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International institutions in the mechanism for the protection of human rights and freedoms in the national security context

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Abstract

The objective of the article was to determine how effective international institutions are in the mechanism for the protection of human rights and freedoms in the context of national security. The methods of statistical analysis, correlation analysis, generalization and analogy, hypothetical-deductive model were used to achieve the proposed objective. In addition, international institutions were identified that are directly concerned with the protection of rights and freedoms in the event of their violations at the regional level. The correlation was established between the level of human rights protection and the level of national security, the number of international human rights treaties ratified, the number of cases brought before international regional human rights courts. It concludes that international institutions are effective in the mechanism for the protection of human rights and freedoms in regions with a weak national system for the protection of human rights and freedoms. Identifying factors affecting the level of protection of human rights and

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freedoms in the context of national security in countries with a weak national protection system may be the prospect of further investigation.

Keywords: international court; international organizations; national security; international community; global protection.

Instituciones internacionales en el mecanismo de protección de los derechos humanos y las libertades en el contexto de la seguridad nacional

Resumen

El objetivo del artículo fue determinar qué tan efectivas son las instituciones internacionales en el mecanismo de protección de los derechos humanos y las libertades en el contexto de la seguridad nacional. Se utilizaron los métodos de análisis estadístico, análisis de correlación, generalización y analogía, modelo hipotético-deductivo para lograr el objetivo planteado. Además, se identificaron instituciones internacionales que se ocupan directamente de la protección de los derechos y libertades en caso de sus violaciones a nivel regional. Se estableció la correlación entre el nivel de protección de los derechos humanos y el nivel de seguridad nacional, el número de tratados internacionales de derechos humanos ratificados, el número de casos presentados ante los tribunales regionales internacionales de derechos humanos. Se concluye que las instituciones internacionales son efectivas en el mecanismo de protección de los derechos humanos y las libertades en regiones con un débil sistema nacional de protección de los derechos humanos y las libertades. La identificación de los factores que afectan el nivel de protección de los derechos humanos y las libertades en el contexto de la seguridad nacional en países con un sistema de protección nacional débil puede ser la perspectiva de una mayor investigación.

Palabras clave: corte internacional; organizaciones internacionales; seguridad nacional; comunidad internacional; protección global.

Introduction

Shumilo (2018) states that World War II clearly demonstrated that human rights need to be protected, where international protection is not an exception. Enshrinement of human rights in national and international regulations provides the background for their enforcement. Ramcharan

and UN Acting High Commissioner for Human Rights (2004) notes that personal, international and national development is based on respect for human rights, while their observance and enforcement prevent national conflicts.

The mechanism for the protection of human rights and freedoms consists of many national and international links that form an interdependent system. Many public areas, including national security, are affected by the effectiveness of the interaction of institutions for the protection of human rights and freedoms. This is why in case that national remedies for the protection of human rights are exhausted, the international community performs its functions in resolving the conflict. International institutions shall determine whether the violations of human rights took place, and if so – which human rights were violated, how disputes between the state and the citizen should be resolved with due regard of the interests of the national security. In other words, as Bozeman (1982) explains, the international community assumes the role of judge in the internal conflict.

1. Research Objectives

The aim of the research was to establish how effective the international institutions are in the mechanism of protection of human rights and freedoms in the national security context.

The aim involved the following research objectives:

1. Identify international institutions that directly deal with the protection of rights and freedoms in case of their violations, as well as countries against which the largest and smallest number of applications filed with the identified international institutions.
2. Analyse statistical indicators of the level of the protection of human rights, the level of national security, as well as the work of international regional courts of human rights.
3. Find out the extent of the relationship between the level of the protection of human rights and the national security level, the number of ratified international human rights treaties, the number of cases filed with the international regional courts of human rights.
4. Prove or disprove assumptions about the effectiveness of international institutions in the protection of human rights and freedoms in the national security context.

2. Literature Review

For all civilized nations of the world, the proclamation of the principle of the priority of human rights and freedoms in relation to the state is one of the greatest values. In the national security context, as Shmotkin (2017) noted, this priority affects the entire system of links between the elements of the national security framework in some way, especially the activities its actors, where the state represented by its bodies is the main actor. Chyzhov (2021) emphasises that everyone's rights should be considered protected and their interests secured only in case of no threats to the country's security.

