

SOME INSTRUMENTS FOR THE PROTECTION OF HUMAN RIGHTS: NATIONAL AND FOREIGN EXPERIENCE

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INTRODUCTION

This paper examines the important role of international law and organizations in protecting human rights and the health of civilians in times of war. It examines how international conventions and agreements contribute to the protection of fundamental rights and freedoms, and the challenges that these organizations face in implementing these norms in conflict zones. Particular attention is paid to mechanisms for responding to human rights violations and ensuring access to health care and social services. The history and development of international human rights law is a complex and multifaceted process. It begins with philosophical ideals and religious teachings that proclaim the value of human life and dignity. The main stages in the history of international human rights law are: Magna Carta of 1215: Establishing limits on the power of the king in England. The American Declaration of Independence of 1776 and the French Declaration of the Rights of Man and of the Citizen of 1789. Proclamation of fundamental rights and freedoms. The creation of the League of Nations after World War I: An attempt to prevent future conflicts through international cooperation. The adoption of the Universal Declaration of Human Rights in 1948. Establishing general standards of human rights. The development of international treaties. The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These documents and many others formed the basis of the modern system of international human rights law, which continues to evolve and adapt to new challenges and needs. The main documents and conventions that form the basis of international human rights law include: The Universal Declaration of Human Rights (1948): A universal document that proclaims the fundamental rights and freedoms that belong to every person. The International Covenant on Civil and Political Rights (1966). A treaty that establishes a wide range of political and civil rights.

International Covenant on Economic, Social and Cultural Rights (1966). A treaty setting out economic, social and cultural standards. Convention on the Elimination of All Forms of Discrimination against Women (1979). A document aimed at protecting the rights of women and girls². Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984). A document prohibiting torture and other forms of ill-treatment². Convention on the Rights of the Child (1989). A treaty establishing the rights of children². Convention on the Rights of Persons with Disabilities (2006). A document

promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities. These and other documents form the legal basis for the protection and promotion of human rights at the international level.

The principles of humanitarian law that underpin international humanitarian law (IHL) include. Principle of humanity: Prohibition of causing suffering and protection of civilians and combatants who have withdrawn from the fighting. Principle of distinction: Distinguishing between civilians and combatants, and between civilian objects and military objectives. Principle of proportionality. Prohibition of attacks that may cause incidental loss of life among civilians or damage to civilian objects that is disproportionate to the anticipated military advantage. Principle of military necessity. The use of force is permitted only to the extent necessary to achieve the military objective. Prohibition of unnecessary suffering. Prohibition of the use of means and methods of warfare that may cause unnecessary suffering or excessive harm. These principles are fundamental to ensuring the protection of persons who are not or have ceased to participate in hostilities and to limiting the means and methods of warfare.

1. International institutions for the protection of human rights

The United Nations (UN) has numerous specialized agencies that play a key role in international cooperation and development. Here are some of them: International Monetary Fund (IMF). Focuses on stabilizing the international financial system¹. World Health Organization (WHO). Responsible for global health issues and epidemics. United Nations Educational, Scientific and Cultural Organization (UNESCO). Promotes education, science and culture. International Labor Organization (ILO). Sets international labor standards. Food and Agriculture Organization (FAO). Fights hunger and promotes agricultural development. These institutions operate under special agreements with the UN Economic and Social Council and have their own goals and objectives, but all are aimed at promoting peace, security and development at the international level.

The International Committee of the Red Cross (ICRC) is an important humanitarian organization, founded in 1863. The ICRC's main tasks include protecting the lives and dignity of victims of war and armed conflict, as well as providing them with assistance. The ICRC also searches for people who have disappeared as a result of hostilities and disseminates knowledge about the rules of international humanitarian law that protect victims of war.

Psychological effects of war. The psychological effects of war are profound and long-lasting, affecting all aspects of the lives of people who have survived the conflict. Here are some key points¹.

¹ Про судову експертизу: Закон України від 25.02.1994 № 4038-ХІІ /Верховна Рада України.URL: <https://zakon.rada.gov.ua/laws/show/4038-12#top> (дата звернення: 11.06.2026).

