

Human Rights Protection: The Role of Institutional Capacity and Selective Adaptation

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Abstract

This paper will examine the potential application of selective adaptation and institutional capacity to understanding of international human rights norms and practices. Enforcement of international human rights norms depends on the capacity of intermediary institutions; that is, their ability to perform their assigned tasks. Institutional performance is in turn contingent on domestic political and socio-economic conditions, and as such, local conditions of rapid socio-economic and political transformation pose particular challenges. The other key concept in this paper, selective adaptation, describes a process by which practices and norms are exchanged across cultural boundaries. The dynamic of selective adaptation can operate to mediate international norms and local enforcement as in the case of the right to development—a right which differs markedly from the liberal ideals of individual rights. This paper will posit that selective adaptation may offer an approach to resolving tensions between other conflicting international and local human rights norms as well, and thereby provide a basis for mutual understanding and common commitment to recognizing and protecting the rights of all people.

Keywords: *human rights protection, right to development, selective adaptation, institutional capacity.*