

## **Abstract**

### **Comparison of the Control Mechanisms of the International Protection of Human Rights**

This Diploma Thesis deals with the Control Mechanisms in the field of International Protection of Human Rights. In this Diploma Thesis are introduced universal and regional control mechanisms and they are analysed with respect to their functioning. The aim of this Thesis is the comparison of the control mechanisms in the several aspects, especially in the terms of their efficiency, and their evaluation based on the undertaken comparison. Another purpose is to answer the question whether or not we have in the contemporary International Law functional control mechanisms of the protection of human rights and which of them can be seen as the most effective. The comparison in this Thesis emphasis on the possibility of the individual complaints.

The comparison includes the formal aspects of monitoring bodies, their regulation in the relevant treaties and analysis of their functions and their efficiency. In Thesis are included and evaluated also available statistical data concerning e.g. the number of ratifications or the number of individual complaints which were lodged before the monitoring body.

With respect to the topic, the Thesis is divided into the three chapters. The first chapter deals with the brief introduction to the protection of human rights in general. Than the Thesis deals with the definition of the control mechanisms, their purpose and basic classification. The first chapter contains also the survey of existing control methods and explanation of the concept of effectiveness of control mechanisms.

The second chapter focuses on the comparison of universal control mechanisms. There are described and compared the control mechanisms of both *International Covenants on Human Rights* and then the control mechanisms of the *Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*, *Convention on the Elimination of All Forms of Discrimination against Woman*, *Convention on the Rights of the Child*, *International Convention on the Elimination of All Forms of Racial Discrimination*, *Convention for the Protection of All Persons from Enforced Disappearances* and the *Convention on the Rights of Persons with Disabilities*.

The third chapter deals with the comparison of the regional control mechanisms. In the scope of regional regulation of human rights the Thesis describes the control mechanisms of *The Convention for the Protection of Human Rights and Fundamental Freedoms, European Social Charter, American Convention and African Charter on Human and Peoples' Rights*. In each regional system a special consideration is given especially on the judicial monitoring system.

Within elaborating this Thesis there were used primary sources of International law, i.e. texts of the relevant legal instruments, and then their commentaries, case law, doctrine and also domestic and foreign publication. Were also used the internet sources, mainly to validate the data which have been applied.