There are two main security theories. The first is the traditionally state-centred security concept, the second is the human security theory. State-centred security is based on the idea that all members of society and individual interests are subordinated to the interests of the state. The aim of the concept is to protect the state from the threat of military aggression and preserve the territorial integrity of the state. State institutions shape state national security policy. Government bodies are entrusted with the development and approval of strategies to ensure national security. This theory has a disadvantage: a secure state does not necessarily mean the personal security of citizens. National security is important for the protection of citizens from foreign military aggression, but it does not guarantee the security of citizens (Pranevičienė and Vasiliauskienė, 2018).

Human rights and freedoms are one of the key aspects of international relations, so they are not reduced to the internal guarantees provided for individual countries. The effective realization of human rights and freedoms strengthens democracy, peace, security and prosperity, thus preventing aggression, corruption, crime and global humanitarian crises. This is why it is necessary to promote and strengthen multilateral, both international and regional, human rights mechanisms and promote their effective activities (Ministry of Foreign Affairs of the Republic of Lithuania, 2021).

The institutions engaged in the protection of human rights and tools used for that purpose operate at the international, regional and subregional. Mizanie and Alemayehu (2009) indicate that more than 500 international organizations of various sizes in the world have been established because of the need to address transnational challenges. Neuman (2019) defines an international organization as an organization established by a treaty or other international instrument and having its international legal personality.

International organizations are distinguished in the literature according to the relevant criteria. The laws governing the organization are one of these distinctions. Mantu (2019) writes that the organization is called international or at least intergovernmental when its activities are regulated by international law. Neuman (2019) states that there are hundreds of international organizations that have different degrees of influence and

range of functions, from huge ones, such as the UN and the World Bank, to bilateral border waters commissions. Mantu (2019) notes that some actors may not meet the criteria that distinguish international organizations, but they may be international in nature and may be assigned specific tasks under international law. Neuman (2019) indicates that it is a mistake to conclude that human rights should be universal and directly link all public authorities and international organizations.

The universal system of the protection of human rights has become extensive and complex over the past decades. It currently includes the following organizations and mechanisms: the UN General Assembly, the UN Human Rights Council and its subsidiary bodies and mechanisms; the UN Security Council and a number of its specialized mechanisms; the United Nations Economic and Social Council and its Commission on the Status of Women and the United Nations Permanent Forum on Indigenous Issues; UN International Court of Justice; the UN Secretariat and its separate subdivisions; treaty (convention) human rights bodies; some specialized agencies of the United Nations (International Labour Organization); United Nations Educational, Scientific and Cultural Organization; temporary and special mechanisms for the protection of human rights established by UN agencies.

It should be noted that regional mechanisms are being actively developed in addition to universal mechanisms for the protection of human rights: the Council of Europe and the European Court of Human Rights, the Inter-American Commission on Human Rights, etc. Shumilo (2018) point out an active work of the regional international courts that monitor the protection of human rights by the states.

The International Criminal Court operates as a centre for the protection of human rights. International crimes, which are the cruellest human rights violations, often require the coordinated actions of the international community in order to solve the problem. Many human rights violations that are not serious international crimes should be addressed by the internal system of the state concerned. But the countries have sought to protect the human rights of their citizens through joint conventions in support of such efforts. This resulted in the establishment of appropriate courts of human rights in European, American and African countries. The Asia-Pacific region is the only region that has not established the courts of human rights. Chang-ho Chung (2016) emphasises that there is an even greater need to establish it than ever before with regard to the population, economic power and dynamic political situation of this region.

The mechanisms of international protection of human rights and freedoms, which are to implement the norms of multilateral conventions, as well as other relevant legal standards that are not enshrined in treaties, are covered in hundreds of books and articles. Nevertheless, there are

still many controversial issues to be reviewed. In particular, human rights are a dynamic area and some provisions of international regulations are outdated. Tomuschat (2020) notes that many studies are reduced to one particular aspect, one institution, one procedure, while the current focus is to compare different mechanisms with similar goals.

