

BILTEK-VIII

INTERNATIONAL SYMPOSIUM ON CURRENT DEVELOPMENTS IN
SCIENCE, TECHNOLOGY AND SOCIAL SCIENCES



**Full Text
Book**

EDITORS:

Prof. Dr. Zeynep KARAÇOR
Prof. Dr. Burcu GÜVENEK
Prof. Dr. Süleyman KARAÇÖ

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October 24-26, 2023- Paris- FRANCE



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8. INTERNATIONAL SYMPOSIUM ON CURRENT DEVELOPMENTS IN SCIENCE, TECHNOLOGY AND SOCIAL SCIENCES

October 24-26, 2023/ Paris, FRANCE



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ONLINE PRESENTATIONS

24.10.2023 / HALL-5 / SESSION-2



PARIS LOCAL TIME



11³⁰ : 13³⁰



ANKARA LOCAL TIME



12³⁰ : 14³⁰

HEAD OF SESSION: Ana CAMPINA

Authors	Affiliation	Presentation title
Carlos RODRIGUES Ana CAMPINA	University Fernando Pessoa (Portugal)	HUMAN RIGHTS EDUCATION, ECHR AND INTERNATIONAL HUMANITARIAN LAW
Ms. Twinkle-	Symbiosis Law School (India)	WHAT IS PRIVACY FOR TRANSGENDERS: GENDER IDENTIFICATION BEING CONFUSED WITH CONSENT
Elena PAHOMOVA	Moldova State University (Moldova)	LEGISLATIVE REGULATION OF MEDIA IN THE REPUBLIC OF MOLDOVA THROUGH THE PRISM OF RESPECT FOR THE RIGHTS OF NATIONAL MINORITIES
Sneha Mukherjee Amber Raaj Priyanshi Soni	Symbiosis International University (India)	THE UN-HOLY BATTLE: ISRAEL-PALESTINE GEOPOLITICS
Elia Juan Markus Roni Prima Panggabean Albertus Eko Kuswinoto Gabriela Winda Irene Tobing Yuliana Minar Puspitasari Siregar Riyan Franata Naga Saksi Uci Iffatria Nopiza	Christian University of (Indonesia) University of Bengkulu (Indonesia)	COMPARISON OF INDONESIAN AND SEVERAL COUNTRIES ABROAD REGARDING INTERFAITH MARRIAGE
Marina Raykova Desislava Varadzhakova Nadezhda Ilieva Desislava Poleganova	Bulgarian Academy of Sciences, National Institute of Geophysics, Geodesy and Geography (Bulgaria)	PUBLIC ATTITUDE TOWARDS DOMESTIC SUMMER LEISURE TOURISM: THE CASE STUDY OF SOUTHWEST REGION IN BULGARIA
ALAAMRI Nahid, Phd student TARBALOUTI Essaid: Lecturer and researcher	FSJES Cadi Ayyad University, Marrakesh, (Morocco)	THE USE OF EDUCATIONAL TECHNOLOGIES TO ENCOURAGE INNOVATION IN LEARNING ABOUT ENTREPRENEURSHIP IN MOROCCO
Aysha ZUMMER	Lahore Garrison University (Pakistan)	ASTHMA BLUES: EFFECT OF SOCIO-DEMOGRAPHIC CHARACTERISTIC ON PSYCHOLOGICAL DISTRESS AMONG ASTHMATIC PATIENTS

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Fatma ÖKDE	A GENERAL EVALUATION ON THE EFFECTS OF CLIMATE CHANGE AND GLOBAL WARMING	541
Carlos RODRIGUES Ana CAMPINA	HUMAN RIGHTS EDUCATION, ECHR AND INTERNATIONAL HUMANITARIAN LAW	559
Gül Dilek TÜRK	IS ARTIFICIAL INTELLIGENCE REPLACING HUMAN SOCIALIZATION? : CHATTING WITH CHATBOTS	557
Fatih TÜRKMEN Yasin DÖNMEZ	EVALUATION OF PONDS IN EFLANI DISTRICT OF KARABÜK IN TERMS OF TOURISM	597
Kamala GULIYEVA	A TEACHER'S PEDAGOGICAL CULTURE	604
Sümeyye BAYRAM Alaeddin BOBAT	DISTRIBUTION AREAS, BIOLOGY, DAMAGE AND CONTROL METHODS OF CHESTNUT GALL WASP (DRYOCOSMUS KURIPHILUS YASUMATSU) (HYMENOPTERA: CYNIPIDAE) IN TÜRKIYE	610
Zeynep Yeşim İLERİSOY Damla KALAY	LITERATURE REVIEW ON CRITICAL SUCCESS FACTORS FOR BUILDING INFORMATION MODELLING EFFICIENCY IN ARCHITECTURE	619
Babayeva Malahat Ramiz	CHILDREN'S FOLKLORE AS AN IMPORTANT COMPONENT IN ORAL POETRY	633
Zeynep Yeşim İLERİSOY Melek DÜLGEROĞLU	MULTIDISCIPLINARY CRITERIA INFLUENCING THE HBIM SYSTEM IN THE PRESERVATION AND CONTROL OF CULTURAL HERITAGE	639
Murad ALMEMMEDOV	DEMOGRAPHIC POLICY CHALLENGES AND PROSPECTS IN LATIN AMERICAN NATIONS: A FOCUS ON BRAZIL AND ARGENTINA	656
Nezihe OTAY LÜLE Mine YURTTAGÜL Abdullah Emre YILDIRIM Kemal Ozan LÜLE	EFFECTS OF DIFFERENT MEDICAL NUTRITION THERAPY METHODS ON SYMPTOMS, QUALITY OF LIFE AND STOOL TYPE IN IRRITABLE BOWEL SYNDROME	666
Nabat AHMADOVA	REFLECTION OF THE CONTENT OF EDUCATION AT THE MASTER'S LEVEL IN LEGAL-NORMATIVE DOCUMENTS	677
Sevda KOÇ AKRAN	VALUES INCLUDED IN THE ACHIEVEMENTS AND EXPLANATIONS IN THE GEOGRAPHY COURSE CURRICULUM: A SYSTEMATIC COMPILATION STUDY	684
Berrin AKBULUT	AUTONOMOS VEHICLES AND CRIMINAL LAW	697
Yavuz ABUT	ANALYSIS OF CRACKING BEHAVIOR IN ASPHALT MIXTURES AT LOW AND INTERMEDIATE TEMPERATURES USING SEMI-CIRCULAR BENDING TESTS	707
Parvin KARIMOVA	CHARACTERISTICS OF THE HUMAN SPIRIT DURING COMMUNICATION	714
Gafarova Parvin Muhamad	STUDENT ACHIEVEMENT ASSESSMENT CONCEPT	720
Derya Dursun SAYDAM Muhammed Bartu VAROL	A NOVEL PROTECTION AND DELIVERY SYSTEM FOR PROBIOTICS: OLEOGELATION PROCESS	725

