[In response to a 1968 UN study, the] Inter-American Commission on Human Rights supported those members of the Ad Hoc Study Group who favoured regional human rights commissions, noting four grounds: (1) the existence of geographic, historical, and cultural bonds among States of a particular region; (2) the fact that recommendations of a regional organization may meet with less resistance than those of a global body; (3) the likelihood that publicity about human rights will be wider and more effective; and (4) the fact that there is less possibility of 'general, compromise formulae', which in global bodies are more likely to be based on 'considerations of a political nature'.

Opposition to the establishment of regional human rights commissions has been expressed on numerous occasions by the Eastern European States and other Members of the United Nations, on several grounds. First, they argue that human rights, being global in nature and belonging to everyone, should be defined in global instruments and implemented by global bodies. 'The African and the Asian should have the same human rights as the European or the American'. Second, regional bodies in the human rights field would, at best, duplicate the work of United Nations bodies and, at worst, develop contradictory policies and procedures. ... Third, the Eastern European States in particular object that any cooperation between regional commissions and the United Nations would add to
the financial burdens of the latter. Fourth, several Western European States contend that preoccupation with regional arrangements might deflect official and public attention from the two International Covenants and delay their ratification.

It may be argued that the global approach and the regional approach to promotion and protection of human rights are not necessarily incompatible; on the contrary, they are both useful and complementary. The two approaches can be reconciled on a functional basis: the normative content of all international instruments, both global and regional, should be similar in principle, reflecting the Universal Declaration of Human Rights, which was proclaimed 'as a common standard of achievement for all peoples and all nations'. The global instrument would contain the minimum normative standard, whereas the regional instrument might go further, add further rights, refine some rights, and take into account special differences within the region and between one region and another.

Thus what at first glance might seem to be a serious dichotomy—the global approach and the regional approach to human rights—has been resolved satisfactorily on a functional basis....

Implementation procedures may well vary even more from region to region, as the Governments therein desire. Indeed, they may vary within a region.

... It may also be argued that the regional approach involves certain possible risks. First, a regional or sub-regional commission might serve to insulate the area from outside influences and encourage it to ignore the global standards and institutions of the United Nations system. Second, institutions of one region or sub-region might become involved in competition or conflict with those of another area. Given a modicum of good will and statesmanship on the part of any newly-established regional institutions, however, these risks should be minimal.

The further question arises whether if human rights commissions were established in certain regions, they might interpret international standards too narrowly and thus adversely affect the work of global bodies in this field. It might be necessary in such a case to establish the right of global institutions to consider a particular matter de novo.

Another difficulty might arise with respect to cases involving a 'consistent pattern of gross and reliably attested violations', which are subject to special procedures established by Resolution 1503 (XLVIII) of the Economic and Social Council (27 May 1970). It would delay the consideration of such questions if prior exhaustion of available regional remedies were required.

NOTE

Consider the following cautions of Vasak about conditions for the success of a regional human rights organization:

The experience of the European Convention of Human Rights ... tends to show that the regional protection of human rights can achieve full success only if it constitutes an element in a policy of integration on the part of the States of a