

**OVERSIGHT IN A CHANGING WORLD: HOW UN AGENCIES
MONITOR AND ENFORCE INTERNATIONAL HUMAN RIGHTS
LAW IN THE AGE OF AI?**

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Abstract

International human rights law rests on a complex institutional framework designed to translate universal norms into domestic compliance. This paper examines the operational architecture and institutional efficacy of United Nations human rights enforcement, evaluating the interplay between treaty-based bodies and charter-based mechanisms coordinated by the Office of the High Commissioner for Human Rights (OHCHR). By analyzing core procedures including the Universal Periodic Review, Special Procedures, and individual communications—the study explores how the UN balances diplomatic engagement with legal accountability across diverse global legal systems and jurisdictions.

In 2026, however, this traditional enforcement model faces severe systemic strain. Chronic institutional underfunding, persistent geopolitical paralysis within the Security Council, and entrenched state sovereignty significantly impede effective oversight. Concurrently, the rapid proliferation of artificial intelligence, automated decision-making systems, and commercial digital surveillance has created unprecedented accountability gaps that conventional naming-and-shaming tactics struggle to close. Drawing on recent jurisprudence from the International Court of Justice and regional human rights tribunals, the paper demonstrates how enforcement is increasingly shifting toward judicial mobilization and domestic legal internalization. Ultimately, the paper concludes that preserving the efficacy of the UN human rights regime requires urgent structural reforms: securing insulated financial independence and developing binding multilateral legal standards capable of proactively regulating both sovereign state actors and opaque, borderless technological monopolies.

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Introduction

The foundation of international human rights relies on the fundamental yet innate values enshrined in the UN Charter. These include the values of ‘peace, justice, respect, human rights tolerance, and solidarity. As the UN Secretary General, Mr. António Guterres observes, these core values must define the world inherited by future generations. To uphold these ideals, the UN functions as a collaborative global space where nations and civil societies address shared challenges and develop collective solutions. Since its inception in 1945 with 51 original members, the UN has expanded to 193 member states. These members are actively working on peace keeping and supplementing the dynamically evolving global society.

However, the mere declaration of fundamental freedoms does not cut to the chase and hand the stakeholders their solutions; robust, actionable structures are necessary to translate moral and legal mandates into reality. Therefore, understanding the implementation and enforcement of human rights obligations necessitates a close perusal of frameworks designed to monitor state compliance. This paper explores the landscape of the International Human Rights Law (IHRL) and analyses the specialized UN agencies tasked with the oversight, primarily the Office of the High Commissioner for Human Rights (OHCHR) and the Economic and Social Council (ECOSOC). Furthermore, it evaluates the critical mechanisms for enforcement, encompassing both treaty-based committees and charter-based bodies like the Human Rights Council and the Universal Periodic Review. Along-side this, the paper also explores the supplementary roles of Security Council and the International Court of Justice.

The Universal Declaration Of Human Rights (UDHR)

The UDHR functions as the ultimate document that continues to shape and transform international human rights law globally. Drafted by the UNHRC under the dedicated chairmanship of Eleanor Roosevelt, the text was famously characterized by her as “Humanity’s Magna Carta”.⁴ Since its adoption by the UN General Assembly (UNGA), this

⁴ George J Andreopoulos, 'Universal Declaration of Human Rights' (Britannica, 20 March 2023)<https://www.britannica.com/topic/Universal-Declaration-of-Human-Rights> accessed 9 September 2026.

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declaration is universally recognized as the “common standard of achievement for all peoples and all nations.”⁵ Adopted by the UN General Assembly in 1948, the 10th December 2026 will mark the 78th anniversary of this seminal document.⁶

Although the UDHR catalyzed the development of numerous legal frameworks and urged the creation of a universal system for the protection of basic rights, the practical realization of these fundamental freedoms across all jurisdictions remains an ongoing challenge. As of 2026, the human rights situation across the globe is increasingly defined by polycrisis. Thereby requiring the UDHR to address transnational threats that extend beyond traditional state-centric violations. Following the OHCHR’s “ Human Rights 75” initiative, the contemporary agenda demands the application of the UDHR’s principles to unprecedented modern phenomena.⁷

Moreover, the unprecedented development of AI and the rise of digital authoritarianism have necessitated a strict reinterpretation of privacy and equity rights. AI technologies, when deployed without robust governance, exacerbate algorithmic bias, digital surveillance, and structural inequalities that disproportionately affect marginalized communities.⁸ Consequently, the UDHR’s protection against arbitrary interference with privacy (Article 12) and its guarantees of equality become a shield to legal challenges against AI-driven mass surveillance, zero-click spyware, and automated welfare states.

