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### RESEARCH ARTICLE

#### HUMAN RIGHTS IN INTERNATIONAL COMMUNITY

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#### Abstract

Today the international community consists of numerous organizations in which countries as subjects of international law are taking participation. Numerous regulations of these organizations are norms of the entire international community. Among these standards there are many for human rights that are well defined in the universal declaration of human rights of the united nations (1948) and the european convention on human rights (1950).

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#### Introduction:-

The concept of human rights is based on the idea that man has universal natural rights or status, regardless of some circumstances such as ethnicity, nationality and gender. There are some features that are related to human rights. They are universal, they belong to every human being in the same manner and they are protected by the constitution, laws, treaties and international agreements. Another characteristic is that they are inalienable, of the individual. The concept of human rights is gradually raised by different ideologies, organizations and countries to eventually get universal significance codified in the universal declaration of human rights of 1948 the united nations and the european convention on human rights which was adopted in 1950. Today the issue of human rights transcends national boundaries. This process begins with the founding of the united nations and by creating various international organizations open to almost any international entity and almost to a man because he can be included as a subject of international law. The purpose of this paper is to explain the contribution closer to the aforementioned conventions as an international "law" in the field of protection of human rights

#### Universal declaration of human rights:

Universal declaration of human rights was adopted on december 10, 1948 based on the monitoring of the experience of the second war and expresses the protection and promotion of human rights. It was adopted by the un general assembly. The intention of its authors, as stated in the introductory provisions, where it is set as "common standard of achievement for all peoples and all nations, to every individual and every organ of society, keeping this declaration in mind." in its structure begins with preamble which is composed of seven positions, and consists of 30 members who are elaborated later in the international covenant on economic, social and cultural rights and the international covenant on civil and political rights and its two optional protocols.

Brief overview and meaning of "ideal of all people and nations to achieve"

The following text will elaborate the basic rights and freedoms mentioned in this declaration. As first mentioned ideal are equity and freedom of all people. This declaration in its spirit promotes equality regardless of race, color, sex, language, religion, political or other opinion, origin, property. It guarantees the right to life, liberty and security of person. An important provision of this declaration is that explicitly defines the equality of all before the law and

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protection from any kind of discrimination, and the right to legal advice before the competent courts. Regarding the behavior of the judiciary is defined right to a fair and public procedure before an objective judgment and respect of the presumption of innocence. It is determined that no one can be arrested, imprisoned or exiled from their own country. On the international categories definitely asylum in another country, in the case of prosecution. Citizenship as a legal category, must not be unreasonably denied, and it is provided the change of nationality of each person. The declaration defines marriage as the free will of the marriage partners and family as the basic unit of society. The right to property, freedom of thought and expression, conscience and religion and the right to peaceful assembly and association associations are integral rights of this international template. In terms of public works has the right to equal access to public services and has the right to elect the government through general and equal elections by secret ballot. The right to work, to free choice of occupation, protection against unemployment, the right to equal pay for equal operation, the right to form trade unions, the right to rest and leisure as well as a periodic holidays are essential rights of man are definrani in this declaration . Guaranteed is the living standard that is explained further as a way of man where is guaranteed health and welfare (food, clothing, housing, medical care social conditions), and mothers and children are defined as a category entitled to special prevention and certainly illegitimate children are defined to enjoy the same social protection and others. An important provision is that of education as a powerful tool, which udhr guarantees everyone the right to education that is free (primary and basic education) and includes values of understanding, tolerance and friendship among nations and that of cultural life in which everyone has the right to participate equally.

The above rights are increasingly important in a global society and a model for how to look legal orders of any state. Udhr in guinness book is described as "most translated document" of the whole world. This declaration, although not legally binding, was adopted by most states. It serves as the basis for a number of international treaties, international, regional and national institutions and state laws in the role of human rights. Scientific doctrine it describes as moral and diplomatic pressure on governments that violate.

#### **European convention on human rights:**

European convention on human rights was adopted in 1950 by the council of europe. In its structure contains a preamble and 59 articles. The convention later has adopted several protocols. In continuation of the text follows a brief elaboration of the convention in order to realize the importance of this convention.

Starting from the preamble of the convention, it is important to note the importance of the udhr which is mentioned as an important international document in direction of human rights. The preamble mentions the aim of the council of europe to achieve unity among its members right through the issue of human rights and fundamental freedoms. First mentioned is the obligation to respect human rights by member states that joined. Then comes the first part of certain rights and freedoms. First is the right to life which is described that is protected by law. Explicit below is the ban on torture which means inhuman or degrading treatment or punishment. The right to liberty and security is guaranteed in a way that no one shall be deprived except in certain legal proceedings detailed in article 5 of the convention. Another right which is of particular importance is the right to a fair trial, which involves a fair and public trial that should be within a reasonable time by an independent and impartial tribunal. It is determined exclusion of the public is part of the procedure or completely when it could offend morality, public order or national security. In the area of fair trial it is defined the presumption of innocence and minimum rights of any accused. Convention clearly and unambiguously provides that the offense to be criminal or punishable should be determined by international law or regulation or general principles of law recognized by civilized nations. Later it is determined the right to respect for private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association similar to the universal declaration of human rights. The right to marriage and the prohibition of discrimination is regulated similarly as in the udhr.

The second part of the echr defined the european court of human rights as a guarantor of respect for the obligations of the convention and its protocols. In terms of the number of judges determines that it is equal to the number of countries that have signed the convention. Regarding the performance of their function it is planned the court to obtain professionals of high moral character, who will work independently, with its own independent capacity and in a way that will not run anything else while they perform this function. Regarding the choice it is provided that the parliament elected by a majority vote from a list of three candidates proposed by the member-state. Regarding the duration of the mandate it is provided a choice of six years renewable. Secretariat as a body, it is set to disposal to the court. The convention defines the committee, chambers and grand chamber as bodies that consider cases composed of three judges, seven and seventeen respectively.

The convention stipulates that if it is violated any norm of the provisions of the member states, the court is competent to decide. Apart from member states as applicants, court protection may occur individuals, non-governmental organizations, and groups of people who are considered victims of damage provided by the convention. Regarding the admissibility court can decide if exhausted all domestic remedies. At the hearing before this court may involve state whose citizen applicant by submitting written comments or participation in the discussion. Convention provides the public debate and access to documents. After the verdict within three months either party may request the matter be reviewed by the grand chamber. The judgment of the grand chamber is defined as final. The judgments are binding and have the force of enforceability of countries that signed the convention parties to the dispute. Court may give advisory opinions on questions of interpretation of the convention, by the request of the council of ministers. Judges for the duration of their term enjoy privileges and immunities.

This convention as newer document of the universal declaration of human rights is more represented at regional level and concerns the european countries apart from the udhr whose action is universal. As mentioned above can be emphasized once again that if there is an injury of any kind of human rights this convention determines a body that will act in the event of injury or the european court of human rights.

### **Conclusion:-**

In this paper above are mentioned international instruments in different ways that international community can produce pressure on governments to respect human rights and the various instruments through which the state can be called to account for human rights violations. However, pressures and punishing states for violations of these rights are not enough. The international community must not and can not be the only one responsible for the protection of human rights. The obligation to protect human rights lies in the jurisdiction of the states that have to move the legal orders to guarantee them. Unfortunately in the 21st century, there are numerous states that does not respect the rights of women and children, then the rights of the employee, private rights, the right to a fair trial.

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