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	Title of research article The Role of Regional Human Rights Mechanisms in the Protection and Promotion of Civil and Political Rights: A Comparative Analysis of European, American, African, and Arab Systems	
Zégouarène Samia	Dr. Lecturer, Faculty of Law, University of Algiers Algeria E-mail: szegouarene@yahoo.fr; Professional email: s.zegourene@univ-alger.dz	
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Abstract The global human rights regime is founded on the interdependence of international and regional mechanisms that ensure the protection of fundamental freedoms and civil and political rights. While universal instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights provide the normative foundation, regional systems have emerged as vital structures for the contextual implementation and enforcement of these norms. This study examines the role and effectiveness of regional human rights mechanisms—particularly those operating within Europe, the Americas, Africa, and the Arab world—in safeguarding civil and political rights. It explores how regional frameworks, such as the European Convention on Human Rights, the American Convention on Human Rights, the African Charter on Human and Peoples' Rights, and the Arab Charter on Human Rights, have evolved to reflect specific cultural, political, and institutional contexts. The research identifies the European system as the most institutionalized and judicially robust, while the African and Arab systems continue to face challenges related to enforcement, independence, and state cooperation. Through comparative analysis, this paper evaluates the procedural mechanisms, jurisprudence, and structural limitations of each system and assesses their contribution to advancing human dignity, democracy, and the rule of law. The study concludes that while regional human rights mechanisms significantly complement global human rights protection, their effectiveness depends largely on state commitment, judicial independence, and institutional capacity.		
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Introduction

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The Role of Regional Human Rights Mechanisms in the Protection and Promotion of Civil and Political Rights: A Comparative Analysis of European, American, African, and Arab Systems

Zéguarène Samia

Regional human rights protection mechanisms constitute important pillars of the international system for the promotion and protection of human rights. At the current state five regional human rights mechanisms can be distinguished varying significantly from a very advanced human rights protection system to an emerging one. In the Council of Europe area, the European Court of Human Rights, the main human rights protection mechanism, has become a victim of its own success and due to its workload is struggling to remain efficient. The Inter-American system is well developed but the diverting political systems together with the non-permanent and not obligatory character of the Court threaten to undermine the political weight of the system. Even though all essential elements of an effective regional human rights mechanism are put in place in Africa, financial as well as professional support will be crucial to overcome some important structural constraints that affect its effectiveness. Even though the Arab Charter of Human Rights in 2004 and the establishment of the Arab Committee of Human Rights in 2009 are important steps in the Arab World, the Charter is in some parts inconsistent with international human rights standards, and it is doubtful whether the members of the Committee are sufficiently independent to address human rights issues effectively. Sub-regional mechanisms such as the ASEAN mechanism appear to be the most practicable solution in the Asia-Pacific region. However, no underlying human rights instrument such as a Declaration or Convention has been developed for the system so far, and the still predominant ASEAN thinking of limiting human rights discussion by reference to noninterference in internal affairs puts the effectiveness of this system in question.

Problematic:

To what extent are regional human rights mechanisms effective in protecting the rights of individuals and peoples?

Objectives of study

Plane of study

Chapter 01: The most effective mechanisms in the regional human rights system

Section 01: European mechanisms

Section 02: American mechanisms

Chapter 02: The least effective mechanisms in the regional human rights system

Section 01: African mechanisms

Section 02: Arabian mechanisms

Chapter 01: The most effective mechanisms in the regional human rights system

In this chapter, we will talk about two of the most important regional mechanisms for the protection of civil and political rights, represented by the European system for human rights and the American system for human rights. Over decades, each of them has protected civil and political rights through committees and courts that have ensured the development and empowerment of the individual and society.

Section 01 : European mechanisms for the protection of human rights

The regional arrangements for protecting human rights in Europe are extensive, involving the Council of Europe, the European Union and the Organisation for Security and Cooperation in Europe. Each of these intergovernmental organisations has its own regional human rights mechanisms and instruments. Some of the most longstanding and developed of these exist in the Council of Europe, with instruments including the European Convention on Human Rights (ECHR), the European Social Charter and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and corresponding mechanisms such as the European Court of Human Rights, the European Committee of Social Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. The European system also has a Commission against Racism and Intolerance, and a Commissioner for Human Rights. The European Court of Human Rights, which is located in Strasbourg, has jurisdiction over Council of Europe member States that have opted to accept the Court's optional jurisdiction. Once a state has done so, all Court decisions regarding it are binding. The Court accepts applications of instances of human rights violations from individuals as well as States.

