemic failures. A deeper analysis reveals that terror machines are set up, well oiled financially and logistically to shake the foundations of the state organizations perceived to be hostile and antagonistic by the sponsors of the game. That the players and actors in this drama of death and destruction have enjoyed impunity, the terrible events continue to play havoc with the states and societies. It may be noted that apathy to address the issue aggravates the phenomenon of violation of human rights. It is high time that the human rights regime takes up the issue on priority basis and prod the international NGO's including the UN Council of Human Rights to devise mechanisms and procedures to address the menace.

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