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INTERNATIONAL LEGAL OBLIGATION OF STATES TO ENSURE SECURITY OF THE PRACTICE OF INTERNATIONAL HUMAN RIGHTS BODIES

The article considers the problem of the international responsibility of states for the conduct of individuals which violates fundamental human rights and freedoms in the light of the concept of international legal obligations of the state to provide protection.

International human rights standards have developed obligations of states to protect individuals' human rights from the actions of other particular actors and thus to prevent, punish and treat properly for any violation of human rights even committed by non-state actors. These commitments are known as obligations to secure the effective enjoyment of a fundamental right, or positive obligations. Thus, international human rights law establishes that states have a responsibility to respect, protect and promote human rights. This responsibility exists not only when the state directly commits a

human rights violation, but also when the state fails to protect those under their jurisdiction from such violations.

The practice of international human rights institutions such as the UN Human Rights Committee, the UN Committee on the Elimination of Discrimination against Women, the International Court of Justice, the Inter-American Court of Human Rights, the European Court of Human Rights shows that human rights mechanisms have advanced towards holding states more and more responsible for acts of private persons. The development of the notion and scope of positive obligations of states has provided the administrative bodies and the courts with important powers to demand certain actions to be taken by the states to restrict the freedom of action of private persons where rights of other persons or important public interests, even fundamental values, are violated.