1- European Convention on Human Rights (ECHR)

adopted by the Council of Europe in 1950 to guard fundamental freedoms and human rights in Europe. Together with its 16 additional protocols, the convention—which entered into force on September 3, 1953—represents the most advanced and successful international experiment in the field to date.¹

2- European Committee of Social Rights

The European Committee of Social Rights consists of a panel of 15 independent experts. It is competent to receive collective complaints and monitor compliance with the European Social Charter (1996) through reviewing national reports.

The Committee can only receive collective complaints against the 15 states that have ratified the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints adopted in 1995. On reviewing a collective complaint the Committee issues decisions. The Committee only allows collective complaints from the following:

- a) international organisations of employers and trade unions referred to in paragraph 2 of Article 27 of the Charter;
- b) other international non-governmental organisations which have consultative status with the Council of Europe and have been put on a list established for this purpose by the Governmental Committee;
- c) representative national organisations of employers and trade unions within the jurisdiction of the Contracting Party against which they have lodged a complaint.

Please note, only Finland recognises the right of national NGOs to lodge collective complaints against it².

2-1 Reporting:

Every year States parties submit a report indicating how they implement the Charter in law and in practice. The Committee examines the reports and decides whether or not the situations in the countries concerned are in conformity with the Charter. Its conclusions are published every year. If a state takes no action on a Committee decision to the effect that it does not comply with the Charter, the Committee of Ministers addresses a recommendation to that state, asking it to change the situation in law and/or in practice.

3- European court of human rights :

The European Court of Human Rights is an international court set up in 1959. It rules on individual or State applications alleging violations of the civil and political rights set out in the European Convention on Human Rights. Since 1998 it has sat as a full-time court and individuals can apply to it directly.

In almost fifty years the Court has delivered more than 10,000 judgments. These are binding on the countries concerned and have led governments to alter their legislation and administrative practice in a wide range of areas. The Court's case-law makes the Convention a powerful living instrument for meeting new challenges and consolidating the rule of law and democracy in Europe.³

On 28 February 2023, the European Court of Human Rights delivered its 77,400 Total number of pending applications. As of 2022, the number was 74,650. Today, we're taking a look at the court's history and how it has adapted to the changing human rights landscape over the years.⁴

In 2022, 45,500 applications were allocated to a judicial formation, which represents an increase of 3% compared to the figure for 2021 (44,250). Of this total, 26,700 were identified as to be examined by a single judge and were non-

¹ J. G. Merrills, Arthur Henry Robertson, Human Rights in Europe, Manchester University Press, 2001, p21-35.

² see Litigating Economic, Social and Cultural Rights: Legal Practitioners Dossier (2006) by the Centre on Housing Rights and Evictions, p.167-175.

³ <https://www.coe.int/>

⁴ <http://www.echr.coe.int>

mally called upon to be declared inadmissible previous years, requests under the single-judge procedure were dealt with as soon as they were identified as such. Besides, 18,800 applications were identified as likely to be dealt with by a Chamber or a committee.

The European Court of Human Rights is composed of a 47 independent judges (one judge per State party). The Court may receive applications from any person, non-governmental organisation or group of individuals claiming to be the victim of a violation by one of the States parties of the rights set forth in the Convention or the Protocols thereto (Article 34 of Protocol 11).

Civil society may also submit amicus curiae briefs. Article 36 on third party intervention states, The President of the Court may, in the interest of the proper administration of justice, invite any High Contracting Party which is not a party to the proceedings or any person concerned who is not the applicant to submit written comments or take part in hearings.