HUMAN RIGHTS EDUCATION, ECHR AND INTERNATIONAL HUMANITARIAN LAW

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ABSTRACT

The social, political, economic, cultural, and religious scenario the humanity experienced since the begin of the Pandemic in 2020 manifested conjunctural urgent demands for an effective intervention focused on the emerging needs of Human Rights, mainly concerning the Education. The serious and delicate situations lived in an individual and States behaviors reveal a tremendous ignorance of the true concepts, duties, and rights, which are legally recognized but the ignorance and/or disregard is dangerously promoting lack of control, violence, and violations, with consequences for thousands of human beings. Recognition, protection, and guarantee of Human Rights as universal and permanent nature was first formalized by the United Nations - Universal Declaration of Human Rights, 1948, as in all subsequent legal Documents and Recommendations, by this and the multiple International Organizations along the last decades. Regarding the Human Rights judicial guarantee and protection, as the relevance for Education, the Council of Europe and the European Convention of Human Rights have had a crucial role within their State Members as worldwide. Since the beginning of the Pandemic, the Human Rights guarantees were emergent and the promotion of the Education for these rights is presented as a key for the solution of most different individual, social and nations problems. The legal – juridical and judicial – context faced by the permanent action and adaptation to answer to the multiple needs, based States / governments (re)action, the European Court of Human Rights have had a crucial position standing, applying International Humanitarian Law in different case laws.

KEYWORDS: Human Rights, European Convention on Human Rights, Education, Strategies, Pandemic

I. CONTEXTUALIZATION AND CONCEPTUALIZATION

International Law

Understanding humanity oblige to understand that “*every society, whether it be large or small, powerful or weak, has created for itself a framework of principles within which to develop. (...) Law is that element which binds the members of the community together in their adherence to recognized values and standards. (...) with what is termed international law, with the important difference that the principal subjects of international law are nation-states, not individual citizens.*”¹ According to the United Nations regarding international law and justice, “among the greatest achievements of the United Nations is the development of a body of international law, which is central to promoting economic and social development, as well as to advancing international peace and security. The international law is enshrined in conventions, treaties and standards. Many of the treaties brought about by the United Nations form the basis of the law that governs relations among nations. While the work of the UN in this area does not always receive attention, it has a daily impact on the lives of people everywhere.”²

International Humanitarian Law

Regarding the International Humanitarian Law “encompasses the principles and rules that regulate the means and methods of warfare, as well as the humanitarian protection of civilian populations, sick and wounded combatants, and prisoners of war. Major instruments include the *1949 Geneva Convention for the Protection of War Victims* and two additional protocols concluded in 1977 under the auspices of the International Committee of the Red Cross. The United Nations has taken a leading role in efforts to advance international humanitarian law. The Security Council has become increasingly involved in protecting civilians in armed conflict, promoting human rights and protecting children in wars.”³

International Policy

Foreign policy “is the mechanism national governments use to guide their diplomatic interactions and relationships with other countries. A state’s foreign policy reflects its

¹ SHAW, M. (2021). *International Law*. 9th Edition. Cambridge University Press. p. 1

² United Nations: <https://www.un.org/en/global-issues/international-law-and-justice>

³ Idem

values and goals and helps drive its political and economic aims in the global arena. Many foreign policies also have a strong focus on national and international security and will help determine how a country interacts with international organizations, such as the United Nations, and citizens of other countries. Foreign policies are developed and influenced by several factors. These include the country's circumstances in few areas, including geographically, financially, politically, and so on; the behavior and foreign policies of other countries; the state of international order and affairs more widely (for example, is there war or unrest? Are there trade alliances to take into consideration?); plans for advancement, such as economic advancement or technological advancement. Guided by foreign policy, diplomats and diplomatic bodies can work across borders to tackle shared challenges, promote stability, and protect shared interests. A nation's foreign policy typically works in tandem with its domestic policy, which is another form of public policy that focuses on matters at home. Together, the two policies complement one another and work to strengthen the country's position both within and outside its borders."⁴

ECHR - The European Court of Human Rights

The European Court of Human Rights, judicial organ of the Council of Europe, examines applications from individuals, but also inter-state applications, lodged by a State against another State party to the European Convention of Human Rights. Its relevance lies in the scope of the rights and freedoms.⁵

