

With Power comes Responsibility

Human Rights Protection in UN Sanctions Policy

Abstract

The ability to violate and the duty to protect human rights have traditionally been ascribed to states. Yet, since international organizations (IOs) increasingly take decisions that directly affect individuals, allegations have cropped up that IOs have human rights obligations as well. Against this background, we can witness an – albeit weak and uneven – trend that IOs establish provisions that serve the prevention of human rights violations and enable individuals to hold them accountable if rights violations have nonetheless occurred. This can be seen as a specific manifestation of a more general trend that has been described as the spread of good governance standards to or the constitutionalization of IOs. The purpose of this paper is to expose the mechanisms that can account for the creation and improvement of human rights protection provisions in IOs. I intend to do so on the basis of a case study on the evolution of such provisions in United Nations (UN) sanctions policy. I start with developing a conceptual framework that draws on a categorization of diffusion mechanisms – coercion, competition, learning and emulation – that has been developed to explain the spread of norms and institutional design among states. The empirical analysis suggests that coercion and learning can, in combination, account for the advancement of human rights protection provisions in UN sanctions policy: The UN Security Council was exposed to and responded to various forms of pressure from a variety of different actors outside and within the UN. At the same time, it was approached with arguments concerning why it should institute reforms and advice in terms of how such reforms should look like and, over time, engaged in a learning process.

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