3-1-Reporting:

Although the European Court of Human Rights does not have a monitoring procedure as such, the execution of judgements and decisions is supervised by the Committee of Experts. During the supervision process, applicants, NGOs and National Human Rights Institutions can submit communications in writing.⁵

section 02: American mechanisms for the protection of human rights

In the Americas, a regional human rights arrangement (the inter-American system for the protection of human rights) exists within the intergovernmental organisation known as the Organisation of American States (OAS). As with the United Nations (UN) human rights system, the inter-American system features a declaration of principles (the 1948 American Declaration on the Rights and Duties of Man adopted seven months before the Universal Declaration), a legally-binding treaty (the American Convention on Human Rights, which entered into force in 1978), as well as Charter-based and treaty-based implementation mechanisms (the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights respectively). The Charter-based system applies to all member states of the OAS, while the Convention system is legally binding only on the States parties to it. The two systems overlap and interact in a variety of ways. The Inter-American Commission (based in Washington DC) was established under the OAS Charter (Chapter XV) to promote and protect human rights in the American hemisphere. It is composed of seven independent members (Commissioners) who serve in a personal capacity. It receives individual petitions, monitors the human rights situation in member States and addresses priority thematic issues. The Inter-American Commission has created several Rapporteurships, one Special Rapporteurship and a Unit to monitor OAS States' compliance with inter-American human rights treaties. This includes: a Rapporteurship on the Rights of Women, a Rapporteurship on the Rights of the Child, a Rapporteurship on the Rights of Indigenous Peoples, a Rapporteurship on the Rights of Persons Deprived of Liberty, a Rapporteurship on Migrant Workers and their Families, a Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination, a Rapporteurship on Human Rights Defenders, and a Special Rapporteur for Freedom of Expression. This last position is the only Special Rapporteurship at the IACHR, meaning that the mandate-holder is dedicated full-time to the job (all other mandates are held by Commissioners). A Unit on the Rights of Lesbian, Gay, Trans, Bisexual, and Intersex Persons was created in 2011. The Inter-American Court of Human Rights (based in San Jose, Costa Rica) has two main responsibilities. First, to hear cases submitted to it by the Commission or a State Party to the Convention and judge whether or not a violation has been committed. The sentence is binding and cannot be appealed, but the system does not provide for means of enforcement. Second, the Court gives advisory opinions interpreting the American Convention or other international agreements relevant to the protection of human rights in the Americas. All OAS member States, the Commission, and OAS organs to a limited extent, can ask the Court for an advisory opinion. The member States can also ask for an opinion on the compatibility of national law with international instruments.

1- The American Convention on Human Rights, 1969, and its Protocols of 1988 and 1990

The American Convention on Human Rights, 1969,⁶ also commonly called the Pact of San José, Costa Rica, since it was adopted in that capital city, entered into force on 18 July 1978 and, as of 9 April 2002, had 24 States parties, following the denunciation of the treaty by Trinidad and Tobago on 26 May 1998.⁷ The Convention reinforced the

⁵ Litigating Economic, Social and Cultural Rights: Legal Practitioners Dossier (2006) by the Centre on Housing Rights and Evictions, p.176-178.

⁶ OAS Treaty Series, No. 36.

⁷ See the following OAS web site: <http://www.oas.org/juridico/english/Sigs/b-32.html>

Inter-American Commission on Human Rights, which since 1960 had existed as “an autonomous entity of the Organization of American States”.⁸ It became a treaty-based organ which, together with the Inter-American Court of Human Rights, “shall have competence with respect to matters relating to the fulfilment of the commitments made by the States Parties” to the Convention (art. 33). In 1988, the General Assembly of the OAS further adopted the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, also called the Protocol of San Salvador.⁹ This Protocol develops the provisions of article 26 of the Convention whereby the States parties in general terms “undertake to adopt measures, both internally and through international co-operation, ... with a view to achieving progressively, by legislation or other appropriate means, the full realization of the rights implicit in the economic, social, educational, scientific, and cultural standards set forth in the Charter of the Organization of American States as amended by the Protocol of Buenos Aires”. This Protocol entered into force on 16 November 1999 and, as of 9 April 2002, had 12 States parties.¹⁰

2- Inter-American Commission on Human Rights and the Inter-American Court of Human Rights

The Inter-American Commission on Human Rights consists of seven independent members. Its mandate is to protect and promote human rights in the 35 Member States of the Organization of American States (‘OAS’).