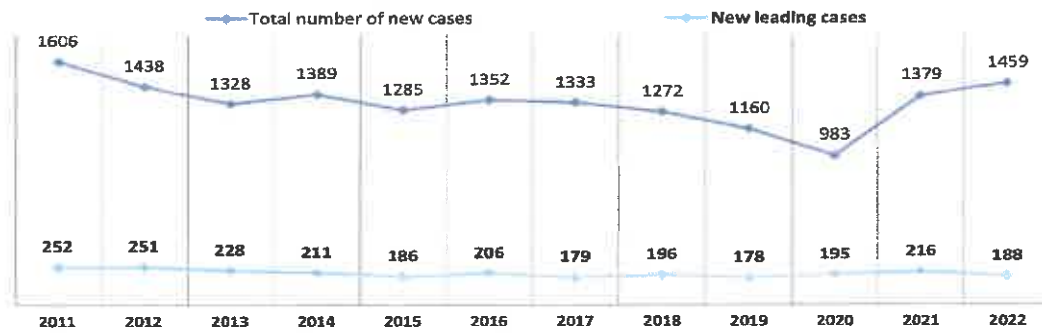
We consider basic to analyze the numbers of the action of the European Court of Human Rights that translate its efficiency⁶

⁴ University of York: <https://online.york.ac.uk/what-is-foreign-policy/law-and-justice>

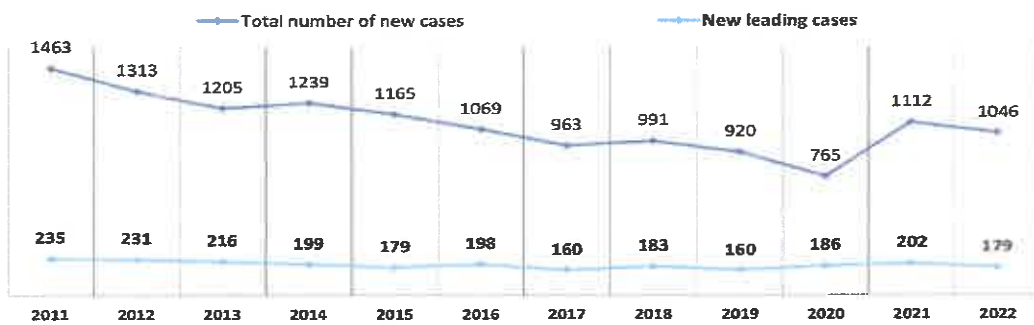
⁵ ECHR: <https://www.echr.coe.int/information-documents>

⁶ Council of Europe – Committee of Ministers – 16th Annual Report of the Committee of Ministers. (2022). *Supervision of the execution of judgments and decisions of the European Court of Human Rights 2022*. Council of Europe.

Total number of new cases (including the Russian Federation)



Number of new cases for the 46 member states (without the Russian Federation)

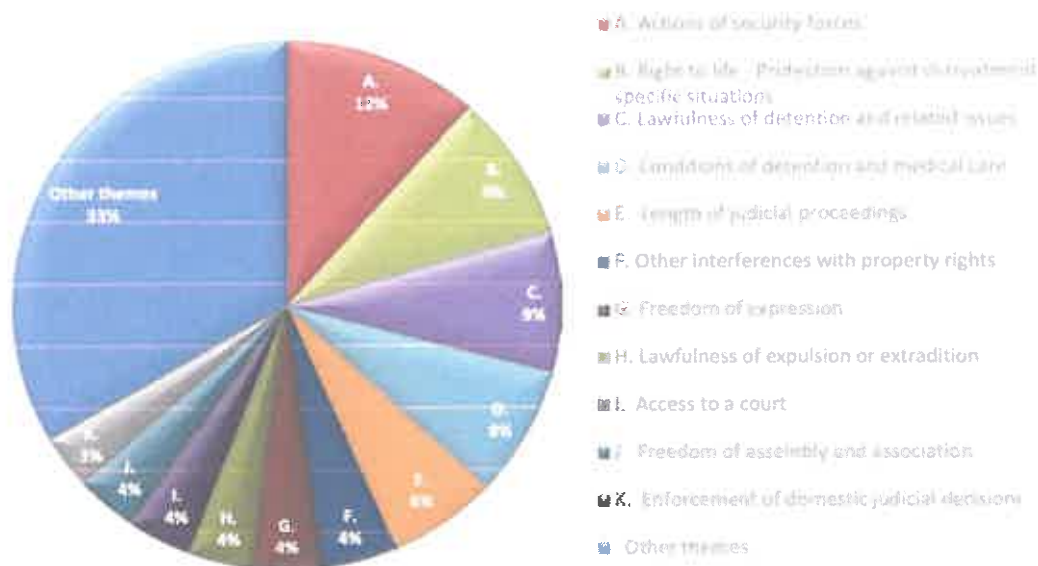


Source: Supervision of the execution of judgments and decisions of the European Court of Human Rights 2022. Council of Europe

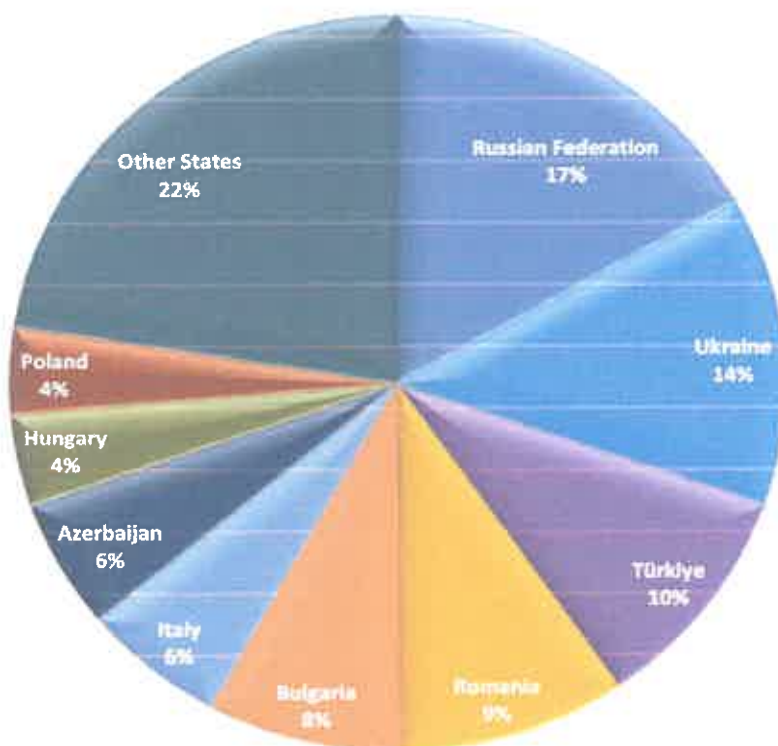
As this European Court of Human Rights data we can observe the decrease of new cases during the Pandemic period, but the increase in last two years, meaning that there is a long action of the Court aiming to answer the applications, meaning to protect and act against the Human Rights violations, although the hard work of this important justice actor, not only within the Council of Europe Members, but with global proliferation.

