

Legal analysis of Emerging Human Rights Issues

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Abstract

There is now a nearly universal agreement that all humans are entitled to some fundamental rights under all situations. These include various civil and political rights, with the right to physical and life integrity being the most essential. Human rights express the necessity for fairness, tolerance, mutual respect, and basic human rights in all of our actions. When we discuss rights, we can convey the notion that all people fall under the scope of morality and justice. Protecting human rights entails ensuring that individuals are treated with decency. The world has several rules and regulations for protecting basic human rights. Still, the modern era is emerging new problems in the framework of human rights, which are discussed in this article. Contrarily, breaching fundamental human rights entails denying persons their most fundamental moral responsibilities. This article's primary objective is to identify human rights issues. In the following article, the qualitative research methodology was applied.

Keywords: *Human rights, violations, War crimes, UDHR*

Introduction

In 1948, the "*United Nations General Assembly (UNGA)*" adopted the "*Universal Declaration of Human Rights (UDHR)*." Eight State Members parties did not vote, despite the fact that 56 State Members parties of the UN voted in support of equal human rights at the time. Since then, considerable progress in universal human rights has been accomplished. However, every day these rights are violated. Advocacy for the progress of human rights is not a linear process; in some regions around the world, human rights achievements have stagnated or worsened over the past two decades. Societally marginalized people are especially susceptible to discrimination. This contains children, women, the disabled, refugees, minority groups, the poor, and indigenous peoples (Assembly, 1948).

Moreover, after Second World War, state parties focused on international peace and cooperation. The most important thing is safeguarding and guaranteeing human rights to keep the peace. In 1948 the UDHR was signed, in which thirty fundamental rights were declared international human rights. Later, in 1966 the "*International Covenant on Economic, social and Cultural Rights (ICESC)* and the "*International Covenant on Civil and Political Rights (ICCPR)*" emerged. Collectively, these texts are known as the international Bill of Rights. The enforcement of these Rights was the next step when it declared International Human Rights. The community faces many issues and challenges in protecting and enforcing these International Rights. These are discussed in this research work (Morsink, 2010).

State actors directly or indirectly violate human rights. State breaches may be purposeful or the result of the state's failure to prevent the infringement. When a state violates human rights, numerous factors may be implicated, including police, judges, attorneys, and government officials. Physical breaches, including such police abuse, qualify as violations of the Law. Nonetheless, rights like the right to a fair trial can be infringed even in the absence of physical assault.

State failure constitutes the second sort of violation, which is conflict among individuals and groups within a community. Participation in breach occurs when a state fails to safeguard and intervene on behalf of disadvantaged groups and individuals. Whenever lynchings often happened throughout the United States, the state did nothing to protect black Americans. State actors,

including the police, are accountable for the lynching; this is an instance of both forms of infractions occurring instantaneously (Sriram, 2004).

Maintaining international security and peace is the purpose UN's Charter. Violence and warfare impair sustainable development. Human rights breaches are the primary causes of war and instability, which invariably result in additional violations of human rights. The primary causes of breaches are warfare and instability, which invariably lead to more human rights violations. The efforts for long-term peace are founded on ways to stability and peace, with human rights protection and promotion as the inherent preventative force. The human rights approach also provides a sound foundation for dealing with the most pressing concerns inside or between states that, if left unaddressed, can cause conflict. Information and analysis on human rights are instruments for advanced detection and implementation experiences that have yet to be fully utilized (Thoms, & Ron, 2007).

Adherence to "*International Human Rights Law (IHRL)*" norms and human rights protection weakens attempts to establish, preserve, and advance peace. International efforts are in full swing to prevent terrorist attacks and prevent the development of violent extremism. Important to both this and the final pillar of fostering sustainable development is a revitalized United Nations peacekeeping and peacekeeping mission. We may lead to the enhancement of peace and development by demonstrating how the implementation of human rights principles can address complaints, eradicate poverty, and promote resiliency. Additionally, the pillar faces possible risks from technological innovations in the security contexts (Drew, 2011). The research focuses on the violation of human rights norms in various ways below.