Furthermore, the catastrophic impacts of climate change pose an existential threat to the right to life, and the standard of living adequate for wellness as mentioned in Article 25 of the UDHR. Based on the UNGA’s recognition of ‘right to clean. A healthy, and sustainable environment, the UDHR’s application in this AI era requires a solidarity-based conception of the climate crisis and the inequitable, extractivist practices that drive environmental degradation globally.⁹

⁵ Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III)) (UDHR) preamble.

⁶ UN OHCHR, 'Human Rights Day' <https://www.ohchr.org/en/get-involved/campaign/human-rights-day> accessed 8 September 2026.

⁷ Mansi Tyagi, 'Universal Declaration of Human Rights: Contemporary Relevance, Influence, and Future Directions' (2025) 1 *Contours of Contemporary Legal Research* 13.

⁸ Philip Alston, 'Report of the Special Rapporteur on extreme poverty and human rights' (2019) UN Doc A/74/493.

⁹ John H Knox and Ramin Pejan (eds), *The Human Right to a Healthy Environment* (Cambridge University Press 2018).

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Human Rights & IHRL in Recent Times

Human rights are fundamentally rooted in the imperative to guarantee safety, security and dignity for all human beings, transcending all forms of boundaries. IHRL governs this imperative through a complex web of treaty laws and customary international laws. In 2026, the application of these traditional sources requires renewed theoretical and practical rigor to address systemic global crises, ranging from mass displacement to digital authoritarianism.

Treaty law encompasses legally binding conventions ratified by states, like the International Bill of rights, the Convention against Torture, the Genocide Convention, the Rome Statute. However, as treaty obligations only bind ratifying parties, modern IHRL heavily relies on customary international law and *jus cogens* to establish universal compliance. As articulated by Simma and Alston in their well-noted work on the subject, the evolution of customary human rights law demonstrates that fundamental norms bind states irrespective of their formal ratification of treaties, reflecting a global moral consensus on human dignity.¹⁰ In the coming years, this age-old theory becomes crucial for enforcing accountability against state and non-state actors who may attempt to bypass conventional treaty obligations.

Furthermore, the enforcement of IHRL relies not merely on external UN sanctions but on the internalization of the international norms within the domestic legal systems. Mr. Koh's pioneering theory of the "transnational legal process" argues that human rights law is most effectively enforced when international legal obligations are domesticated. Consequently, it shifts the state's behaviour from coerced conformity to constitutionally conditioned obedience.¹¹

Today, this transnational process is actively mobilized by global networks of civil societies, environmental guardians, and digital rights advocates who leverage national courts to enforce international commitments. Consequently, IHRL in 2026 is no longer solely a top-down diplomatic arrangement, but it is a dynamic decentralized process where local judicial and administrative systems actively construct and enforce global human rights standards.

Implementation & Enforcement of Human Rights By the UN in the AI Era

¹⁰ Bruno Simma and Philip Alston, 'The Sources of Human Rights Law: Custom, Jus Cogens, and General Principles' (1992) 12 Austl YBIL 82.

¹¹ Harold Hongju Koh, 'How Is International Human Rights Law Enforced?' (1999) 74 Ind LJ 1397.

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The ubiquitous nature of AI, its predictive analysis, and automated decision making systems (ADMS) has radically upheaved the implementation of IHRL. As of 2026, the UN no longer solely monitors post-hoc physical violations; it confronts opaque, transactional, algorithmic governance. This privatizes public authority and entrenches systemic bias at scale. To counter these harms, the UN has moved beyond reactive fact-finding towards establishing proactive systems AI and Tech accountability, human rights impact assessments, and strict human-in-the loop oversight mandates.¹² Rather than treating AI as an ungovernable entity, by employing UN charter and treaty based mechanisms, the UN aims to uphold the bedrock principles. These include non-discrimination, necessity, and proportionality, etc., to regulate AI and technologies.¹³ Such a normative approach is also reinforced by recent jurisprudence across regional tribunals and international accountability mechanisms.¹⁴ The following landmark cases that illustrate how human rights law is actively operationalized to counter algorithmic overreach across civil liberties, public welfare, and armed conflict:

1. *Glukhin v Russia* (2023): Regulating Biometric Facial Recognition

In 2023, the European Court of Human Rights (ECtHR) delivered its first substantive ruling on the use of live facial recognition technology (FRT) in *Glukhin v Russia*, establishing a critical precedent for algorithmic surveillance.¹⁵ The case involved a peaceful solo demonstrator in Moscow who was identified and subsequently prosecuted using the city's vast network of AI-powered CCTV cameras. The ECtHR found that the deployment of this "highly intrusive" automated biometric processing against a peaceful protester violated Article 8 (right to private life) and Article 10 (freedom of expression) of the European Convention on Human Rights.¹⁶

Crucially, the Court rejected the Russian government's argument that technological efficiency in law enforcement could justify indiscriminate biometric tracking. By extending established proportionality tests to AI, the ECtHR affirmed that continuous automated monitoring in public spaces generates a chilling effect on democratic participation. The Court emphasized that states must enact strict, detailed rules

¹² UNGA Res 78/265 'Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development' (21 March 2024) UN Doc A/RES/78/265.

¹³ UNHRC 'The right to privacy in the digital age: Report of the United Nations High Commissioner for Human Rights' (13 September 2021) UN Doc A/HRC/48/31, paras 4–9.

¹⁴ Council of Europe, *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law* (opened for signature 5 September 2024, CETS No 225).

¹⁵ *Glukhin v Russia* App no 11519/20 (ECtHR, 4 July 2023).

¹⁶ *ibid*.

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governing the scope of FRT, alongside robust safeguards against algorithmic abuse.¹⁷ In 2026, *Glukhin* remains the foundational jurisprudence for UN bodies and regional courts assessing the legality of AI surveillance. It reinforces the principle that technological innovation cannot bypass the fundamental requirements of legality, necessity, and proportionality, particularly when biometric tracking disproportionately impacts marginalized populations expressing political dissent.

2. The SCHUFA Case (2023): Automated Decision-Making and Algorithmic Scoring

The enforcement of human rights against automated socio-economic profiling achieved a milestone with the Court of Justice of the European Union (CJEU) ruling in the *SCHUFA* case (*OQ v Land Hessen*).¹⁸ SCHUFA, a leading German credit reference agency, used proprietary AI models to generate predictive credit scores, which banks utilized to deny or grant loans. SCHUFA argued it merely provided statistical probabilities, asserting that human bank employees made the actual decisions.

The CJEU rejected this defense, ruling that the AI-generated credit score itself constituted an "automated individual decision" under Article 22(1) of the General Data Protection Regulation (GDPR) because the score played a determinative role in the final outcome.¹⁹ This landmark judgment interpreted the right not to be subject to solely automated decision-making as a fundamental prohibition rather than a mere procedural guideline. In the AI era, where algorithms dictate access to housing, employment, healthcare, and public welfare, the *SCHUFA* ruling serves as a vital shield. It mandates strict human oversight, data minimization, and explainability, ensuring that citizens are protected from opaque, machine-driven discrimination and systemic bias originating from privately owned corporate black-boxes.

3. Podchasov v Russia (2024): Encryption and the Right to Privacy in the Digital Age

¹⁷ Paul De Hert and Gianclaudio Malgieri, 'Glukhin v. Russia: The European Court of Human Rights' First Step into the Age of AI Surveillance' (2023) 41 NQHR 315.

¹⁸ Case C-634/21 *OQ v Land Hessen (SCHUFA Holding AG)* [2023] ECLI:EU:C:2023:957.

¹⁹ *ibid* [43]-[47].

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The preservation of digital privacy against algorithmic mass surveillance was decisively upheld in the 2024 ECtHR judgment *Podchasov v Russia*.²⁰ The case emerged after Russian authorities mandated that the messaging platform Telegram provide decryption keys to access user communications under the guise of national security. Telegram's architecture relies on end-to-end encryption (E2EE), meaning that complying with the state's demand would require engineering a systemic algorithmic "backdoor" that weakens security for all users globally.

The Court unanimously ruled that state mandates requiring platforms to break or weaken E2EE fundamentally violate the right to respect for private life.²¹ The ECtHR categorically affirmed that forcing service providers to introduce algorithmic vulnerabilities is inherently disproportionate, as it technically compromises the digital sanctuary of all citizens to target a few. As the UN Special Rapporteur on Freedom of Opinion and Expression has routinely noted, encryption creates a necessary "zone of privacy" vital for human rights defenders.²² In 2026, as digital authoritarian regimes increasingly utilize AI-driven data interception, *Podchasov* stands as a watershed human rights victory. It legally recognizes robust cryptography as an indispensable technological safeguard, effectively shielding citizens from unchecked state panopticons.