As it's possible to understand by the following data, there are different themes of leading cases. Concerning the main States leading cases, there are an effect of the events around the world, mainly due the invasion of Ukraine by Russia Federation.

Main themes of leading cases under enhanced supervision 2022



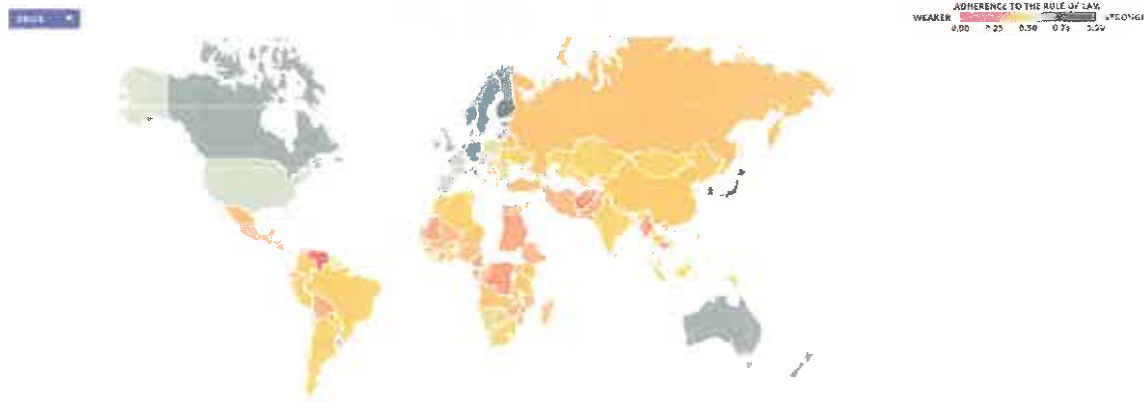
Main States with leading cases under enhanced supervision 2022



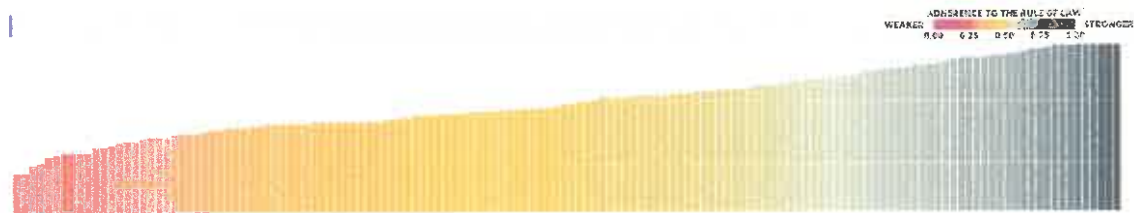
Source: Supervision of the execution of judgments and decisions of the European Court of Human Rights 2022. Council of Europe

World Justice Project – Rule of Law Index 2023

Regarding the global index of the rule of law, there are different serious problems affecting States:



Source: World Justice Project⁷ <https://worldjusticeproject.org/rule-of-law-index/global/2023/table>



Fundamental Rights



Fundamental Rights

Factor 4 of the WJP Rule of Law Index recognizes that a system of positive law that fails to respect core human rights established under international law is at best 'rule by law' and does not deserve to be called a rule of law system. Since there are many other indices that address human rights, and because it would be impossible for the Index to assess adherence to the full range of rights, this factor focuses on a relatively modest menu of rights that are firmly established under the United Nations Universal Declaration of Human Rights and are most closely related to rule of law concerns.

4.1 EQUAL TREATMENT AND ABSENCE OF DISCRIMINATION

Measures whether individuals are free from discrimination—based on socio-economic status, gender, ethnicity, religion, national origin, sexual orientation, or gender identity—with respect to public services, employment, court proceedings, and the justice system.