Post-traumatic stress disorder (PTSD). This is one of the most common psychological effects of war, characterized by reliving traumatic events, avoiding situations reminiscent of the trauma, and a constant feeling of tension. Depression. Many war survivors suffer from depression, which can include feelings of hopelessness, loss of interest in life, and decreased energy. Anxiety disorders. War can cause various forms of anxiety, including generalized anxiety disorder, phobias, and panic attacks. Psychosomatic disorders. Physical symptoms that have no medical explanation but are related to psychological stress are also common consequences of war. Substance abuse. War survivors may turn to alcohol or drugs as a way of self-medicating. Intergenerational effects. War can have long-lasting effects not only on survivors but also on subsequent generations through the transmission of traumatic experiences. Impact on family relationships. War can lead to the breakdown of family ties and the loss of loved ones, which in turn causes additional psychological stress. Social isolation and stigmatization. War survivors may experience social isolation and stigmatization, making it difficult for them to recover and integrate into society.

These theses emphasize the importance of a comprehensive approach to the recovery of mental health of war victims, including early detection, psychotherapy, medication and social support.

International law faces a number of complex challenges in the modern world. These challenges affect security, human rights and the stability of international relations. Let us consider some of them:

- The growth of global interdependence leads to new challenges for international law.

- Transnational problems, such as cybersecurity, terrorism, human and arms trafficking, require joint efforts of states.

- Conflicts and wars:

The increase in local conflicts and wars threatens international security.

- Violations of international humanitarian law during armed conflicts are a serious problem.

Let us focus on this because we are currently living in this limbo, where we are being threatened with a nuclear mushroom cloud and we are experiencing what armed conflict is like.

Climate change and environmental challenges:

- Climate change affects the resources and security of states.

- International law must respond to these challenges, in particular in the context of environmental protection.

Pandemic and global health:

- COVID-19 has shown how important it is to cooperate at the international level to combat the increase in global health threats.

Digital era and cybersecurity:

– The development of digital technologies creates new challenges for international law, in particular regarding cybersecurity and the protection of personal data.

– 2. Provision of services to individuals as a tool for protecting people's rights.

The Polish experience in the field of administrative services is important for Ukraine due to its successful integration and reforms. Poland has shown

in practice, a successful path in reforming and joining the European Union. This country has successfully implemented a single centralized system of public services, linking this to the territorial reform that took place in the 2000s and provided for the delegation of the organization of public services to local governments.

These services can be divided into communal (energy supply, water supply and sewage, transport, maintenance of roads and green spaces, etc.), social (education, healthcare, social support, security, culture, employment issues, etc.) and administrative. Local governments must ensure the provision of these services to residents, but they are not a mandatory institution for their direct provision. Often, contracts are concluded with enterprises or non-profit organizations for this purpose.

In Warsaw, a centralized system of Residents' Service Departments was created in all districts of the city in order to ensure high quality services for residents and speed up administrative procedures. These departments function as institutions where each resident has the opportunity to quickly resolve their affairs in the official sphere, such as exchanging ID cards, registering vehicles, obtaining licenses, etc.

The departments offer consumers reliable, qualified and fast services. In addition to fulfilling their main tasks, they also play an information role, in particular, launching an electronic system of servicing residents. This system is aimed at reducing or completely abandoning the use of paper documents after the introduction of electronic signatures.

In the UK, the mechanism for providing administrative services to the population includes resolving issues related to voter registration, housing, tax planning for land ownership, licensing in the road industry, as well as general and local information, as well as issues resolved by the tax and business rates board.

One of the main components of the public service system in the UK has become citizen service centers, the network of which operates on the basis of the following principles:

- not citizens move, but documents (move the file not the citizen);
- continuous improvement of service quality (the quality movement);
- the principle of "one stop shops at local level".

Citizen service centers operate on the principle of "one window" and contribute to increasing citizens' access to public services. The public services

reform program also takes into account the strategy for the development of e-government, including the creation of electronic public services in the country.