Research methodology

The article is based on existing literary and online sources and reviews the literature and desk research of human rights-related newspapers, organizational reports, online articles, and books. To sum up, this study should be viewed as a conceptual article. The development of theoretical suggestions is based on comprehensive literature and desk research. This research applies a qualitative methodology, indirect observation, cause-effect analysis, predictive synthesis, modeling, induction, and description in the scientific approach.

The Notion of Human Rights Violations

Human rights abuses occur when state (and non-state) actors violate, disregard, or deny fundamental human rights (civil rights, political rights, cultural rights, social rights, and financial rights). In addition, human rights infringement can happen when any state or non-state entities actor violates the UDHR clause or other IHRL norms and International humanitarian Law (IHL) norms. Art. 39 of the United States Constitution identifies the United Nations Security Council (or designated authority) as the highest competent tribunal for determining breaches of United Nations human rights (McCormick, J. M., & Mitchell, N. J. 1997).

Furthermore, regardless of the circumstances, all persons are entitled to some fundamental rights. These include various political rights and civil liberties, the most essential of which are the right to life and physical safety. In the whole of our activities, human rights convey the need for compassion, justice, basic human rights, and respect and understanding. Speaking of rights enables us to convey the notion that all people fall inside the realm of justice and morality.

Human rights norms can be safeguarded by humanitarian treatment. Moreover, infringing on the most basic human rights norms deprives persons of their most basic ethical entitlements. It entails treating them as less than human and denying them dignity and respect. crime of Genocide, an act of torture, enslavement, rape, compelled sterilization and inhuman treatment, and purposeful starvation are examples of acts that are often regarded as "*crimes against humanity*." Because states sometimes adopt these objectives, one essential importance of international laws is restraining the state's uncontrolled authority. The nondiscrimination principle and the belief that certain fundamental rights are universally applicable ban the numerous "*crimes against humanity*" (May, 2006).

Different forms of violations

The sum of deaths and casualties due to war is only a small part of the enormous pain and devastation that conflict causes. During the prolonged conflict, assaults on the right of political and basic life rights are common. Exterminations, whole starving populations, and crimes of Genocide are among the gravest violation of life rights. The crime of Genocide is explained as the deliberate annihilation of a specific ethnic, racial, and religious community. The most serious offense is eliminating a community by killing its members, inflicting serious mental or physical

suffering on them, and enacting actions to prevent birth and forcefully transfer children. Genocide is frequently seen as the most heinous act against humanity (Sriram, 2004).

For military and civilians, the phrase "*war crime*" breaks the laws of *jus in Bello* (justice in war). Military conflict regulations restrict the use of weaponry on people that inflict undue pain or long-term ecological harm. Other war crimes include shooting at undefended civilian targets without a military purpose, including hospitals and schools, kidnappings, inhumane treatment of detainees, experimental procedures, and pillaging or indiscriminate destruction of property. War crimes are prevalent, even though they are forbidden under international Law. As per UN Secretary-General Kofi Annan, "*the main goal of hostilities is the elimination not of armies but citizens and entire ethnic groupings*" (Hathaway, 2019)

Women and teen girls were frequently assaulted and forced into prostitution by soldiers. The world community has failed to confront sexual assault in armed conflict for decades. Widespread are sexual assaults, which are habitually by mutilation, sexual humiliation, and forced pregnancy. Such crimes are driven by the long-held belief that warriors are entitled to the "spoils" of battle, which are women. Women who are taken over international borders and sold into prostitution constitute a kind of sexual enslavement known as "trafficking." During wartime, these so-called "comfort ladies" are another instance of institutionalized sexual assault against women. Sexual assault is sometimes viewed as a means of destroying men's and communal pride or humiliating men who are unable to "defend" their spouses. It is also used to intimidate and quiet politically active women and the general community. Mass rapes may also be part of a crime of genocidal strategy that leads to the annihilation of an entire population group (Akhmedshina, 2020). For instance, in the Yugoslavia in the 1990s, the media outlets reported that "*rape and other sexual atrocities were a deliberate and systematic part of the Bosnian Serb campaign for victory in the war.*"

