

President Carter's approach to the human rights issue has had an immediate import on U.S. foreign policy and has also had the effect of encouraging other governments, particularly those with close relations with the United States, to focus on this question as well. As can be expected, the interest of the President of the United States on the question has also been reflected in the mass media and has resulted in a heightened public awareness of human rights issues at the international level.

One of the most remarkable consequences of the CSCE has been the perception of the Helsinki Final Act in the western media and public mind primarily as a human rights-oriented document. This is, of course, in part due to the fact that dissidents in Eastern Europe saw the commitment of their governments to the Final Act as an opportunity to remind them of their obligations with respect to human rights, even though human rights forms but a part of the text of the Final Act itself. The coverage in the western media of the follow-up conference to CSCE held in Belgrade earlier this year also illustrates the extent to which the Final Act has become popularly identified as a human rights document.

Although the Final Act does not contain binding legal obligations, it is not without legal significance and an examination of those sections of the Final Act dealing with human rights indicates that the basis of its human rights provisions derive from existing international law. It has in a sense incorporated by reference the obligations of states under international law. It can, therefore, be regarded as a confirmation of such obligations and in some respects an elaboration of them.

Although treatment of human rights at the international level is often a matter of political controversy, it is becoming increasingly recognized that the standard by which state conduct in this area must be judged is that provided by international law. There are two reasons for this: (1) most states have accepted formal treaty obligations with respect to the protection of human rights and are, therefore, accountable at the international level for non-compliance, and (2) in discussions of human rights at international fora it has been repeatedly demonstrated that the invocation of national or domestic criteria can only lead to sterile controversy. Thus, the growing body of international human rights law will probably assume a greater importance as discussion of human rights at the international level, both at the U.N. and elsewhere, continues and the international procedures for dealing with these issues are more clearly defined and developed.