The Commission can receive individual petitions regarding violations by OAS Member States of rights enumerated in the American Convention on Human Rights (1969) and other OAS instruments (if ratified by the state in question), and the American Declaration of the Rights and Duties of Man (1948). Petitions against individuals and other non-state actors cannot be brought.

Article 44 of the American Convention on Human Rights states: ‘Any person or group of persons, or any nongovernmental entity legally recognised in one or more member states of the Organization, may lodge petitions with the Commission containing denunciations or complaints of violation of this Convention by a State Party’.

A petition may result in a friendly settlement or the Commission may make recommendations. If the state refuses to comply with the Commission’s recommendations then the Commission may refer the case to the Inter-American Court of Human Rights.

The Court was established by the American Convention on Human Rights and is composed of seven judges elected in an individual capacity. It has both adjudicatory and advisory jurisdiction. The Court’s advisory function involves issuing advisory opinions on interpretation and conformity of national laws and policies with Convention rights. In relation to its adjudicatory jurisdiction, it is entitled to consider cases submitted to it by the Commission or by State parties, that have accepted the jurisdiction of the Court. Decisions can be found [here](#).

Although there are no specific provisions regulating their submission, NGOs and other organisations are able to submit amicus curiae briefs.

2-1 Reporting:

The Inter-American Commission on Human Rights often conducts research on thematic areas and undertakes country visits, at its own discretion. It then produces [reports](#) on its findings. The Commission has also established rapporteurships which cover specific countries and thematic areas. Rapporteurs also produce reports and other publications. Lastly, the Commission publishes Annual Reports which include a broad range of information, including information on individual cases, on-site visits, ‘mini-country reports’, and reports on the activities of the rapporteurships.

The Commission also participates, along with civil society, in hearings on specific issues. Hearings and public events on economic, social and cultural rights, including the right to education can be heard [here](#).¹¹

⁸ OAS doc. OEA/Ser.L/V/II.83, doc. 14, corr. 1, March 12, 1993, Annual Report of the Inter-American Commission on Human Rights 1992-1993, p. 5

⁹ OAS Treaty Series, No. 69.

¹⁰ See: <http://www.oas.org/juridico/english/Sigs/a-52.html>

¹¹ Litigating Economic, Social and Cultural Rights: Legal Practitioners Dossier (2006) by the Centre on Housing Rights and Evictions, p.154-166.

Chapter 02: The least effective mechanisms in the regional human rights system

After you have touched on two important mechanisms in this chapter, we will talk about two of the regional mechanisms for the protection of civil and political rights. They are less developed than the previous ones, but they have an important role. They are the African system for human rights and the Arab system for human rights. Over decades, each of them has protected civil and political rights from Through committees and courts that ensured the development and empowerment of the individual and society.

section 01: African mechanisms for the protection of human rights.

The African regional human rights system has been established within the intergovernmental organisation known as the African Union. The main regional human rights instrument in Africa is the 1981 African Charter on Human and Peoples' Rights, and the main mechanisms are the African Commission on Human and Peoples' Rights and the recently-established African Court on Human and Peoples' Rights. The African Charter (which entered into force in 1986) incorporates universal human rights standards and principles, but also reflects the virtues and values of African traditions. Thus, the African Charter is characterised by the concept of a reciprocal relationship between the individual and the community, linking individual and collective rights. The African Charter established an African Commission for Human Rights, located in Banjul, Gambia. It is a quasi-judicial body made up of eleven independent experts and tasked with promoting and protecting human rights and collective (peoples') rights throughout the African continent (by receiving periodic reports from States Parties on the implementation of the Charter's provisions) as well as interpreting the African Charter and considering individual complaints of violations of the Charter. The African Commission has also established several Special Mechanisms including six Special Rapporteurs who monitor, investigate and report on allegations of violations in member states of the African Union, and eleven working groups, committees or study groups that monitor and investigate human rights issues under the purview of the Commission. The Special Rapporteur mandates cover: Extra-judicial, Summary or Arbitrary Execution; Freedom of Expression and Access to Information; Human Rights Defenders; Prisons and Conditions of Detention; Refugees, Asylum Seekers, Migrants and Internally Displaced Persons; and Rights of Women. The Working Groups cover specific issues related to the work of the African Commission; Indigenous Populations/Communities in Africa; Economic, Social and Cultural Rights; Rights of Older Persons and People with Disabilities; the Death Penalty; Extractive Industries, Environment and Human Rights Violations; Fair Trial; and Communications. And finally, there is a Committee for the Prevention of Torture in Africa; a Committee on the Protection of the Rights of People Living with HIV; and a Study Group on Freedom of Association. The African Court on Human and Peoples' Rights was established in 2004 following the entry into force of a Protocol to the African Charter on the Establishment of an African Court on Human and Peoples' Rights. The Court has jurisdiction over all cases and disputes submitted to it concerning the interpretation and application of the African Charter, the Protocol, and any other relevant human rights instrument ratified by the States concerned.