Programs of torture may be carried out by government troops. Rather than merely exterminating entire populations. act of Torture can indeed be physical and psychological and tries to "*humiliate or destroy the victim's dignity.*" Torture may consist of beatings, mutilation, and electrical shock to the genitalia, gums, and lips. In psychological torture, inmates are denied water and food, and sleep deprived, kept standing for hours, and tormented by high-decibel sounds.

In some circumstances, torture is used to extract confessions or information during interrogation. It is increasingly employed to penalize political opponents who disagree with the ruling group's philosophy or repress political and ideological disagreement.

In addition to being tortured, thousands of conflict-related detainees "*disappear*" and are typically slain and interred in secret every year. State forces "*take individuals into custody, detain them in secret, and then refuse to take accountability for their whereabouts or destiny.*" Typically, these kidnappings and abductions are to obtain information and promote fear. In most instances, interrogations include threats and acts of torture, and those detained are then slain. To conceal the torture and killing of captives, their bodies are buried in gravesites or dumped in landfills. Due to the fact that people vanish without a record, families do not know if their family members are living or dead (Augenstein, 2018).

A variety of smaller forms of political repression are frequently employed. Those in authority threatened that those who did not share their political beliefs could be arbitrarily jailed never brought to trial, or subjected to grotesquely unfair trial procedures. It is possible to deny mass populations the right to vote or all types of political involvement. Alternately, restrictions on the free movement of individuals can be implemented. Among these include mass evacuations, forced displacement, and rejection of the ability to seek refuge or return home.

State violence may also manifest as discrimination. Basic rights can be rejected based on religion, nationality, ethnicity, and sexuality in this situation. Segregation is the most severe type of racial discrimination, denying political rights. Segregation in South Africa formalized extreme racial discrimination by-laws prohibiting interracial marriage and sexual relations and requiring the races to reside in separate territorial areas. Certain humans were considered inferior by nature and were not recognized as complete human beings under the Law. This system is defined by a systematic disrespect for human rights with the purpose of racial segregation-based societal control as a result.

Furthermore, women are vulnerable and weak due to the aforementioned human rights violations and sexual assault; social and political repression is a type of institutionalized discrimination against women that is widespread worldwide. This involves enforcing tight clothing codes and severe sentences for sexual "transgressions" against women. In addition, in some places (such as Africa), women experience worse hardship than men. They are prohibited right to education,

political power, and specialized training (Brennan, 2007).

Fundamental issues concerning Human Rights

The globe is entering the 21st century. The past few years have not been ideal for human rights. Human rights are threatened in two-thirds of the countries examined by the 2018 Rule of Law index, according to research conducted in those nations. Since 2016, the index has recorded declining scores. The below are among the most essential concerns of human rights.

Human trafficking

Human trafficking is a global issue that is growing in prevalence. Since 2010, the UNODC has observed an upward trend in worldwide numbers (UN Office on Drugs and Crime). As noted out by the executive director, armed groups and terrorists utilize human trafficking to create terror. Victims are frequently employed in the sex trade or other forms of forced labor. Human trafficking is not restricted to specific races, tribes, or nations. However, women and girls comprise the majority of individuals who are trafficked. As the problem grows more serious and pervasive, the world community must intensify its efforts (Maria Galheigo, 2011).

Refugee crises

According to the UN head, changing climate and military conflict are responsible for the "*highest levels of displacement on record.*" Refugees are fleeing their homeland face discrimination and persecution as well. According to additional reports, the scenario will only deteriorate in the future. Assistance is costly; that is all that can be done. In its 2019 Overview, the International Humanitarian predicts that conflicts in South Sudan, Somalia, Nigeria, and Yemen have displaced 132 million people, costing over \$20 billion. Due to the difficulty of resolving climate change and military conflict, the refugee crisis will be the greatest human rights concern (Barbulescu, 2017).