4. Algorithmic Warfare in Gaza (2024–2025): UN Scrutiny of Military AI

The most severe contemporary test for IHRL and international humanitarian law involves the deployment of AI target-generation systems in armed conflict. During the military operations in Gaza, the Israeli military heavily utilized AI systems like notably "Lavender" and "The Gospel", to rapidly process vast datasets and automatically generate tens of thousands of kill lists.²³ These algorithms assigned probability scores to individuals, identifying them as suspected combatants with minimal human oversight, functionally reducing human operators to mere "rubber stamps" who often reviewed targets for mere seconds.

²⁰*Podchasov v Russia* App no 33696/19 (ECtHR, 13 February 2024).

²¹ *ibid.*

²² David Kaye, 'Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression' (2015) UN Doc A/HRC/29/32.

²³ Yuval Abraham, 'Lavender': The AI machine directing Israel's bombing spree in Gaza' +972 Magazine (3 April 2024).

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The UN responded forcefully to this unprecedented automation of lethal force. UN Special Rapporteur Francesca Albanese presented comprehensive reports characterizing the deployment of these AI tools as facilitating an "economy of genocide."²⁴ The UN human rights framework underscored that deploying probabilistic machine learning for lethal targeting fundamentally violates the bedrock principles of distinction and proportionality. By stripping individuals of their humanity and replacing moral judgment with algorithmic outputs, these systems created severe accountability gaps. This scrutiny has prompted urgent UN demands for an international moratorium on lethal autonomous weapons, reinforcing that legal responsibility for war crimes cannot be outsourced to software.

5. The Meta Oversight Board's "Altered Video" Decision (2024): Corporate Moderation of Deepfakes

As generative AI has proliferated, the UN Guiding Principles on Business and Human Rights are increasingly leveraged by quasi-judicial corporate bodies to enforce human rights online. A prominent example is the Meta Oversight Board's 2024 decision regarding an altered, misleading video of U.S. President Joe Biden.²⁵ The case exposed the severe inadequacies of corporate moderation policies in handling hyper-realistic AI manipulations (deepfakes) designed to influence democratic elections and incite offline harm.

While Meta originally left the video up because it technically bypassed their narrow rules, which only penalized AI-generated content where individuals appeared to say words they never spoke, the Oversight Board intervened.²⁶ Aligning with international human rights standards on freedom of expression and voter protection, the Board compelled Meta to comprehensively rewrite its policies. The ruling dictated that platforms must prioritize labeling and contextualizing altered media rather than relying solely on censorship, while simultaneously expanding protections against all forms of deceptive audiovisual manipulation, regardless of the specific AI technique utilized. In 2026, this case represents a critical paradigm shift, demonstrating how

²⁴ *ibid.*

²⁵ United Nations Human Rights Council, 'From economy of occupation to economy of genocide – Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967' (2025) UN Doc A/HRC/59/23.

²⁶ *ibid.*

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transnational corporate accountability mechanisms are essential in operationalizing UN human rights standards against AI-driven disinformation.

UN Human Rights Monitoring: OHCHR, Treaty Bodies, and Charter Mechanisms in 2026.

The United Nations human rights enforcement relies on two primary pillars: treaty-based committees and charter-based mechanisms, coordinated by the Office of the High Commissioner for Human Rights (OHCHR).²⁷ OHCHR, established by the UNGA in 1993, administers this global machinery. Under the leadership of High Commissioner Volker Türk, the office has increasingly focused on the intersection of human rights and emerging technologies, actively monitoring algorithmic discrimination, biometric surveillance, and the protection of civic space in the digital age.²⁸

The treaty-based system consists of ten committees of independent experts that monitor state compliance with core international human rights conventions, such as the International Covenant on Civil and Political Rights (ICCPR). While historically focused on state reporting and individual communications regarding physical violations, these bodies now routinely integrate digital rights into their assessments. Recent General Comments (especially related to children) demonstrate a deliberate regulatory shift to address the impact of AI and digital environments on fundamental freedoms, requiring that states extend conventional human rights obligations into digital spaces and regulate corporate tech actors operating within their jurisdictions.²⁹

Parallel to the treaty bodies are the charter-based mechanisms, anchored by the Human Rights Council (HRC). Established in 2006 to replace the heavily criticized Commission on Human Rights, the HRC evaluates the rights records of all 193 UN member states through the Universal Periodic Review (UPR).³⁰ In 2026, UPR recommendations frequently target algorithmic governance, compelling states to enact strict safeguards against mass surveillance and tech-facilitated gender-based violence. Additionally, the HRC's Special Procedures,

²⁷ UNGA Res 48/141 (20 December 1993) UN Doc A/RES/48/141.