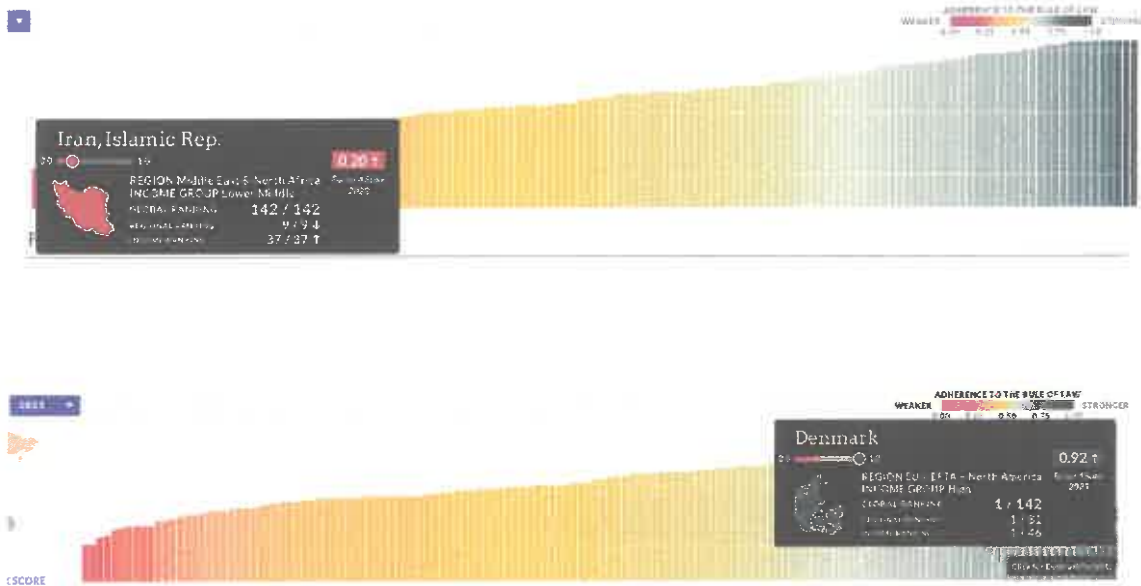


4.2 THE RIGHT TO LIFE AND SECURITY OF THE PERSON IS EFFECTIVELY GUARANTEED

Measures whether the police inflict physical harm upon criminal suspects during arrest and interrogation, and whether political dissidents or members of the media are subjected to unreasonable searches, arrest, detention, imprisonment, threats, abusive treatment, or violence.

Source: World Justice Project <https://worldjusticeproject.org/rule-of-law-index/global/2023/table>

⁷ The World Justice Project Rule of Law Index® is the world's leading source for original data on the rule of law. The World Justice Project (WJP) is an independent, multidisciplinary organization working to create knowledge, build awareness, and stimulate action to advance the rule of law worldwide.

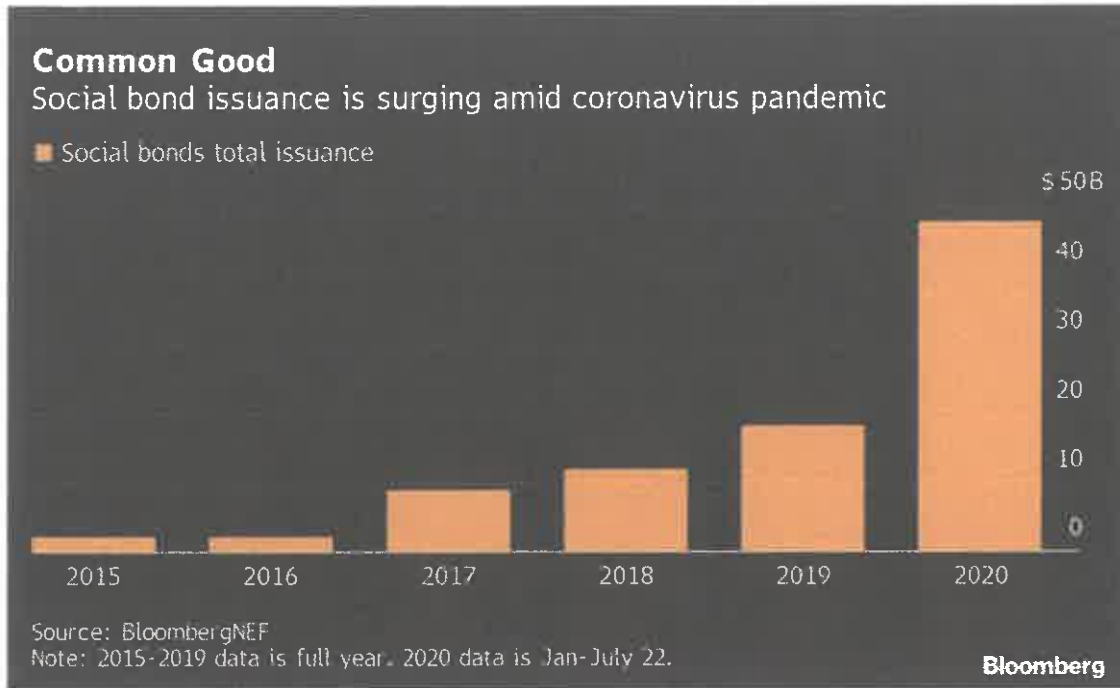


The States with the weaker and stronger adherence to the Rule of Law are: weaker is Republic of Iran and the stronger is Denmark, meaning that this serious element is the bases of violations and protection of Human Rights, as well as, the access barriers to the justice.

World Economic Forum

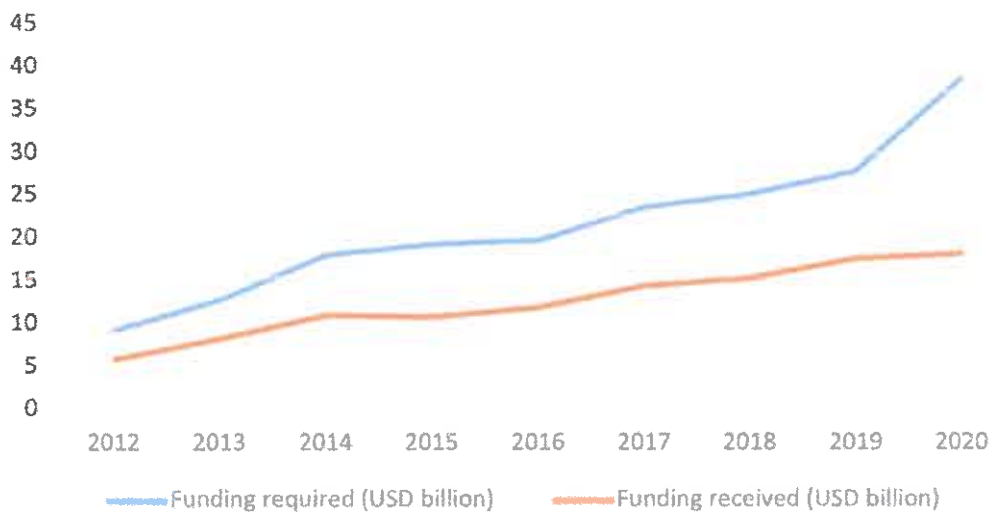
“Despite the economic damage wrought by the pandemic, we are confident that there is ample investor capital ready to fill this financing gap. 72% of impact investors surveyed by the Global Impact Investing Network (GIIN) expect to maintain or expand their portfolios in response to COVID-19.