Worker rights

The Art 23.1 of UDHR explained that everyone has the "*right to work, free choice of employment, protection against unemployment, and just and favorable working circumstances.*" In numerous ways, fundamental rights are threatened globally. Frequent injustices include Racism, wage theft, and physical harm. The work method disrupts the work-life balance and the psychological health of employees. In numerous locations, inadequate salary is also a problem. Since 2009, the minimum wage in the United States has remained unchanged. As we enter the new decade, worker

protections will become more important (Gross, 2003).

Gender equality

Gender discrimination has remained a human rights issue. Even with decades of improvement, the World Economic Forum estimates it could take another decade to achieve gender equality. The topic is complex and cannot be reduced to a single problem. Right to education, political representation, reproductive freedom, and economic prospects are impacted by gender disparity. In the future, human rights reform and evaluating progress will stay at the forefront (Fredman, S., & Goldblatt, B. A. 2015).

Human rights and technology

By studying the past, innovations propagate at a breakneck speed. Inventions such as the internet have a significant impact on how we interact and the ideas that are generated. With powerful institutions, technologies also alter our interpersonal interactions. Sadly, legal safeguards and mechanisms have not evolved at the same rate. Data privacy will involve the definition of hate speech, surveillance, and digital security in the future. Dedicated to this field, these concerns will spur the formation of organizations (Rauf, 2021).

Difference between National and International Law

The first point addresses the fundamental notions and distinctions between IHRL norms and domestic Laws. When signing or ratifying an international treaty or Convention, the majority of governments include reservations. The Islamic Republic of Pakistan consistently maintains that everything contrary to the Quran and Sunnah is null and void. In other Islamic nations, an identical custom prevails. The application of certain human rights norms, such as the freedom of religion, has been viewed as a barrier for those who wish to change their religion.

Enforcement of Law and obedience to the state

Another important problem is compliance with the Law. The citizen obeys the Law out of fear of retribution or because the Law authorizes specific transactions within the domestic legal system. In certain ways, international Law resembles domestic Law. The penalty can be administered in various methods; international collaboration is required. The UN Security Council is primarily responsible for addressing major human rights norms breaches, such as the use of children in armed conflict and rape as a means of warfare, in the context of maintaining worldwide security and

peace (Smith, 2022).

Racism.

Racism holds that people's personalities and skills may be assigned depending on their race and that some racial groups are better than others. In times of war and war, as well as during economic downturns, Racism and prejudice have been used as strong weapons to instill hatred and fear of others (Bradley, 2019).

Women rights

There are still countless challenges in all spheres of society, from the cultural to the political to the economic, notwithstanding the progress made in empowering women. For instance, women frequently work more than males but are compensated less. Girls and women are impacted by gender inequality throughout their lives, enduring the most destitution (Bunch, 2017).

Indigenous people and human rights

Globally, there are around 370 million indigenous people living in 70 nations. In the past, they have been dispossessed of their land or had their land taken from them, placing them in the center of hostilities. They are frequently at the focus of conflicts over access to key resources because they attempt to live independently. Indigenous people are typically among the most disadvantaged individuals in the world (Miranda, 2010).

Business corporations and Human Rights violations

Numerous multinational firms are gaining in strength. Profit maximization is the primary objective; nonetheless, there may be unintended repercussions, including lobbying for and participation in manipulated international accords, violations of human rights, child labor, environmental degradation, and the pursuit of ever-cheaper labor. Multinational firms assert that their engagement in foreign states positively promotes human rights norms in non-democratic states (Bernaz, 2016).