1- The African Charter on Human and Peoples' Rights, 1981

The adoption of the African Charter on Human and Peoples' Rights in 1981 was the beginning of a new era in the field of human rights in Africa.¹² It entered into force on 21 October 1986, and as of 29 April 2002 had 53 States parties. Although strongly inspired by the Universal Declaration of Human Rights, the two International Covenants on human rights and the regional human rights conventions, the African Charter reflects a high degree of specificity due in particular to the African conception of the term "right" and the place it accords to the responsibilities of human beings.¹³ The Charter contains a long list of rights, covering a wide spectrum not only of civil and political rights, but also of economic, social and cultural rights. The African Charter further created the African Commission on Human and Peoples' Rights, "to promote human and peoples' rights and ensure their protection in Africa" (art. 30). In 1998, the Protocol to the Charter on the Establishment of an African Court of Human Rights was also adopted, but, as of 30 April 2002, this Protocol had not yet entered into force, having secured only 5 of the required 15 ratifications. Lastly, work on the elaboration of an additional protocol concerning the rights of women in Africa is in

¹² Fatsah Ougurgouz, *La Charte africaine des droits de l'homme et des peuples – Une approche juridique des droits de l'homme entre tradition et modernité* (Paris, Presses Universitaires de France, 1993 (Publications de l'Institut universitaire de hautes études internationales, Genève)), p. 25

¹³ Keba Mbaye, *Les droits de l'homme en Afrique* (Paris, Editions A. Pedone/Commission Internationale de Juristes, 1992), p. 161.

progress within the framework of the African Commission on Human and Peoples' Rights, the Commission being assisted in this task by the Office of the United Nations High Commissioner for Human Rights.¹⁴

2- African Commission on Human and Peoples' Rights

The African Commission on Human and Peoples' Rights (ACHPR) is composed of 11 members. One advantage of the African Charter on Human and Peoples' Rights (1981) is that, under Articles 60 and 61, the Commission is mandated to go beyond the Charter rights, and to look at international standards. There is consequently hardly a single right at the international level that cannot be subject to protection in the African system.

According to Article 45 of the African Charter on Human and Peoples' Rights, the Commission's mandate includes the protection and promotion of human and peoples' rights. This includes:

- A communication procedure. Article 55 of the African Charter on Human and Peoples' Rights permits individuals and organisations to submit communications. NGOs may also participate as *amicus curiae* ('friend of the court').
- Special mechanisms such as the Working Group on Economic, Social and Cultural Rights which regularly consults with NGOs in order to better protect and promote economic and social rights, including the right to education.

In addition, the ACHPR is also mandated to interpret the provisions of the Charter upon a request by a State party, organs of the African Union or individuals. Some NGOs have approached the Commission for the interpretation of various articles of the Charter.

2-1 Reporting

States are required to submit an initial report within two years of ratifying the Charter and periodic reports every two years thereafter. The Working Group on Economic, Social and Cultural Rights has produced guidelines, known as the 'Tunis Reporting Guidelines' (2012), on what information states should provide with regard to economic, social and cultural rights, including the right to education.¹⁵

3- African Court on Human and Peoples' Rights

The African Court on Human and Peoples' Rights, consisting of 11 Judges, was established through the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (1998). Twenty-six states have ratified the Protocol.