Institutional investors are now, more than ever, seeking to strengthen the “S” in Environmental, Social and Governance (ESG) metrics, a gap that can be met by investments to prevent fragile situations from spiraling into crisis and to pave the road towards a sustainable economic recovery. We continue to see a notable rise in Social Bond issuance in response to the COVID-19 pandemic. Issuance data shows an increase of over 350% in social bonds in 2020 (\$17.2bn at this time in 2019 compared to \$43.8bn 2020 to date).”



“Corporations, too, are eagerly seeking opportunities for positive impact and present a critical source of both investment capital and implementation capabilities. Mastercard, for example, has expanded its commitment to bring a total of 1 billion people and 50 million micro and small businesses into the digital economy by 2025.” World Economic Forum.

The humanitarian funding gap



Source: <https://www.weforum.org/agenda/2021/03/improved-data-boost-humanitarian-investment/>

poverty, unemployment, economic and financial fragility, constraints in access to health care, migrations, and refugees in complex situations, among many others that occur in the international community. It is flagrant that these have increased in a very worrying way, such as the inequalities between the peoples of the world, namely in the fight against the Pandemic, in its multiple aspects, mostly due to management issues and divergent political positions, there are the most serious consequences for the lives of individuals putting their survival in jeopardy.

It is thus understood that it is of utmost importance, for legal and political science, to analyze the guarantee of the European Convention on Human Rights regarding the need for Human Rights Education in the face of the conjuncture resulting from the Pandemic. This research from which this article / conference arises began ideologically when participating in the joint work "*Commentary on the European Convention on Human Rights and the Additional Protocols*" on "*Education for Human Rights*" (Campina in Albuquerque, 2019. pp. 3284-3300), research, investigation and production that has been continued in different perspectives and scientific analysis, given its complexity and manifest interest for the Academy and as a contribution to Political Science. As a note, this work was carried out under a qualitative methodology, presents itself as exploratory and interpretative of the situation and the action of the Council of Europe and the European Court of Human Rights.

The Council of Europe, the European Convention on Human Rights and the European Court of Human Rights have been from the beginning, as they are today, an example beyond Europe, both for international law and in the defense and promotion of human rights on a regional level, with repercussions worldwide. Considering that the Convention was the first treaty of regional scope on Human Rights, it has not only defined control and enforcement mechanisms but has also proved to be an essential instrument for the Member States of the Council of Europe. The structural partnership with the European Court of Human Rights should be highlighted, which has been an example for the rest of the world at the judicial level (States and International Institutions).

Based on the 2021 Report "*State of Democracy, Human Rights and the Rule of Law - a democratic renewal for Europe*" of the Council of Europe General Secretariat, Marija Pejčinović Burić, the Secretary General of the 47 member states, states that "there is an explicit and worrying democratic regression", negatively affecting human rights and the rule of law. This Report diagnoses a panoply of serious problems arising from the

Coronavirus Pandemic, i.e., a whole range of actions that have been taken by national authorities in response to the complex context. However, there is a dangerous and threatening worsening of the democratic culture, promoted by the governments themselves and, in the context, legitimized and accepted by the citizens. According to this Report, the States must act to reverse this trend, renewing and reforming European democracy, creating an environment in which human rights and the rule of law can develop and be implemented among the approximately 830 million people who live in the Council of Europe's comprehensive area.

According to this report, developed with the contribution of the different structures of this Organization, and with special focus on the European Court of Human Rights, the development of the areas of independence of political and judicial institutions; freedom of expression and association, human dignity, the fight against discrimination and also democratic participation, present themselves as major challenges for the Member States of the Council of Europe, given their vulnerabilities and violations "legitimized" in the pandemic context.

Thus, the following guidelines that are indicative of strategic needs emerge: the national authorities should base their position and action on the standard democratic principles⁸ of the Council of Europe and, of greater importance, apply the deliberations arising from the Judgments of the European Court of Human Rights as a measure of justice and corrective action for acts and actions that violate fundamental rights. Finally, the national authorities should implement an effective democratic culture, promoting a discourse, actions and demands to the society, as well as legislation that guarantees such culture in the civic space, avoiding any restriction or violation of such rights, promoting an effective integration of all in a society of full democratic culture.

In this unprecedented global situation that humanity is experiencing, States, Institutions and political actors are forced to permanently adapt to the challenges, mostly unexpected, which must be overcome, especially when it comes to fighting the Pandemic and its impacts, in a meticulous strategy to protect individuals. However, it is urgent that everyone makes a permanent effort of interpretation and response, in a dynamic process that requires guaranteeing the protection of Human Rights, through

⁸ The Preamble of the European Convention on Human Rights reads "*Whereas the aim of the Council of Europe is to achieve a closer union among its members and the means of attaining this aim is the protection and development of human rights and fundamental freedoms.*"

consistent public policies and interdisciplinary actions that involve an emerging Education for Human Rights. For this reason, the Council of Europe has promoted awareness among its Member States of the need for intergovernmental cooperation, as is the example of the use of Artificial Intelligence in the fight against COVID-19. However, the strategic axes must aim to protect people, democracy, and intervention to prevent the continuation of the danger represented by the deepening of social inequalities. Hence, on May 11, 2021, during the celebration of the 10th Anniversary of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention, the need was stated for a proactive approach so that the challenges and constraints related to Human Rights, associated with COVID-19, are strategically overcome, unequivocally supported by the Organization's principles and values, which must guide its national, regional, and international positions.