Surveillance by intelligence agencies

On the basis of material provided by NSA whistleblower Edward Snowden at the beginning of June 2013, the US National Security Agency (NSA) and Government Communication Headquarters (GCHQ) in the United Kingdom began the process of disclosing numerous surveillance-related documents. These revelations revealed that the acquisition of emails and other Internet

communications and the tapping of phone calls constitutes a huge operation of surveillance. Some revelations appear criminal, while others indicate that the United States spied on allied countries during international conventions. Unsurprisingly, there has been considerable disruption. Unquestionably, there has been a rise in aggravation with the United States and other regions around the world, despite the fact that some countries are utilizing this to gain diplomatic points. In 2001, in the wake of the 9-11 terrorist events, a plethora of US monitoring programs developed. Long-held suspicions of a crackdown on civil liberties in the wake of the so-called war against terror appear to be partially confirmed by these discoveries. Even when the interaction has nothing to do with terrorist attacks, a dragnet surveillance issue known as PRISM has caught the activities of millions of citizens owing to the extensive gathering of evidence, apparently from centralized servers of large Online companies and other fundamental servers that form the Internet backbone (Kosta, 2022).

Failure of Human Rights Committee

The study explains the Human Rights Committee's defeat. The following are examples of the proof he offers. The Committee was created so that individuals could bring complaints against nations for human rights infringement. In its twenty years of operation, the Committee has received a mere 765 complaints. The Committee established more than 100 states that "two billion individuals do not require protection." The Committee only issued 263 "views" (the Commission is only able to convey its views, which bear no duty for states) in 199 of the 765 complaints; in 15 percent of cases, the states offered the applicant a remedy or adopted the Commission's views. These states are not required to report to the Committee because it is not a signatory to the Convention. Even member states did not take the Committee's opinions seriously. A state must adopt the Optional Protocol for persons to be forced to interact with the Committee. Even the USA, China, and Great Britain have not remedied the Optional Protocol. In addition, the Human Rights Committee is mostly disregarded by its member states (Islam, S., Masehullah, M., & Meer, H. 2022).

The Committee is comprised of eighteen specialists who frequently represent the government. The Committee members serve as ambassadors and cabinet ministers for the government. This encourages the Committee to support governmental acts instead of criticizing them. There is no chance for meaningful governmental accountability unless the Committee comprises truly

impartial specialists. The Committee meets only three times per year for a total of three weeks each time. Robertson argues that it is unreasonable to expect the Committee to do a year's worth of work in nine weeks, as it meets three times a year for three-week sessions. The Committee will require adequate time to become functional and devote to monitoring and problem-solving. The Commission On Human rights does not hold hearings, and there are no witnesses or cross-examinations in its proceedings. No provision is made for oral debate or adversarial procedures. All work is completed on paper and, according to state self-reports, without the participation of NGOs.

If the Committee hopes to monitor state activity, it must be able to collect information and hear alternative perspectives beyond state reporting. The Commission is a "*organ*" of the United Nations, albeit it is neither quasi-judicial nor a court. The position, structure, and budget of the United Nations are determined by its Secretariat. The Committee reflects the tendency of the United Nations to avoid criticism from its members.

The Panel must be allowed to criticize governments beyond polite "*comments*"; it must be autonomous of UN reins. The fundamental focus of *the "International Covenant on Civil and Political Rights (ICCPR)"* is not individual rights versus states but rather governmental obligations toward individuals. As a court, it lacks the authority to defend individual rights. It cannot coerce or even pressure governments to uphold their Covenant obligations. In order to fulfill its responsibilities, the Committee must protect the rights of the individual rather than merely encourage nations. For governments to adhere to the Covenant's human rights criterion, there must be a means of exerting pressure on them.

The Commission on Human rights has no independent fact-finding resources. This is a vulnerability that precludes the Committee from monitoring state operations efficiently. The Committee's accessibility to the Human Rights Committee's fact-finding reports is insufficient. To successfully carry out its task, the Committee must be able to get the essential information. Numerous victims of human rights violations will never learn of the Committee's investigation and findings. The Committee's papers are guarded in strict confidence, and proceedings are conducted behind closed doors. Robertson claims that committee reports are seldom worth reading because they lack specific rationale. Without wider public awareness, it is difficult to imagine the

Committee becoming effective (Carraro, 2019).