²⁸ UNHRC 'The right to privacy in the digital age: Report of the United Nations High Commissioner for Human Rights' (13 September 2021) UN Doc A/HRC/48/31.

²⁹ UN Committee on the Rights of the Child, 'General comment No 25 (2021) on children's rights in relation to the digital environment' (2 March 2021) UN Doc CRC/C/GC/25.

³⁰ UNGA Res 60/251 (15 March 2006) UN Doc A/RES/60/251.

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comprising thematic and country-specific independent experts, provide vital rapid-response capabilities. These mandate holders play a critical role in fact-finding and issuing urgent appeals, specifically addressing the contemporary risks posed by lethal autonomous weapons, spyware, and the abuse of digital communication networks to silence human rights defenders.³¹

To illustrate these mechanisms in practice, the United Nations Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela (IFFMV) serves as a critical recent case study of Charter-based monitoring.³² Following the disputed July 2024 presidential elections, this Human Rights Council-mandated body rapidly investigated and documented an unprecedented wave of state repression.³³ The Mission's late-2024 reports explicitly detailed how Venezuelan authorities deployed a coordinated plan to silence critics, utilizing arbitrary detentions, torture, short-term enforced disappearances, and targeted digital surveillance.³⁴ By rigorously cataloging these abuses, including the severe mistreatment of detained minors without legal representation, the Fact-Finding Mission officially concluded that the state's actions constituted the crime against humanity of persecution on political grounds.³⁵ This intervention vividly demonstrates how contemporary UN enforcement bodies bypass state denial, actively securing vital evidence to counter systemic impunity and support future accountability mechanisms like the International Criminal Court.³⁶

Complementary Enforcement: The Security Council and the International Court of Justice

While UN charter and treaty bodies primarily rely on diplomatic pressure and state reporting, hard enforcement mechanisms theoretically rest with the United Nations Security Council (UNSC) and the International Court of Justice (ICJ). Under Chapter VII of the UN Charter, the Security Council possesses the unique authority to authorize economic sanctions and military interventions to address gross human rights violations that constitute threats to

³¹ Fionnuala Ní Aoláin, 'Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism' (2023) UN Doc A/78/520.

³² UNHRC, 'Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela' (23 September 2025) UN Doc A/HRC/60/61.

³³ UNHRC, 'Detailed findings of the independent international fact-finding mission on the Bolivarian Republic of Venezuela' (14 October 2024) UN Doc A/HRC/57/CRP.5.

³⁴ *ibid*; Washington Office on Latin America (WOLA), 'UN Human Rights Council Must Renew Mandate for the Fact-Finding Mission in Venezuela' (9 October 2024).

³⁵ UNHRC (n 2).

³⁶ WOLA (n 3).

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international peace.³⁷ However, by 2026, the UNSC's enforcement capacity remains frequently paralyzed by the veto power of its permanent members, particularly regarding conflicts involving major geopolitical alliances.

To circumvent this political deadlock, the international community has increasingly turned to the ICJ as the primary venue for authoritative human rights enforcement. Although the ICJ historically focused on territorial and maritime disputes, recent years have seen a massive surge in states invoking human rights treaties to hold other nations accountable under the principle of *erga omnes partes* (obligations owed to all state parties collectively).³⁸

A defining example of this judicial shift is the 2024 case of *South Africa v Israel*, where the ICJ issued unprecedented provisional measures under the Genocide Convention. The Court firmly established that any state party has the legal standing to invoke the responsibility of another state regarding allegations of genocide, regardless of whether they are directly injured by the acts.³⁹

Furthermore, the ICJ has expanded its enforcement footprint through its advisory jurisdiction. In its landmark July 2024 Advisory Opinion concerning the Occupied Palestinian Territory, the Court concluded that long-term territorial occupation paired with systemic racial discrimination legally constitutes an unlawful presence. Crucially, the Court ruled that this illegality triggers binding third-state obligations, meaning all other nations are legally required not to recognize, aid, or assist the maintenance of that situation.⁴⁰ In 2026, these rulings confirm that while the Security Council may struggle to enforce physical compliance on the ground, the ICJ actively provides the vital legal framework required to mobilize global accountability and compel third-party states to uphold international human rights standards.