The government strategy is focused on the development and active use of all electronic services. The United Kingdom has won a leading position among other European countries in the creation of an "electronic government" system (E-government).

An example of the development of a modern mechanism for the provision of administrative services using the latest technologies is the experience of Estonia. After gaining independence, the country began to set itself the task of overcoming the Soviet legacy, eliminating bureaucracy and reducing the number of documents required for consumers to interact with public administration bodies. The result of these efforts was the implementation of the "Electronic Estonia" project in the country. For this, it was necessary to review and optimize a wide range of services, as well as create a centralized database based on them. At the same stage, service centers were put into operation on the principle of "single window", which simplified the process of servicing both individuals and legal entities. This led to the automation of citizen services in electronic format and a reduction in the time required for procedures².

In modern conditions, it has become a habit for Estonian residents to receive administrative services in electronic format, which is regulated by the relevant comprehensive regulatory framework. A significant aspect is that electronic procedures are equivalent to standard procedures that require personal contacts and paper document flow.

In Estonia, when creating a modern electronic system, the main innovative tool was the electronic ID card. This document is mandatory for identifying a person for citizens. This card is based on a special microcircuit, which stores information about the owner, his personal identifier and electronic signature.

Such an ID card is provided with a high level of protection and allows citizens to use various Internet services, which greatly simplifies service. In essence, it is a replacement for a regular passport for Ukrainians, which helps to improve the interaction of a citizen with government bodies and allows access to public administrative bodies and services. It is also important to note the inclusion of electronic gadgets, in particular mobile phones, in the process of providing administrative services, provided that identity is confirmed by entering a PIN code.

The Estonian public administration system has achieved significant success in that it actively supports startups and entrepreneurs in the country. This contributes to successful economic development and a high level of population satisfaction.

² Про виконавче провадження: Закон України від 02.06.2016 р. № 1404- VIII / Верховна Рада України. URL: <https://zakon.rada.gov.ua/laws/show/1404-19#Text> (дата звернення: 11.06.2026).

Any person who wants to start a business can do so without unnecessary bureaucratic complexity, using a computer for remote registration. According to Professor N.V. Vasilyeva from the National Academy of Public Administration under the President of Ukraine, Estonian citizens can register a company in just 18 minutes, using a special Internet site.

It takes only 18 minutes for a new company to be registered in the register of the tax service and other organizations. One of the conditions for registration is that the entrepreneur has an electronic ID card. Also in Estonia, the practice of registering a business via the Internet for citizens of other European Union countries is widespread. Innovative technologies are used by entrepreneurs with great success: more than 100% of them have their own websites, and about 40% conduct financial transactions via the network³.

In Canada, the procedure for providing administrative services to the population is constantly being improved through the introduction of innovations and initiatives. Since 1995, a reform in the methods of providing government services has begun at all levels of administration.

The “Service Delivery Model” has been introduced, which establishes the orientation of services to the needs of the consumer. According to this model, the process of providing services should be based on the importance for citizens, and not for administrative bodies.

“A consumer-centered service must take into account all the preferences (wishes) of citizens at every stage of service provision; thus, the needs of citizens determine the organizing principle around which the public interest is formed and the service delivery model is developed.”

Simultaneously with the introduction of the single-window service delivery model, “service universes” (Service New Brunswick) emerged, which united more than 90 administrative services at the provincial level under one roof. In addition, “self-service kiosks” were created, where individuals could independently obtain complete information about available services and more. In July 1997, the Canadian Center for Management Development created the Citizen-Centred Service Network (CCSN) to promote modernization and improve access to public sector services in Canada.

The service, aimed at providing services to consumers, was created to improve the quality of public services provided to Canadians. It consisted of over 200 specialists, including managers, scientists and independent experts on the provision of services in the public sector. Thus, the system of “service universals” in Canada was constantly improved, while maintaining its basic principle – consumer orientation.