Enforcement issues with HRC

The Commission On Human rights is unable to implement the Views. Assuming that member nations ever submit reports, it is simple for them to disregard Committee opinions. An individual's request to the Committee may have an illogical consequence instead of increasing a state's support for human rights. According to Robertson, death row convicts who file compliant paperwork with the Committee are occasionally targeted for execution (Donoho, 2006).

Complaining about Human rights violations

Individuals can file complaints regarding the infringement of their human rights norms in an international forum, as stipulated by the international human rights treaties. There are basically three procedures for presenting claims of human rights treaty breaches to the human rights treaty bodies:

Individual Communications

The most common nine international treaties on human rights norms recognized a distinct "*treaty body*" (Commission) of specialists to supervise the application of the treaty obligations by its state member parties. Under specific conditions, treaty organizations ("*International Covenant on Civil and Political Rights (ICCPR)*, *The Committee on the Elimination of Racial Discrimination (CERD)*, *The Committee Against Torture (CAT)*, *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*, *Convention on the Rights of Persons with Disabilities (CRPD)*, *The Committee on Enforced Disappearances (CED)*, *The Committee on the Protection of the Rights of All Migrant Workers and the Members of their families (CMW)*, *Committee on Economic, Social and Cultural Rights (CESCR)*, and *Convention on the Right of Child (CRC)*") may address individual complaints and communication from individuals. The individual complaint process for CMW has not yet gone into effect.

Who can complain? Anyone can register a complaint against a state member that is a member party to the treaty in question (through ratification and accession), supplying for the purportedly guilty of violating rights, and has acknowledged the Committee's expertise to investigate individual complaints through either ratification and accession to an Additional Protocol (in the particular instance of "*the International Covenant on Civil and Political Rights (ICCPR)*,

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of Persons with Disabilities (CRPD), ICESCR, and Convention on the Right of Child (CRC) or through creating a declaration to that effect under a particular article of the Convention (in the case of CERD, The Committee Against Torture (CAT), CED and The Committee on the Protection of the Rights of All Migrant Workers and the Members of their families (CMW))".

Third parties may also file complaints on behalf of an individual, so long as they have provided their written authorization (in any form). Certain third parties, such as victims of abductions or a prisoner with no contact with the outside world, may file a lawsuit without the consent of the defendant (McDougal, M. S., Lasswell, H. D., & Chen, L. C. 2018).

State-To-State Complaints

Many human rights treaties include clauses that permit state member parties to file complaints with the appropriate treaty body (Committee) on another State party's alleged breaching of human rights norms. Article 11 of the CEDAW was used for the first time in 2018 with the submission of three national communication.

"The Committee Against Torture, CMW, The Committee on Enforced Disappearances, ICESCR, and Convention on the Right of Child: Article 21 The Committee Against Torture, Article 32 The Committee on Enforced Disappearances, Article 74 Convention on the Elimination of All Forms of Discrimination Against Women, Art. 10 of the Additional Protocol to Committee on Economic, Social and Cultural Rights, and Art 12 of the Additional Protocol (on a communications process) to the CRC" formed a process by which a proficient committee itself considers complaints from a state member party that believes another state member party is not complying with the clause of the Constitution. This process only pertains to State member Parties that have filed a statement acknowledging the Committee's capability in this regard.

"Committee on the Elimination of Racial Discrimination (ERD), International Covenant on Civil and Political Rights, and CRC: Art 11-13 of the ICERD and Art. 41-43 of the ICCPR" create a more advanced mechanism for resolving disputes among state member parties connected with the performance of a state's commitments under the pertinent Convention or Covenant by establishing an ad hoc Mediation Committee. The approach generally applies to all ICERD contracting states.

Nevertheless, it only pertains to state member parties to the ICCPR and CRC that have standard the capability of the appropriate Committee in this concern by making a declaration.

