

5.5 Implementation of Human Rights:

The Implementation of Human Rights law depends to a large extent on the political will of states to comply with international standards. Ideally, a co-operative network of non – state actors and international Institutions all ensure effective implementation of the international norms and standards. That may Implement entails and array of activities. These include primarily activities to improve compliance by the states themselves, such as enacting national laws or administrative practices to comply with human rights standards, strengthening the judiciary branch of government, educating the population, establishing national human rights institutions, improvement of minimum health standards, improving prison conditions, and increasing participation in government. From the variety of activities that states are to take at the national level to implement human rights standards this section briefly discusses three: the incorporation of international standards into domestic law; the establishment of national human rights institutions and human rights Education.

Generally, to implement international Human Rights standards, states must affirmatively incorporate them into domestic law. In general, international treaties do not stipulate how states should implement human rights standards, leaving it to each state to decide how obligations will be implemented at the domestic level. However, it is notable that a few treaties specifically mandate the adoption of domestic laws as a part of its implementation framework.

Implementation at the international level

Implementation of human rights standards can be a difficult task for developing countries where the scarcity of resources may impose challenging obstacles to achieve compliance with human rights within a reasonable time. For example, while a state may in theory agree that people have the right to health, housing or other economic standards, it may not have the capacity radically to change everyone's living conditions in order to bring them up to the level of the norms aspired to. Similarly, one's right to a speedy and fair trial may require that a state increase funding to its judiciary system. Thus, international co-operation is essential to assist countries' adherence to international standards.







The promotion of human rights standards in another country can take

violation of human rights. Often a differentiated approach is chosen, as this may often be the most effective way to bring about compliance. One sees international treaty organs, other countries and non-governmental organisations all working to promote human rights compliance.

National and State Human Rights Commission:

The National Human Rights Commission (NHRC) of [India](#) is a Statutory public body constituted on 12 October 1993 under the Protection of Human Rights Ordinance of 28 September 1993.[1] It was given a statutory basis by the Protection of Human Rights Act, 1993 (TPHRA).[2] The NHRC is the National Human Rights Commission of India,[3] responsible for the protection and promotion of human rights, defined by the Act as "Rights Relating To Life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants".

The Protection of Human Rights Act mandates the NHRC to perform the following functions:

-  Proactively or reactively inquire into violations of government of India human rights or negligence in the prevention of such violation by a [public servant](#)
-  By leave of the court, to intervene in court proceeding relating to human rights
-  Make recommendations about granting relief to the victims and their families.
-  Review the safeguards provided by or under the [Constitution](#) or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation
-  Review the factors, including acts [of terrorism](#) that inhibit the enjoyment of human rights and recommend appropriate remedial measures
-  To [study treaties](#) and other international instruments on human rights and make recommendations for their effective implementation

- Engage in [human rights education](#) among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means
- Encourage the efforts of ngos and institutions congress to working in the field of human rights.
- Such other function as it may consider it necessary for the protection of human rights.
- Requisitioning any public record or copy thereof from any court or office.

State Human Rights Commission:

The State Human Rights Commission of Tamil Nadu become functional vied notification G.O.Ms: 1466 on 17 April 1997. As it was constituted by the earlier notification G.O.Ms 1465 Dt: 20 December 1996.

Role of NGO'S:

The term non-governmental or non-profit is normally used to cover the range of organisations which go to make up civil society. Such organisations are characterised, in general, by having as the purpose of their existence something other than financial profit. However, this leaves a huge multitude of reasons for existence and a wide variety of enterprises and activities. Ngos range from small pressure groups on, for example, specific environmental concerns or specific human rights violations, through educational charities, women's refuges, cultural associations, religious organisations, legal foundations, humanitarian assistance programmes – and the list could continue – all the way to the huge international organisations with hundreds or even thousands of branches or members in different parts of the world. In this section, we look briefly at the significant role that such organisations have had, and continue to have, in the protection of human rights throughout the world. At nearly every level of the different attempts to preserve the dignity of individual citizens when this is threatened by the power of the state, ngos play a crucial role in:

- Fighting individual violations of human rights either directly or by supporting particular 'test cases' through relevant courts

- Offering direct assistance to those whose rights have been violated
- Lobbying for changes to national, regional or international law
- Helping to develop the substance of those laws
- Promoting knowledge of, and respect for, human rights among the population. The contribution of ngos is important not only in terms of the results that are achieved, and therefore for the optimism that people may feel about the defence of human rights in the world, but also because ngos are, in a very direct sense, tools that are available to be used by individuals and groups throughout the world. They are managed and co-ordinated – as many organisations are – by private individuals, but they also draw a large part of their strength from other members of the community offering voluntary support to their cause. This fact gives them great significance for those individuals who would like to contribute to the improvement of human rights in the world.

Process of NGO'S:

NGO'S may attempt

to engage in the protection of human rights at various different stages or levels, and the strategies they employ will vary according to the nature of their objectives – their specificity or generality; their long-term or short-term nature; their local, national, regional or international scope, and so on.

Direct assistance

- a. It is particularly common for ngos working on social and economic rights to offer some form of direct service to those who have been victims of human rights violations. Such services may include forms of humanitarian assistance, protection or training to develop new skills.
- b. Alternatively, where the right is protected by law, they may include legal advocacy or advice on how to present claims.
- c. In many cases, however, direct assistance to the victim of a violation or a human rights defender is either not possible or does not represent the best use of an organisation's resources. On such occasions, and this probably represents the majority of cases, ngos need to take a longer term view and to think of other ways either of rectifying the violation or of preventing similar occurrences from happening in the future.

Collecting accurate information

If there is a fundamental strategy lying at the base of the different forms of NGO activism, it is perhaps the idea of attempting to "show up" the perpetrators of

injustice. Governments are very often able to shirk their obligations under the international treaties, or other rights standards, that they have signed up to because the impact of their policies is simply not known to the general public. Collecting such information and using it to promote transparency in the human rights record of governments is essential in holding them to account and is frequently used by ngos. They attempt to put pressure on people or governments by identifying an issue that will appeal to people's sense of injustice and then making it public.

Two of the best known examples of organisations that are reputed for their accurate monitoring and reporting are Amnesty International and the International Committee of the Red Cross. Both of these organisations possess authority not only among the general public but also at the level of the UN, where their reports are taken into account as part of the official process of monitoring governments that have agreed to be bound by the terms of international treaties.

Campaigning and lobbying

It can be fun to write to people who lead authoritarian or repressive regimes, have a dictator as a pen-pal, and be a complete nuisance to him by sending him these letters.

International actors often engage in campaigning and advocacy in order to bring about a policy change. Again, there are numerous forms, and an NGO will try to adopt the most appropriate one, given the objectives it has in mind, the nature of its "target", and of course, its own available resources. Some common practices are outlined below.

Letter-writing campaigns are a method that has been used to great effect by Amnesty International and other NGO'S People and organisations "bombard" government officials with letters from thousands of its members all over the world. Street actions or demonstrations, with the media coverage that these normally attract, may be used when organisations want to enlist the support of the public or to bring something to the public eye in order to 'name and shame' a government.

The media will frequently play an important part in lobbying practices, and social media and the Internet are now assuming an increasingly significant role.

Shadow reports are submitted to UN human rights monitoring bodies to give an NGO perspective of the real situation regarding the enjoyment of human rights in a particular country.

In addition to demonstrations of support or public outrage, ngos may also engage in private meetings or briefings with officials. Sometimes the mere threat of bringing something to the public eye may be enough to change a policy or practice, as in the story below. Whilst this used to be mobilised, at one time, through tapes, posters and faxes, it is now mobilised through email campaigns and petitions, internet sites, blogs and electronic social networks.

