

## Human Rights

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Some fifty years have elapsed since the Universal Declaration of Human Rights was adopted by the United Nations on 10 December 1948. The Declaration was one of the first major achievements of the United Nations, and after 50 years remains a powerful instrument which continues to exert an enormous effect on people's lives all over the world. This was the first time in history that a document considered to have universal value was adopted by an international organization. It was also the first time that human rights and fundamental freedoms were set forth in such detail. There was broad-based international support for the Declaration when it was adopted. It represented "a world milestone in the long struggle for human rights", in the words of a UN General Assembly representative from France.

The adaptation of the Universal Declaration stems in large part from the strong desire for peace in the aftermath of the Second World War. Although the 58 member States which formed the United Nations at that time varied in their ideologies, political systems and religious and cultural backgrounds and had different patterns of socio-economic development, the Universal Declaration of Human Rights represented a common statement of goals and aspirations- a vision of the world as the international community would want it to become.

Since 1948, Universal Declaration has been translated into more than 200 languages and remains one of the best known and most often cited human rights documents in the world. Over the years, the Declaration has been used in the defence and advancement of people's rights. Its principles have been enshrined in and continue to inspire national legislation and the constitutions of many newly independent states. References to the Declaration have been made in charters and resolutions of regional intergovernmental organizations as well as in treaties and resolutions adopted by the United Nations system.

The year 1998 marks the fiftieth anniversary of this "Magna Carta for all humanity." "The theme of the fiftieth anniversary-" All Human Rights for All"- highlights the universality, the indivisibility and the interrelationship of all human rights. It reinforces the idea that human rights-- civil, cultural, economic, political and social should be taken in their totality and not disassociated from one another.

When created in 1946, the United Nations Commission on Human Rights was composed of 18 Member States. During its first sessions, the main item on the agenda was the Universal Declaration of Human Rights. The Commission set up a drafting committee which devoted itself exclusively to preparing the draft of the Universal Declaration of Human Rights. The drafting committee was composed of eight persons, from Australia, Chile, China, France, Lebanon, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America. The United Nations Secretariat, under the guidance of John Humphrey, drafted the outline (400 pages in length) to serve as the basic working paper of the committee.

During the two- year drafting process of the Universal Declaration, the drafts maintained a common ground for discussion and a common goal: respect for fundamental rights and freedoms. Despite their conflicting views on certain questions, they agreed to include in the document the principles of non-

discrimination, civil and political rights, and social and economic, rights. They also agreed that the Declaration had to be Universal.

Personally dedicated to the task of preparing this Declaration, Mrs. Eleanor Roosevelt, who chaired the Human Rights Commission in its first years, asked, where, after all, do universal human rights begin? In small places, close to home so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world."

On 10 December 1948, at the palais de Chaillot in Paris, the 58 Member States of the United Nations General Assembly adopted the Universal Declaration of Human Rights, with 48 States in favour and eight abstentions (two Countries were not present at the time of the voting). The General Assembly proclaimed the Declaration as a "common standard of achievement for all peoples and all nations", towards which individuals and societies should "strive by progressive measures, national and international, to secure their universal and effective recognition and observance.

Although the Declaration, which comprises a broad range of rights, is not a legally binding document, it has inspired more than 60 human rights instruments which together constitute an international standard of human rights. These instruments include the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, both of which are legally binding treaties. Together with the Universal Declaration, they constitute the international Bill of Rights.

The Declaration recognizes that the "inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world" and is linked to the recognition of fundamental rights towards which every human being aspires, namely the right to life, liberty and security of person; the right to an adequate standard of living; the right to seek and to enjoy in other countries asylum from persecution; the right to own property; the right to freedom of opinion and expression; the right to education, freedom of thought, conscience and religion; and the right to freedom from torture and degrading treatment, among others. These are inherent rights to be enjoyed by all human beings of the global village--- men, women and children, as well as by any group of society, disadvantaged or not ---- and not "gifts" to be withdrawn, withheld or granted at someone's whim or will.

Mary Robinson, who became the second United Nations High Commissioner for Human Rights in September 1997, expressed this opinion when she declared that "human rights belong people, human rights are about people on the ground and their rights". She has started that she would take a "bottom-up" approach in promoting human rights, an approach which reflects the first words of the United Nations Charter, "we the peoples".