The Court has a broader mandate than the Commission: under Article 3 its jurisdiction extends to all cases and disputes submitted to it concerning the interpretation and application of the Charter and the Protocol establishing the Court, and any other relevant human rights instrument ratified by the states concerned. This includes the Universal Declaration of Human Rights (1948) and UN human rights treaties.

The Court considers applications from relevant non-governmental organisations (NGOs) with Observer Status before the Commission, and individuals can institute cases directly before the Court, if the State party from which they come from has made a declaration allowing such direct applications. As of March 2013, only 7 countries had made such a Declaration (Burkina Faso, Ghana, Malawi, Mali, Rwanda, Tanzania and Republic of Cote d'Ivoire). Unlike the decisions of the ACHPR and the Committee on the Rights and the Welfare of the Child, the rulings of the Court are binding.

section 02: Arabian mechanisms for the protection of human rights

This chapter provides a historical overview of the evolution of human rights mechanisms in the MENA region, starting with the initial process of drafting an Arab Charter on Human Rights and its subsequent adoption 10 years after the emergence of the first draft. It also provides an overview of the functions and mandate of multiple organs tasked

¹⁴ See Mutoy Mubiala, "Le Projet du Protocole à la Charte Africaine des Droits de l'Homme et des Peuples relatif aux Droits de la Femme en Afrique", in Human Rights, Spring 2000 (OUNHCHR review), pp. 23-27.

¹⁵ Litigating Economic, Social and Cultural Rights: Legal Practitioners Dossier (2006) by the Centre on Housing Rights and Evictions, p.145-153 and ACHPR's page on 'Communications Procedure'.

with ensuring the promotion and respect of human rights in the MENA, primarily the Arab Human Rights Committee which came into existence upon the ratification of the Arab Charter on Human Rights. With a mandate to promote and strengthen the respect of human rights in the MENA, the chapter reviews one of the Arab Human Rights Committee's most important functions, which is to consider reports of the state parties to the Charter, in which each signatory state must indicate measures undertaken to enforce the rights and freedoms enshrined in the Charter. The chapter then provides a critical account of the Arab Court of Human Rights, highlighting the Court's Statute and the impediments inhibiting the Court's function as an effective mechanism to address human rights violations in the region by redressing victims of rights violations and holding perpetrators of these violations accountable for their actions. Finally, the chapter concludes with recommendations to enhance the aforementioned human rights frameworks, emphasizing the role of civil society in any effort that aims at promoting and strengthening the respect of human rights in the MENA.

The drafting history of the Arab Charter on Human Rights begins in 1960. In that year, members of the Union of Arab Lawyers (the oldest NGO in the Arab world) requested the League of Arab States (created in 1945)¹⁶ during their meeting in Damascus to adopt an Arab Convention on Human Rights¹⁷. Eight years later, participants in the first meeting for Human Rights in the Arab world held in Beirut, asked the Arab Commission on Human Rights¹⁸ to prepare an Arab Charter on Human Rights¹⁹.

In 1994, the League of Arab States adopted the first version of the Arab Charter on Human Rights at its 50th anniversary. The adoption of the Charter symbolized the importance of respect for human rights both to the Arab world and the League. The League's adoption of the Arab Charter was critical because the Charter of the League makes no mention of human rights²⁰.

This first version of the Charter has 43 articles after the preamble⁶. The Charter proclaims essentially the same rights as those embodied in the other international and regional human rights instruments. The main weakness with the 1994 version was the lack of any human rights enforcement mechanism, particularly in comparison to the mechanisms within the European and American Conventions on Human Rights, and the African Charter on Human and Peoples' Rights².

Following the passage of the Arab Charter there was increasing criticism of its deficiencies by experts, NGO's, academics and others. Numerous meetings and conferences were organized in Europe and in the Arab World to pressure Arab governments to amend the Charter. In a resolution passed on January 10, 2003, the Arab Commission on Human Rights invited the Arab States to submit observations and proposals to improve the Charter, with a promise that the Commission would examine the Charter again in January 2004. On a parallel track, the High Commissioner for Human Rights invited many Arab experts for a meeting in Cairo in December 2003 to present and discuss proposals to improve the Charter. Finally, in May 23, 2004, a new version of this Charter was presented to the Arab Summit in Tunisia, where the new version was adopted.