Political strategy, *rule of law* and the Human Rights education

Considering the international situation of Human Rights in the beginning of 2022, in terms of communication, we can affirm there is a complex and controversial situation, which is surrounded by language "*contaminated*" by erroneous, adulterated, untrue and/or dubious and imprecise concepts. Although, it is undoubtable that *disinformation* is proliferated by the most different, broadest and least ethical or deontological means, so, the human rights and the fundamental freedoms are seriously "threatened" by manipulation based, not on facts, but on adulterations of the truth. This identified reality demands a whole strategy and meticulous, transversal work, especially in favor of education and a necessary pedagogy for Human Rights. Otherwise, the violence and violations become uncontrollable by the creation of adulterated Public Opinion; to promote and allow behavioral actions supported and under control of the "masses" moved by the proliferation of news and information, in a short space of time and, above all, without being able to identify the source(s) of information which, consequently, prevents the control of the harmful effects, which usually last too long and violate fundamental rights.

Education for Human Rights, long assumed by the Council of Europe as a strategy to promote, defend and guarantee a democratic environment in Europe, strengthens the integration of individuals in society in a full democracy, in the Rule of Law. Pandemic

has demanded a joint action in the scope of this Education, aiming at a structured information, properly grounded - legally, judicially, economically, and politically - that is transversal and covers as many as possible, sustaining the governmental actions that, in some circumstances, have been violating the Rights and individual liberties, much beyond what would be necessary, generating dangerous restrictions to Democracy, dignity and security.

It is urgent that individuals need to be (in)trained for interpretation, for knowledge that enables everyone to know how to help themselves in the Institutions, Bodies, and Organizations that have the mission and the duty of protecting them in the most distinct dimensions of human life.

About Education for Human Rights and the role of the European Court of Human Rights it is important to emphasize that its intense judicial action, with very diverse and highly relevant results in terms of denunciation, judgment and deliberations for citizens and States. All its action supports the protection and implementation of the European Convention on Human Rights and its Protocols, but also the judicial treatment of case laws illustrative of the mission of involving justice in the mission of Social Education. Therefore, starting from an analysis and diagnosis of the problems and more specific cases of the Court, it is important to have a perception of the strategy of action and deliberations, supported by the awareness of the reality(s), and the real problems that have been object of violation of the Human Rights recognized in the Convention.

In the context of the United Nations System, within the Council of Europe, regarding the Human Rights, considering the diversity of areas of intervention, four major that have necessarily been selected as fundamental: the Right to Life; the Prohibition of Discrimination; Freedom of Expression; and Freedom of Thought, Conscience and Religion. So, the relevant role that the Court has developed, through the Press Releases (*Factsheets*), has been in favor of a communicational action, supported by descriptive facts and, therefore, publicizing the Judgments, being a very important action so that the media can access a credible source, avoiding manipulation and speculation. In addition, citizens can freely and free of charge access all the Judgments, with access to summary information, which inherently generates a proliferation of Rights, violations, and judged actions, i.e., it is an excellent strategy and means of Human Rights Education.

And, more than the most distinct political and governmental, social, and sociological, economic-financial, cultural and/or religious, legal-legal and/or judicial contexts, resulting from this Pandemic context, the new paradigm of "legitimized" restrictions

and violations of Human Rights since 2020 did not allow wide margins for action, but forced an urgent and emergent joint action. And taking all this into account, it is justified and fundamental that the Council of Europe has as a priority communication and explicit information aimed at Human Rights Education for all.

It's possible to affirm that, if the media have gambled on the creation and consolidation of a credibility that must be untouchable, with all its interlocutors in its action, even if it is a means sustained by financial powers, in a competitive environment, in the objective (discursive) plan of promotion of pluralism and cultural diversity, where the divergences and maneuvers of funambulism are difficult to identify. This is the ideal and the aim that all must work to achieve, but it's fundamental to be conscious of the complexity of its treatment has generated the greatest and most diverse violations and violations of Fundamental Rights and Freedoms. Obviously that it requires an arduous and permanent work to implement the effective guarantee and implementation of the European Convention on Human Rights and, whenever necessary, the action of the European Court of Human Rights.⁹

From the need for an efficient, impartial, and independent judicial system, the Council of Europe defines this element as basic, considering that the decisions of the judicial system are one of the pillars of the Rule of Law, promoting education and the significance of the courts in their role as a fundamental political, social, and economic action and, hopefully, exemplary for the citizens. Therefore, the political authorities must assume the guarantee of the necessary legal, judicial, or political reforms, to respect the values and principles of the Council of Europe. So, if the conjuncture is complex and, in several areas unpredictable, it demands to be interpreted as the ideal context to ensure the implementation of this strategy of Education for Human Rights, especially with "Digital Justice". During the Pandemic, this has been improved, more efficient, faster, and more effective in its proximity to citizens, which can be said to be a breakthrough of great importance.¹⁰

Understood as an emergency, the Council of Europe in the pursuit of the European Convention, instructs the States to proactive actions, aiming at the legal-legal changes necessary to pursue the creation of a democratic and free society, without pressures or

⁹ "COVID-19 - Human Rights are more important than ever in times of crisis" - <https://www.coe.int/en/web/portal/covid-19>

¹⁰ "More inter-governmental cooperation is needed using Artificial Intelligence to fight Covid-19 Coronavirus." <https://www.coe.int/en/web/portal/covid-19>

controls that violate these normative principles, and where violence is a reality in an already very difficult context *per se*. But on this Human and Fundamental Right, like all the others, there is still a conjuncture of violence, violation by other individuals or even by States, requiring effective measures from everyone, where Education is an important strategy.