3. Research Materials and Methods

The main approach in studying how effective the international institutions are in the mechanism of protection of human rights and freedoms in the national security context was the identification of international institutions that directly deal with the protection of rights and freedoms in case of their violations, as well as countries with the largest and smallest number of applications filed with such international institutions.

We believe that the analysis of the indicators under research in these countries best reflects the effectiveness of the protection of human rights and freedoms.

The relationship between the level of protection of human rights and the national security level was studied using the method of statistical analysis of the Human Rights Index and the Security Threats Index in different regions. Besides, we analysed the statistical indicators of the number of applications filed with the European Court of Human Rights, African Court of Human and People's Rights, Inter-American Court of Human Rights for 2015-2019 using the statistical method.

The correlation analysis was involved to establish the relationship: between the Human Rights Index and the Security Threats Index for period 2015 - 2019 by year and by country; between applications pending before the European Court of Human Rights and the Human Rights Index 2015-2019 by year and by country; between the number of cases tried by the African Court on Human and Peoples' Rights and the Human Rights Index in 2016-2019 by year and in 2015-2019 by country; between the number of cases tried by the Inter-American Court of Human Rights and the Human Rights Index for 2015-2019 by year and country; between the 2019 Human Rights Index in Luxembourg, Chile, Benin, Turkey, Colombia, Poland, Sudan, Syria, Oman and the number of ratified international treaties in these countries.

The following formula of correlation analysis was used in the study:

$$r = \frac{\sum(x_{1i} - \bar{x}_1) \cdot (x_{2j} - \bar{x}_2)}{\sqrt{\sum(x_{1i} - \bar{x}_1)^2} \cdot \sqrt{\sum(x_{2j} - \bar{x}_2)^2}}$$

where x_1 – Human Rights Index and x_2 – Security Threats Index, r – linear correlation coefficient.

The assumptions about the effectiveness of international institutions in the mechanism of protection of human rights and freedoms in the national security context were proved with the use of the hypothetico-deductive model, the method of generalization and analogy.

The study involved the most significant scientific works that reflect the development of scientific thought in the field of protection of human rights and freedoms, in the national security context including, as well as international institutions in the protection of these rights from 1982 to 2022.

The following indicators are analysed in the research:

- Human Rights Index for 2015 – 2019 reported in Our World in Data.
- Security Threats Index for 2015 – 2019 reported in The Global Economy.com.
- Applications filed with the European Court of Human Rights for 2015 – 2019 reported by European Court of Human Rights.
- Applications filed with the African Court on Human and Peoples' Rights for 2015 – 2019 reported by the African Court on Human and Peoples' Rights.
- Cases tried by the Inter-American Court of Human Rights by country for 2015 – 2019 reported by the Inter-American Court of Human Rights.
- The number of ratified international human rights treaties by country reported in Our World in Data.

4. Results

National security creates a background for a stable life of citizens and the development of all spheres of state, in particular the conditions for the observance and realization of human rights and freedoms. Objects of

national security include the constitutional rights and freedoms of man and citizen. So, ensuring their protection is a priority in the national security of countries.

The mechanism for the protection of human rights and freedoms includes national and international institutions. The globalization of all spheres of life demonstrates their deep relationship between all countries of the world. Therefore, human rights and freedoms in this area goes beyond national borders in today's world.

National institutions for the protection of human rights and freedoms have their advantages and disadvantages. The advantages include taking into account all the causes and features of internal conflicts and the use of effective tools to protect them in a particular region. The disadvantage is the high-level corruption in the public sphere in countries with high levels of human rights violations. This is why the Member States have adopted international acts establishing international organizations with appropriate functions to ensure the creation of the background for the observance and protection of human rights and freedoms and national security. This is evidenced by the historical background for the creation of the United Nations after the Second World War, which aims to support international peace and security.