The rights contained in the Declaration and the two covenants were further elaborated in such legal documents as the International Convention on the Elimination of All Forms of Racial Discrimination, which declares dissemination of ideas based on racial superiority or hatred as being punishable by law; the Convention on the Elimination of All Forms of Discrimination Against Women, covering measures to be taken for eliminating discrimination against women in political and public life, education, employment, health, marriage and family; and the Convention on the Rights of the Child, which lays down guarantees in terms of the child's human rights.

At the World Conference on Human Rights held in Vienna (Austria) in June 1993, 171 countries reiterated

the universality, indivisibility and independence of human rights, and reaffirmed their commitment to the Universal Declaration of Human Rights. They adopted the Vienna Declaration and programme of Action, which provides the new “framework of planning, dialogue and cooperation”, to enable holistic approach to promoting human rights and involving actors at the local, national and international levels. The five-year review of the Vienna Programme of Action will also take place in 1998. This review provides a substantive dimension to the fiftieth anniversary, which many human rights activists and professionals see as a time for states to renew their commitment to the promotion and protection of human rights.

It is a time for Governments to ensure that the rights set forth in the Declaration are reflected in their national legislation and to move to ratify those international human rights treaties that are still pending. Governments could consider formulating and implementing a pro-active strategy in favour of the promotion of and respect for human rights. This could be translated into action by adopting national plans of action for advancing human rights and fostering human rights education. This anniversary also provides the opportunity for more countries not only to condemn blatant violations of human rights but also to take responsibility and action to break the cycle of impunity whenever human rights are violated.

The fiftieth anniversary is a time to promote public awareness of the meaning of the Universal Declaration and its relevance to our daily lives. Providing information about human rights in the languages understood by peoples everywhere is one aspect of global public awareness campaign. Falling during the Decade for Human Rights Education (1995-2004), the anniversary also provides another focus for education and action. In addition to the 200 language versions already available, a number of other local language translations are to be released for the fiftieth anniversary.

The fiftieth anniversary of the Universal Declaration is an opportunity for people worldwide to commemorate the adoption of this landmark document. It also represents an opportunity to mobilize all strata of society in a reinvigorated and broad-based human rights movement. The involvement of civil society and non-governmental organizations in fighting for and demanding reorganization of basic rights has played a central role in the advancement and promotion of human rights around the world. National Committees have already been set up in many countries, with the aim of undertaking activities to make the anniversary.

Grass-roots movements to encourage entire communities to know, demand and defend their rights will send a positive and strong message: that people everywhere are adamant that human rights should be respected. At local level, concerned citizens can approach their congressional or parliamentary representatives and ask their Governments to ratify international human rights treaties if they have yet not done so.

In accordant with the recommendations made at the 1993 World Conference on Human Rights for increased coordination within the United Nations System, Kofi Annan, secretary-General of the United Nations, stated, “I will be a champion of human rights and will ensure that human rights are fully integrated in the action of the organization in all other domains”. Human rights, indeed, cut across all the work of the United Nations, from peacekeeping, child rights, health and development to the rights of indigenous peoples to education, social development and the eradication of poverty. Consultations have already taken place among all agencies and programmes of the United Nations, leading to strategies and campaigns being devised.

Since the inception of the United Nations, the promotion and protection of human rights have been at its very core. Reference to the promotion of and respect for human rights was made in Article 1 of the United Nations Charter and in the establishment of a commission for the promotion of human rights, mentioned

in Article 68 of the Charter. Over the years, the United Nations has created a wide range of mechanisms for monitoring human rights violations. Conventional mechanisms (treaty bodies) and extra-Conventional mechanisms (UN special rapporteurs, representatives, experts and working groups) have been established in order to monitor compliance of states parties with the various human rights instruments and to investigate allegations of human rights abuse. In recent years, a number of field offices have been opened at the request of Governments, inter alia, to assist in the development of national institutions for the promotion and protection of human rights and to conduct education campaigns of human rights.

Challenges still lie ahead, despite many accomplishments in the field of human rights. Many in the international community believe that human rights, democracy and development are intertwined. Unless human rights are respected, the maintenance of international peace and security and the promotion of economic and social development cannot be achieved. The world is still plagued with incidents of ethnic hatred and acts of genocide. People are still victims of xenophobic attitudes, are subjected to discrimination because of religion or gender and suffer from exclusion. Around the world, millions of people are still denied food, shelter, access to medical care, education and work, and too many live in extreme poverty. Their inherent humanity and dignity are not recognized.

The future of human rights lies in our hands. We must all act when human rights are violated. States as well as the individual must take responsibility for the realization and effective protection of human rights.

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