Resolution of inter-State disputes concerning interpretation or application of a convention: "*the CERD, Convention on the Elimination of All Forms of Discrimination Against Women, CAT, The Committee on the Protection of the Rights of All Migrant Workers and the Members of their families, and CED: Art. 22 ICERD, Art. 29 CEDAW, Art. 30 CAT, Art. 92 CMW and article 32 CED*" mandate that disagreements between member states regarding the interpretation and application be handled in the first place by negotiation and, failing that, through arbitration. If the parties are unable to reach an agreement on the conditions of arbitration within six months, one of the concerned states may bring the issue to the International Court of Justice (ICJ). State parties may opt-out of this procedure by making a declaration at the time of ratification and accession, in accordance with the principle of proportionality. They are, after that, prohibited from filing claims against either state member parties (Helfer, 2017).

Inquiries

Upon receiving credible information on egregious, systematic, and serious breaches of the treaties they observe by a State Party, they will act swiftly, "*the Committee against Torture (Article 20 CAT), the Committee on the Elimination of Discrimination against Women (Article 8 of the Optional Protocol to CEDAW), the Committee on the Rights of Persons with Disabilities (Article 6 Optional Protocol to CRPD), the Committee on Enforced Disappearances (article 33 of CED), the Committee on Economic, Social and Cultural Rights(article 11 of the Optional Protocol to ICESCR) and the Committee on the Rights of the Child (Article 13 of the Optional Protocol (on a communications procedure) to CRC) may, on their initiative, initiate inquiries if they have received reliable information containing well-founded indications of serious or systematic violations of the conventions in a State party.*"

Which States may be subject to inquiries? Only state member parties that have acknowledged the competent authority of the Select Committee may be the subject of an inquiry. States member parties may opt-out of the process of investigation at the time of approval, ratification, and acceded ("*Art 8 CAT; Art 8 of the Additional Protocol to CRPD, Art 10 of the Additional Protocol to CEDAW, and Art 13(7) of the Additional Protocol (on a communications method) to CRC*") or at

any time ("*Art 11(8) of the Additional Protocol to ICESCR*") by declaring that they do not acknowledge the competence of the select Committee to conduct inquiries. CED is an anomaly in this sense, as the authority to undertake investigations is not contingent on state party acceptance (art 33 ICPPED).

Inquiry Procedure:

1. Monitoring occurs when the Committee obtains credible information showing that the State member party is systematically infringing the Convention's rights. After receiving appropriate information from the Panel, it is possible to commence the process.
2. The Committee inspires the State member Party to present observations to promote examining the evidence.
3. The Human Right Committee may nominate one or more State members to launch an investigation and provide a brief report. Upon justification and with the approval of the relevant State party, an investigation could include a journey to its territory.
4. The Human Right Committee then reviews the state members' conclusions and conveys them to the State member party along with any analysis and suggestions.
5. The Human Right Committee recommends that the State member party give its remarks on the Human Right Committee's results, thoughts, and suggestions within a defined time frame, naturally six months. When requested by the Committee, tell it of the measures and actions concerning the investigation.
6. Cooperation with the State member party shall be pursued at all levels of the procedures, and the investigation procedure is strictly secret.

Conclusion

International Human Right Committee was established to secure the fundamental rights of human beings. The first step toward the International Human Rights was taken in 1948 and then in 1966. However, the most necessary thing is to enforce these rights internationally. This is not as easy as hoped by the signing or ratifying the International Bill of Rights by the states. There are so many issues to enforce these rights like the difference in the Law between international and national or domestic levels, non-willingness and the inability of the states to enforce the rights, Racism, women's rights, indigenous misplaced people, business corporations, surveillance by intelligence

committee and the failure of Human Rights Committee. Many steps have been taken to solve this issue, yet many more steps need to enforce and guarantee these rights. Only then the dream of such a right can come true. May Almighty Allah bless all of us. Ameen.

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