The UN notes that violence and conflict undermine sustainable development. Human rights violations are the root causes of conflicts and vulnerabilities, which in turn invariably lead to further human rights violations. This is why actions to protect and promote human rights are inherently preventive, while rights-based approaches to peace and security add to the efforts for sustainable peace. The human rights framework also provides a solid background for addressing serious concerns within or between countries that could lead to conflict if left unaddressed. Human rights information and analysis is a tool for early prevention and early targeted action that has not yet been fully used. According to the United Nations (n.d.b), non-compliance with international human rights standards and the protection of human rights undermines peacekeeping and peacebuilding efforts.

The results of the calculated correlation between the Human Rights Index (shows the extent to which the physical integrity of citizens is protected from murder, torture, political imprisonment, mass murder and abduction, where higher values mean fewer violations) and the National Security Threat Index (the index takes into account security threats to the state, such as explosions, attacks and deaths in battles, insurgency, riots, coups or terrorism, organized crime and murder, and apparent public confidence in internal security, where higher values mean more threats in the country) from 2015 to 2019 show the following values of the correlation coefficient: Luxembourg — 0.69, Iceland — -0.27, Peru — -0.63, Ukraine

— -0.80, Ethiopia — -0.02, Sudan — -0.25, Oman — 0.006, Syria — 0.70
(Table 1 and Table 2).

Table 1. Human Rights Index

Country	2015	2016	2017	2018	2019
Europe					
Luxembourg	5.33	5.32	5.31	5.31	5.31
Iceland	5.16	5.16	5.15	5.15	5.16
Ukraine	- 1.02	- 0.99	- 1.00	- 0.98	- 0.77
Turkey	- 1.13	- 1.33	- 1.42	- 1.53	- 1.72
Romania	1.22	1.25	1.26	1.32	1.41
Russia	- 0.98	- 1.08	- 1.08	- 1.16	- 1.19
Poland	2.12	2.02	1.92	1.80	1.83
Africa					
Ethiopia	- 1.95	- 2.00	- 1.92	- 1.90	- 1.74
Sudan	- 2.07	- 2.08	- 1.78	- 1.79	- 1.94
Cote d'Ivoire	- 0.22	- 0.15	- 0.08	0.04	0.01
Mali	- 1.12	- 1.14	- 1.24	- 1.71	- 1.77
Benin	1.06	1.08	1.06	1.02	0.94
Tanzania	0.11	0.01	- 0.05	- 0.07	- 0.08
South America					
Peru	0.82	0.96	1.02	1.06	1.07
Argentina	0.97	1.06	1.10	1.17	1.26
Bolivia	1.13	1.07	1.06	0.88	0.47
Chile	1.33	1.28	1.31	1.21	0.53
Colombia	- 0.80	- 0.66	- 0.57	- 0.48	- 0.47
Ecuador	0.79	0.81	0.91	0.94	0.90
Asia					
Oman	1.16	1.06	1.09	1.12	1.13
Syria	- 1.72	- 1.68	- 1.76	- 1.79	- 2.04

Source: Our World in Data (2020).

Table 2. Security Threats Index

Country	2015	2016	2017	2018	2019
Luxembourg	2.00	1.40	1.70	1.40	1.30
Iceland	1.00	0.80	1.00	0.80	0.70
Peru	7.10	6.80	7.10	6.80	6.50
Ukraine	7.90	7.40	7.60	7.40	7.10
Ethiopia	8.40	8.10	8.40	8.70	8.20
Sudan	9.50	8.70	9.00	8.70	8.40
Oman	4.7	4.4	4.2	3.9	3.6
Syria	10	10	9.8	9.9	9.8

Source: The Global Economy.com (2022).

Therefore, the values are ambiguous thus not allowing to state a direct dynamic link between national security and human rights protection in the selected countries. European countries with a high level of protection of citizens' rights have different correlation indices. Luxembourg has a medium level of positive correlation between the indicators studied, while Iceland has a low level of negative. This means that during 2015-2019 the security threat and the human rights index are interdependent areas and are changing dynamically, while in Iceland, which has a high level of human protection, the security threat is low and the correlation is negative, thus indicating the inverse interaction of dynamics of the areas under research.