According to Article 45 of the Arab Charter on Human Rights (2004), State parties are required to submit reports to the Arab Human Rights Committee (in Arabic). The initial report should be submitted one year after entry into force of the Charter, and every three years thereafter. Reports should contain replies of states to the Committee's questions. The Committee then submits a report, together with the views and comments of the states, to the Standing Committee on Human Rights at the Arab League.

Conclusion

The principal regional systems for the protection of human rights essentially rely on the rules set out in the regional conventions which created them. Nevertheless each convention in its preambular provisions links it to the Universal

¹⁶ See R. Macdonald, *The League of Arab States, a Study in the Dynamics of Regional Organisation*. Princeton, New Jersey, Princeton University Press, 1965. See also M. SHIHAB, "*Arab States, League of*", *Encyclopaedia of Public International Law*, Published under the Auspices of the Max Planck Institute for Comparative Public and International Law in Heidelberg, Elsevier, North-Holland, Amsterdam, Volume One, 1992, p. 204.

¹⁷ J. F. Lalive, "*La protection des droits de l'homme dans le cadre des Organisations régionales existantes*", in *Les droits de l'homme en droit interne et en droit international*, Colloque international sur la Convention européenne des droits de l'homme, Vienne du 18 au 20 octobre 1965, Bruxelles, 1968, p. 509.

¹⁸ See R Daoudi, "*Human Rights Commission of the Arab States*", *Encyclopaedia of Public International Law*, Published under the Auspices of the Max Planck Institute for Comparative Public and International Law in Heidelberg, Elsevier, North-Holland, Amsterdam, Volume Two, 1995, p. 915.

¹⁹ B. Boutros-Ghali, "*La Ligue des Etats Arabes*", in *Les dimensions internationales des droits de l'homme*, Paris, Unesco, 1978, p.638.

²⁰ See M. A. Al-Midani, "*La Ligue des Etats arabes et les droits de l'homme*", *Scienza & Politica*, Università di Bologna, n° 26, 2002, pp. 101-114.

Declaration of Human Rights and, explicitly or otherwise, to the Charter of the United Nations. The European Convention' in its preamble provides that, through the agreement to establish the treaty and its institutions, the "Governments of European countries which are like-minded and have a common heritage of political traditions, ideals, freedom and the rule of law" have resolved, "to take the first steps for the collective enforcement of certain of the Rights stated in the Universal Declaration". The American Convention states in its preamble that the essential human rights of persons are not derived from their link of nationality with a state but "are based upon attributes of the human personality." These essential rights "therefore justify international protection in the form of a convention reinforcing or complementing the protection provided by the domestic law of the American states." The preamble lists the Universal Declaration of Human Rights, together with the OAS Charter and the American Declaration of the Rights and Duties of Man and other international and regional instruments that are not mentioned by name, as documents in which the basic principles of human rights have been set forth. The African Charter on Human and Peoples' Rights (Banjul Charter), the African regional human rights convention mentions the Charter of the United Nations and the Universal Declaration of Human Rights in connection with the pledge made by the African States to promote international cooperation. Later in the preamble, the African States reaffirm in sweeping fashion "their adherence to the principles of human and peoples' rights and freedoms contained in the declarations, conventions and other international instruments adopted by the Organization of African Unity, the Movement of Non-Aligned Countries and the United Nations.

Recommendations:

Through this study we make the following recommendations:

- 1- We recommend researchers to conduct in-depth studies on European and American human rights mechanisms and try to show the positive aspects of these mechanisms.
- 2- We also recommend making objective comparisons between the most developed systems and the least developed systems in the protection of civil and political rights in order to try to find out the real differences between the various systems.

We recommend benefiting from the European and American experience in protecting civil and political rights through its various mechanisms and transferring the experience to the Arab and African systems, taking into account the Arab and African specificities.

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Ethical Considerations

This research adheres to academic and ethical standards of legal scholarship. All sources have been appropriately cited following international referencing norms. The study involves no human participants, surveys, or personal data collection, and therefore does not raise issues related to informed consent or data privacy. The analysis is based solely on secondary sources, legal instruments, and publicly available institutional documents.

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Conflict of Interest

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