³ Про виконання рішень та застосування практики Європейського суду з прав людини: Закон України від 23.02.2006 р. № 3477-IV/ Верховна Рада України. URL: <https://zakon.rada.gov.ua/laws/show/3477-15#Text> (дата звернення: 11.06.2026).

Most countries in the world have moved to a modern system of administrative service provision through a long process of reforms. The main components of these transformations were: 1) the development of civil society according to the principles of a market economy; 2) bringing authorities closer to the population through changes in their functioning, including the creation of a service department; 3) simplifying procedures for citizens when receiving relevant services from authorities; 4) widespread use of innovative technologies in the provision of administrative services; 5) introducing quality criteria for services provided by authorities to citizens.

One of the common ways of providing administrative services to the population is the creation of service centers that act as “service universals” with a “single window” system. These centers are usually established by municipalities and are responsible for addressing the urgent needs of the respective community.

Some experts express different opinions on the consequences of the practical implementation of the concepts of administrative services of the state in Western countries. Particular attention draw attention to the problems associated with the control over the use of budget funds allocated for the provision of administrative services to the population, which arose in the context of financial decentralization. They also note cases of deterioration in the quality of services and increased social tension, as citizens were forced to pay more for receiving certain services.

The problems noted mainly arose at the initial stages of reforming public service delivery systems in Western countries. However, later the situation improved due to appropriate state policy in this area and reforms in other areas of public administration. When analyzing and implementing foreign practices in Ukrainian realities, it is important to take these aspects into account.

CONCLUSIONS

All these challenges require joint efforts of states, international organizations and citizens to ensure stability, security and protection of human rights in the modern world. The effectiveness of international protection mechanisms is a topic that requires in-depth analysis. International protection mechanisms, such as the UN, the EU, the International Court of Justice, other regional and global organizations, play an important role in ensuring peace, security and protection of human rights. However, their effectiveness is often called into question due to a number of problems. First, they often face political obstacles, such as vetoes in the UN Security Council or disagreements among member states. Second, they may be limited in their actions by insufficient resources or insufficient jurisdiction. Third, they may face challenges in implementing their decisions, especially when member states refuse to comply with them. However, despite these challenges, international protection mechanisms continue to play an important role. They provide a platform for international dialogue, promote the resolution of conflicts through peaceful means, and, most importantly, they serve

as global human rights standards that must be respected by all states. Thus, although international mechanisms protection mechanisms may have their limitations, their role and contribution to peace and the protection of human rights cannot be denied. Instead of dismissing them, we should seek ways to strengthen and improve them so that they can more effectively carry out their mission.

Recommendations and ways to improve international protection mechanisms are an important topic that requires in-depth understanding and analysis. First, the political will of member states needs to be strengthened. Without their support and cooperation, any international protection mechanism will be limited in its actions. States need to recognize the importance of international protection mechanisms and actively cooperate with them. Second, the resources available to international protection mechanisms need to be increased. This may include increasing the funding, staffing and other resources needed to effectively carry out their work. Third, the mechanisms for implementing decisions need to be improved. This may include imposing stricter sanctions on states that fail to comply with decisions, as well as developing new mechanisms that can ensure more effective implementation of decisions.

Finally, it is important to maintain and expand international human rights standards. This includes constantly updating and adapting these standards to changing circumstances, as well as ensuring their broad recognition and observance. All these recommendations require a concerted effort by Member States, international organizations and civil society. Only by working together can we improve the effectiveness of international protection mechanisms and ensure the protection of human rights for all.

SUMMARY

International protection mechanisms play an important role in ensuring peace, security and the protection of human rights. However, their effectiveness can be limited by political obstacles, insufficient resources and problems with the implementation of decisions. The importance of international cooperation. International cooperation is key to improving the effectiveness of international protection mechanisms. States should actively cooperate with these mechanisms and support their work. Prospects for the development of international human rights law. International human rights law continues to evolve. There is a need for international human rights standards to be constantly updated and adapted to changing circumstances, as well as for their broad recognition and observance. These findings underscore the importance of international protection mechanisms and the need for their continuous improvement and development. Only through joint efforts can we ensure the protection of human rights for all.

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