The results of the calculated correlation between the Human Rights Index and the Security Threats Index by year for 2015 - 2019 in the studied countries are the following: the correlation coefficient in 2015 is -0.97, 2016 is 2019 is -0.96. These values indicate a high-level negative relationship between the protection of human rights and the national security threats, which means that the low level of protection of human rights corresponds to a high level of threat to national security.

The international community is developing human rights standards and special tools to protect them. In particular, international courts are established on the basis of international regulations: the International Criminal Court was established on the basis of the Rome Statute, the International Court of Justice, and the courts of the region: the European Court of Human Rights, the Inter-American Court of Human Rights. Human Rights. Their main function is to protect human rights and freedoms. Their statistics are the basis for calculating the correlation between the Human Rights Index and the number of cases tried in the courts of each region.

This is how we will determine the effectiveness of the relevant court and its impact on the Human Rights Index.

The correlation coefficient between the applications filed with the European Court of Human Rights and the Human Rights Index for 2015-2019 is: Turkey — -0.15; Luxembourg — -0.40; Russia — -0.87; Ukraine — -0.35; Romania — -0.69; Poland — 0.75; Iceland — -0.04 (Table 3).

Table 3. Applications filed with the European Court of Human Rights

Country	2015	2016	2017	2018	2019
Turkey	2,212	8,303	25,978	6,717	7,274
Russia	6,003	5,587	7,957	12,148	12,782
Ukraine	6,007	8,644	4,387	3,207	3,991
Romania	4,604	8,192	6,509	3,369	2,656
Poland	2,178	2,422	2,066	1,941	1,834
Luxembourg	22	38	38	35	23
Iceland	10	24	27	24	40

Source: European Court of Human Rights (2020), European Court of Human Rights (2019).

Thus, there is a negative correlation between the number of applications filed with the European Court of Human Rights and the Human Rights Index during that period. The exception is Poland, which had a medium level of human rights protection.

The correlation coefficient between the Human Rights Index and the number of applications files with the European Court of Human Rights for 2015 - 2019 in the selected European countries is: in 2015 — -0.83, 2016 — -0.88, 2017 year — -0.67, 2018 — -0.77, 2019 — -0.80. Thus, in the period 2015-2019, there is a high level of negative correlation between the human rights index and the number of applications filed with the European Court of Human Rights.

Therefore, the results of the correlation of the indicators under research by country and year indicate a direct negative correlation between the protection of human rights and the number of applications filed with the European Court of Human Rights. This result indicates the imperfection of the national system of the protection of human rights, as well as high-level confidence and effectiveness of the European Court of Human Rights.

The correlation between the number of cases tried by the African Court on Human and Peoples' Rights and the Human Rights Index is as follows: Mali for 2016 - 2019 — -0.93, Tanzania for 2015 - 2019 — 0.38, Benin for 2017 - 2019 — -0.99, Cote d'Ivoire for 2016, 2017, 2019 — 0.88 (Table 4).

Table 4. Applications filed with the African Court on Human and Peoples' Rights

Country	2015	2016	2017	2018	2019
Cote d'Ivoire	-	2	1	-	25
Mali	-	4	4	7	6
Benin	-	-	1	4	13
Tanzania	25	51	19	20	16

Source: African Court on Human and Peoples' Rights (2022).

Thus, in the analysed countries the correlation coefficient has ambiguous values, for example, in Tanzania — a country where the African Court on Human and Peoples' Rights tried 131 cases during the study period, the correlation coefficient indicates a low level of correlation with the Human Rights Index. At the same time, 18 cases were tried in Benin in 2017-2019 and the correlation coefficient has the most negative correlation ratio. The same correlation ratio is observed in Mali with a high level of negative and Cote d'Ivoire with a high level of positive relationship.

The correlation coefficient of these indicators for 2016 — 2019 is as follows: 2016 — 0.57, 2017 — -0.12, 2018 — -0.06, 2019 — 0.52. The results are dynamic, because the medium level of positive relationship was recorded in 2016 and 2019, while in 2017 and 2018 the minimum level of negative relationship was found.

