

# International law and human rights



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International Law and Human Rights International law and human rights are interesting studies because they cover an entire global scope which is consisted of several states with their own respective statutes and jurisprudence. The significance comes when they are obstructed by domestic policies. This is particularly highlighted in the case of the United States where international human rights are most likely to be challenged. Stewart Patrick and Shepard Forman (2002) explained that the US unilateralism in human rights to a distinctive culture of “exceptionalism” – that is, a pervasive sense of cultural relativism, ethnocentrism, or nationalism – is one of those which distinguish the United States’ from the international human rights perspective. (346) Indeed, history has proved that the American Congress and its deliberations are characterized by a consistent concern to protect the sanctity of the US political institutions in a diverse world and a perspective suspicious and disdainful of things foreign. This American relativist attitude according to Patrick and Forman obstructs the United Nations’ human rights objective, which is to promote universal respect for human rights and fundamental freedom for all without distinction as to race, sex, language or religion. 1 And so it is understandable to assume that the areas of jurisdiction as well as the enforcement of the World Court’s mandates regarding disputes, such as in human rights, are problematic areas of concern when nations refuse to accede or at least comply with international requirements. The United States in 1986 withdrew from compulsory jurisdiction of the International Court of Justice, which meant that it accepts the court’s jurisdiction only on case-to-case basis. 2 But however the case is, one cannot deny the role that World Court, the International Criminal Court and War Crimes Tribunals assume in the

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peaceful and orderly coexistence among the community of nations. They serve as an affirmation of the legality of the world bodies, particularly of the United Nations. As with the other governmental institutions, the judicial branch is central to the efficiency and legitimacy of a government. According to M. Henri Spaark, who was the first President of the United Nations General Assembly, peace will not be achieved if there would be no absolute respect for international jurisdictions and its judgments. 3 (Raic1997, 4)

The World Court and the International Criminal Court under the wing of the United Nations have already proven their relevance as with the indictment of Slobodan Milosevic in 1999 for crimes committed against humanity during the wars he instigated in Yugoslavia.

The World Court, along with other international and public tribunals sanctioned by the United Nations such as the United Nations High commissioner for Refugees and the United Nations Gopher, including the US State Department Human Rights Practices Reports, are not the only watchdogs of human rights-related abuses around the world. At present, there are numerous private organizations, some of them highly specialized, which advocate, monitor and often initiate actions regarding the incidence of human rights violations. Organizations with global jurisdictions include the Amnesty International, Human Rights Watch, Freedom House and Peacenet. Extensive resources are also available in the Internet for the assistance of those human rights victims as well as scholars interested in the subject and human rights statistics.

#### Works Cited

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