Critical Observations and Enforcement Dilemmas

The enforcement of IHRL has always confronted a fundamental paradox: it seeks to police state behavior within a decentralized global system built on the very premise of state

³⁷ Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI, ch VII.

³⁸ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v Myanmar)* (Provisional Measures) [2020] ICJ Rep 3.

³⁹ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v Israel)* (Order of 26 January 2024) ICJ General List No 192.

⁴⁰ *ibid.*

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sovereignty.⁴¹ As the UN lacks an independent global police force, it relies heavily on the "compliance pull" generated by the legitimacy of its legal norms and the diplomatic pressure of its oversight bodies.⁴² However, in 2026, this traditional custom faces an unprecedented combination of geopolitical, financial, and technological crises that severely test its viability.

First, the operational capacity of the UN's monitoring mechanisms is currently crippled by a severe multilateral funding crisis. Throughout 2025 and 2026, a chronic shortfall in assessed state contributions forced the UN into extraordinary liquidity measures. These structural budget cuts resulted in the postponement of dozens of state reviews by Treaty Bodies and slashed the mandated country visits of Special Procedures experts by half. This financial strangulation highlights a critical observation: states can effectively neutralize international human rights oversight simply by starving the institutions of operational capital, entirely bypassing the need to officially withdraw from treaties.

Second, the structural design of UN enforcement remains heavily state-centric, which is increasingly misaligned with the realities of the AI era. As detailed in earlier sections, public authority is rapidly being privatized through ADMS, predictive policing algorithms, and transnational data surveillance networks.⁴³ Unfortunately, these systems are owned by private corporate monopolies shielded by intellectual property laws, the UN struggles to pierce the corporate veil to enforce accountability. The traditional naming-and-shaming tactics used against sovereign governments are far less effective against opaque tech conglomerates whose algorithmic reserves entrench systemic bias on a global scale.

Ultimately, the events leading up to 2026 confirm that institutional frameworks alone cannot force compliance when political will evaporates. The repeated paralysis of the Security Council during high-intensity armed conflicts underscores that enforcement is intrinsically linked to geopolitical power dynamics.⁴⁴ If the UN is to maintain its relevance in the near future, it must secure insulated, mandatory funding streams to protect its monitoring bodies and aggressively adapt its legal mandates to hold both sovereign states and borderless technological platforms equally accountable.

⁴¹ Louis Henkin, *How Nations Behave: Law and Foreign Policy* (2nd edn, Columbia University Press 1979) 47.

⁴² Thomas M Franck, *The Power of Legitimacy Among Nations* (Oxford University Press 1990) 24.

⁴³ Raphaël Viana David, 'UN financial crisis: Mapping the impact for human rights' (International Service for Human Rights, 13 March 2026) <https://ishr.ch/toolbox/resources/un-financial-crisis-mapping-the-impact-for-human-rights/> accessed 13 September 2026.

⁴⁴ Philip Alston, 'Report of the Special Rapporteur on extreme poverty and human rights' (2019) UN Doc A/74/493.

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Conclusion

The superstructure of international human rights law, as overseen by the UN represents a profound historical achievement in defining universal legal standards. Yet, as this analysis demonstrates, the mechanisms tasked with enforcing these standards in 2026 operate under unprecedented structural strain. While treaty bodies and charter-based mechanisms like the Universal Periodic Review successfully generate transparency and articulate normative baselines, they remain fundamentally dependent on the political will of sovereign states for on-the-ground implementation.

The contemporary human rights scenario exposes the severe limitations of a purely state-centric enforcement model. The proliferation of AI, algorithmic surveillance, and ADMS has shifted immense public power into the hands of private technological monopolies. This creates vast enforcement gaps that traditional naming-and-shaming tactics cannot easily bridge, as opaque computing quietly entrench systemic bias on a global scale. Concurrently, the persistent geopolitical paralysis within the Security Council requires a strategic pivot toward alternative enforcement avenues. Consequently, the international community has increasingly relied upon the expanding jurisprudence of the ICJ and the robust mobilization of domestic legal systems to hold both state and corporate actors accountable.

Moving forward, preserving the fundamental freedoms enshrined in the UDHR requires the UN to radically modernize its regulatory oversight. This necessitates securing mandatory, insulated financial independence for bodies like the OHCHR, alongside the adoption of binding international frameworks that strictly govern the deployment of autonomous technologies. Ultimately, IHRL is not a static monolith but a dynamic transnational process. Its future efficacy depends not merely on UN resolutions, but on the persistent, aggressive integration of global human rights norms into local judicial, corporate, and civic institutions.

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