The correlation coefficient between the number of cases tried by the Inter-American Court of Human Rights and the Human Rights Index for 2015-2019 is the following: Argentina — 0.83, Bolivia — 0.52, Chile — 0.45, Colombia — 0.41, Peru — 0.26, Ecuador — -0.96 (Table 5).

Table 5. Cases tried by the Inter-American Court of Human Rights by country

Country	2015	2016	2017	2018	2019
Argentina	6	2	6	10	18
Bolivia	3	6	5	2	-
Chile	4	2	3	5	2
Colombia	8	10	23	10	15
Peru	17	20	10	25	21
Ecuador	15	15	4	5	6

Source: Inter-American Court of Human Rights (2022).

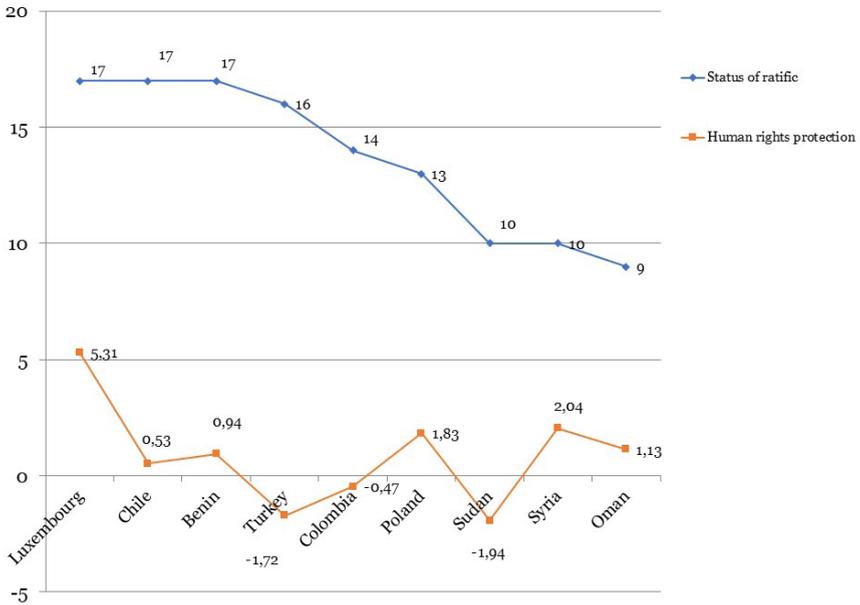
Thus, the correlation coefficient in the selected countries has positive correlation values, except for Ecuador, where the correlation value has a high negative level.

The correlation between the Human Rights Index and the number of cases tried by the Inter-American Court of Human Rights was also dynamic: in 2015 — -0.15, in 2016 — -0.21, in 2017 — -0.95, in 2018 — 0.01, in 2019 — 0.16.

So, the interdependence of the level of the protection of human rights and the number of applications filed with the regional international courts gives grounds to conclude that countries and regions with negative interdependence have weak national protection systems that require additional international protection of human rights. In countries with positive interdependence, the national system of protection of human rights and freedoms and the international system coherently perform their functions as a single mechanism for the protection of human rights and freedoms.

The tools that international human rights institutions use are international regulations adopted by international organizations, which enshrine such rights. Their effectiveness can be determined by comparing the Human Rights Index with the number of ratified international human rights treaties (Figure 1).

Figure 1. Protection of human rights and the number of ratified international human rights treaties



Source: Built on the basis of: United Nations Human Rights (2022), Our World in Data (2020).

The correlation coefficient between the Human Rights Index in 2019 in Luxembourg, Chile, Benin, Turkey, Colombia, Poland, Sudan, Syria, Oman and the number of ratified international treaties in these countries is 0.19. That is, the positive interdependence between the indicators under research is low.

5. Discussion

De Schutter (2010) notes that international organizations are established as a tool of institutionalizing forms of interstate cooperation on the enforcement and protection of rights. The international cooperation has been necessitated by the global interrelation and interdependence between the nations that the world has experienced and continues to experience since the end of the Cold War. According to the United Nations (n.d.a), security, which is the deep interrelation of the security of each state, taking into account the security of other states, is one of the main issues to be addressed by the global security sector.