In this pandemic context, given that Public Opinion has been involved in personal beliefs, developed by emotional motivations, in a dependence on digital platforms that, as is common knowledge, and truly dangerous for the harmful and negative impacts on hate speech, disinformation wrapped in illusory contexts and untruths, and generating behaviors and expression of opinions that violate democratic principles and the Rule of Law, especially always without the possibility of punishment or judicial trial. It is necessary to promote Education for Human Rights, focusing on rights, but also on duties, with awareness, but also individual and institutional accountability, with a well-defined legal basis and concerted judicial action, supported by national and international political action. It is urgent that we act in favor of a Human Rights Discourse that aims not only at claiming rights and baseless criticism, but also at the proliferation of conditioned views, often supported by false information or whose truth is adulterated. In Democracy and in the environment that the Council of Europe defends and promotes, it is urgent that we act in favor of freedom of expression, but that violations are denounced. It is also important to emphasize that anti-discrimination action be immediate and effective due to the worsening of hate speech representing crimes against Jews, Muslims, Roma, Blacks, and other minorities, which destroys the fundamental right to diversity and requires effective inclusion policies.

The European Court of Human Rights and the International Humanitarian Law

Considering the relationship between the European Convention of Human Rights, the International Humanitarian Law (IHL) and the application by the European Court of Human (ECtHR) Rights in armed conflicts case laws raise the debate about the Convention's extraterritorial application as the competence of the ECtHR to apply the IHL. In reference to cases relating to the right to life, to the right to liberty, and to the protection of property, the ECtHR presented reluctance to the IHL but, although all the debate, the Court didn't adopted decisions with rules squarely contradicting this specific Law. *“With an implicit plea for the Court to depart from its ‘ivory tower’ attitude towards IHL, so as to contribute to a convergence of the two legal regimes towards a*

more coherent as well as a more realistic regulation of conduct in armed conflicts in general and in non-international armed conflicts in particular". (Ben-Naftali, 2011)

Regarding this special subject – the application of IHL by the ECtHR - Julie Tenenbaum, Regional Legal Adviser of the International Committee of the Red Cross (ICRC) in September 2020, wrote that "*IHL applies exclusively to situations of armed conflicts. It is also clear, in particular from Article 15 of the European Convention on Human Rights (ECHR), that human rights also apply to such situations. This has been the ICRC's position for years. From the perspective of IHL, it is of course important that people have human rights in armed conflict and access to courts. A number of applications before the ECtHR have been made in situations classified under IHL as armed conflicts (international or non-international) but, until recently, the ECtHR has been reluctant to refer openly to IHL or to apply it.*" (Tenenbaum, 2020)

Concerning armed conflicts, the ECtHR Decisions of different Case-Law applied directly or indirectly the IHL or, it had presented observations on Human Rights mechanisms related to this Law. However, in cases on national prosecution of war crimes and crimes against humanity, the ECtHR applied directly the IHL, as in Case-law *Hassan v. the United Kingdom* (2014)¹¹

In conclusion mainly of the Study Case

Although this is an issue that naturally leaves everything "open" and requires permanent research and scientific production, it is important to highlight that the context resulting from the global pandemic COVID 19 generate conditions for the violation of human rights. More than the International Human Rights Law, Council of Europe and the European Court of Human Rights have developed an uninterrupted action aimed at ensuring the protection of millions of human beings not only within their State Members but worldwide. The threat to Democracy, Human Rights and the Rule of Law have been the structuring axes of its action with the States, as well as a well-founded intervention in favor of Human Rights Education as a strategy to promote a culture that obliged governments to assume their responsibility for the double requirement, i.e., maintaining the fight against the Pandemic and guarantee the protection of the Human

¹¹ "Direct application of IHL in *Hassan v. UK - Hassan v. the United Kingdom* [GC] (2014). This case concerned, *inter alia*, the capture of the applicant's brother by British armed forces and his detention at Camp Bucca in Iraq. In particular, the applicant complained that the arrest and detention had been arbitrary and unlawful and lacking in procedural safeguards. This was the first case in which a contracting state had requested the Court to disapply its obligations under Article 5 ECHR or in some other way to interpret them in the light of powers of detention available to it under IHL." (Tenenbaum, 2020)

Rights. It is important that everyone is aware of the limits that must exist in the action of States and International Institutions, as well as in the mechanisms and instruments available to citizens to claim their rights and denounce the violations and violence committed. The challenges are many and demanding for everyone, but it is crucial that everyone acts in favor of the construction and experience of a democratic culture where everyone must be integrated and active in the system of States and the International Community. Finally, regarding the so relevant the European Court on Human Rights Cases-law Decisions and the International Humanitarian Law, the debate is permanent, but, in fact, the Court is taking it into consideration regarding armed conflicts judgements and decisions.

CONCLUSIONS

There are international legal requirements to prevent the HR violations and to protect human beings in most different situations; There are international justice structures to act with the violators (States; Institutions; Persons); The Governments should act according to the international law and the Humanitarian should be a priority; There is a responsibility by the States / Governments observe the law; The States in their International Relations, with the International Organizations should avoid, prevent and solve the problems affecting the normal life of the societies and the States; The international Policies have the mission of implementing the democracies and the Rule of Law according to UN objectives; There is a relevant need of promote and implement a strategy for HR Education; The European Court of Human Rights and the International Humanitarian Law – the results are positive but not enough.

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