Comparing the Performance of the Russian Federation and the United States as regards Human Rights on the Regional and Universal Level

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1. Introduction
From the end of the Second World War until 1991, communist Soviet Union and capitalist United States were engaged in a Cold War for global supremacy. The control of nuclear weapons qualified them as Superpowers, and each occupied a permanent seat on the United Nations (UN) Security Council. In the United Nations, the Soviet Union championed economic, social and cultural rights over civil and political rights and the United States championed civil and political rights over economic, social and cultural rights. As a result, the United Nations has two international covenants instead of one, converting into treaty obligations the rights set forth in the Universal Declaration of Human Rights: the International Covenant on Civil and Political

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Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Collectively these three instruments comprise the “International Bill of Rights.”

In the 1980s, the US position became so polarised that President Reagan did not recognise economic, social and cultural rights as human rights.\(^1\) It is accepted today that the realisation of some human rights requires a certain level of affluence and the UN’s eight anti-poverty Millennium Development Goals aim to reduce poverty in the world by 2015. In August 1991, an unsuccessful coup against President Gorbachev, which sought to preserve the Soviet Union, led to the end of the Cold War, and in December 1991 to the dissolution of the Soviet Union.

Great powers often think that they are above international monitoring and control. The purpose of this comparison is to evaluate whether international human rights monitoring mechanisms have had any impact on the behaviour of these two superpowers.

\(\text{I.1. Brief Background on the Russian Federation}\)

The Russian Federation or Russia, successor to the Soviet Union, in terms of territory is the largest country in the world with the ninth largest population and the 11th largest economy (USD 1.465 trillion).\(^2\) It defines itself as a democratic, federal State based on the rule of law, with a republican form of government.\(^3\) Article 10 of the 1993 Constitution provides for the separation of executive, legislative and judicial powers and Article 11 provides that State power shall be exercised by the President (Head of State), the Federal Assembly (Council of the Federation and State Duma), the Prime Minister (Head of Government) and the Courts. On 8 March 2008 Dmitri Medvedev was elected President and Vladimir Putin, the outgoing President, was elected Prime Minister. The President is elected for a six-year term and may be re-elected only once. The federal government is composed of three branches: the Executive (the President is the Commander in Chief of the Armed Forces and has the power to veto bills before they become law), the Legislature (the bicameral Federal Assembly is made up of the 450 member Duma and the 176 member Federation Council with the power, \textit{inter alia}, to adopt laws, approve treaties, declare war and impeach the President) and the Judiciary (the Constitutional Court, the Supreme Court and the Supreme Court of Arbitration and lower federal courts with the power to overturn laws that are held to be unconstitutional). The transformation of the economy, from State control to privatisation and market and trade liberalisation caused a 50 per cent decline in Russia’s GDP during the 1990s. During 1994–1996, Russia was engaged

\(^1\) The US signed the Covenant in 1977 but never ratified it.
\(^2\) Size of the economy as estimated 2010 by the World Bank and the International Monetary Fund.