As the Australian Human Rights Commission (2007) states, the international human rights regulations enshrine tools that enable governments to balance national security and human rights. At the same time, Morris (2020) emphasize that they do not provide protection for internal situations regarding their violation. The results of the study prove that the protection of human rights does not directly depend on the number of ratified international treaties. Therefore, Morris (2020) notes that the international tools for the protection of human rights are weak where national security intersects with human rights violations at the domestic level.

Kumar (2005) states that the protection of human rights and the national security level are interdependent. The high level of negative relationship between the Human Rights Index and the Security Threats Index indicates a direct interdependence between the protection of human rights and national security.

In turn, Zeleza (2007) and Sarkin (2017) underline that human rights are inalienable, universal, indivisible – they underlie all national and international regulations, but in practice this is not the case and all countries have problems with human rights. States fulfil their obligations related to human rights through legislation, courts, administrative bodies and the public. Neuman (2019) indicates that international organizations contribute to this protection in different ways – by providing guidance, assistance, monitoring and support. At the same time, Goodman (2020) emphasizes that the interaction between national authorities and international institutions in the mechanism for the protection of human rights and freedoms is an important factor in achieving results.

Bozeman (1982) proved that public authorities have their own peculiarities in the mechanism for the protection of human rights and national security in all countries, and therefore they differ from each other rather than coincide in a specific model of their assigned functions. The protection of human rights by regional intergovernmental organizations has both the advantages regarding global international organizations: the involvement of fewer states facilitates political consensus on the development of tools and establishment of institution for the fulfilment of the assigned tasks; regional systems may also be more accessible, as geographical distances are shorter (Mantu, 2019), and disadvantages: the extension of international organizations to all areas of intergovernmental cooperation causes numerous conflicts with international human rights law (Zagel, 2018).

Therefore, it is appropriate to establish international institutions for the protection of human rights and freedoms in certain regions of the world, which differ in mentality, structure, religious views, culture, geographical location in view of their number and range of influence.

International regional institutions, which directly deal with the protection of human rights and freedoms, include international regional courts. The results of the study indicate the appropriateness of establishing international regional institutions for the protection of human rights and freedoms. They are effective in case of shortcomings in the national mechanism for the protection of human rights, which fails to provide an adequate level of protection of human rights and, consequently, national security. The region of Southeast Asia has no international regional court of human rights. It is appropriate to establish an international regional court that will protect human rights in view of the cultural, religious, economic, mental peculiarities of this region (Gunawan and Elven, 2017).

Conclusions

The background which is built for the observance and realization of human rights and freedoms is a guarantee of development and security in every state. Human rights and freedoms are the primary object of protection in case of encroachment. The direct relationship between the protection of human rights and the national security level was proved.

At the same time, it is established that international legal acts as the tools used for the protection of human rights and freedoms, do not directly affect the level of protection of human rights.

Therefore, an adequate level of protection of human rights and freedoms ensures adequate national security and vice versa. But historical facts evidence that the national level of protection is not sufficient, which urged the adoption of a number of international regulations as the background for the establishment of international communities with different scales of their activities.

The study found that in countries and regions with a negative correlation between the level of the protection of human rights and the number of applications filed with the regional international courts (European Court of Human Rights, African Court of Human and Human Rights, Inter-American Court of Human Rights) is a weak national system of human rights protection that requires additional international protection of human rights. In countries with positive interdependence, the national system of protection of human rights and freedoms and the international one performs their functions in a unified mechanism in the protection of human rights and freedoms.

Therefore, international institutions in the mechanism for the protection of human rights and freedoms in the national security context are effective in performing their functions.

Southeast Asia is the only region which does not have the international regional court of human rights, so it is appropriate to develop a mechanism to establish it in order to ensure international protection of human rights and freedoms in this region with the use of the results of the study.

The results of the study can also be used to develop strategies to increase the national security level and make the national system of protection of human rights and freedoms more effective.

The prospects of further research include the identification of factors that affect the level of protection of human rights and freedoms in the national security context in countries with a weak system of national protection.

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