

WHAT ARE HUMAN RIGHTS?

BACKGROUND INFORMATION



‘Human rights are what no one can take away from you.’

René Cassin, one of the principal drafters of the Universal Declaration of Human Rights

Human rights are what every human being needs to live a dignified and fulfilled life and to participate fully in society. They are entitlements – you have them just because you are human.

Human rights are:

- **universal** – they apply to everyone equally;
- **inalienable** – they cannot be taken away from people;
- **indivisible** – they are all connected. Failure to protect one right can lead to abuse of other rights, just as taking action to fulfil one right can lead to the fulfilment of other rights.

Human rights are underpinned by a set of common values that have been prevalent in societies, civilisations and religions throughout history. These values include fairness, respect, equality, dignity and autonomy. It is important to recognise that women, men and children experience different human rights abuses and are affected by them in different ways.

The Universal Declaration of Human Rights

Atrocities committed by states during World War II, and in particular the appalling abuses of the Holocaust, led the newly formed United Nations to establish a Human Rights Commission in 1947. A group of government leaders came together, chaired by Eleanor Roosevelt, to draft a new document in an attempt to prevent such human rights abuses from happening again. The vision of these leaders was not only influenced by events in Europe; other world events such as the assassination of Gandhi in India and the beginning of apartheid in South Africa were also at the forefront of their minds.

The resulting document, the Universal Declaration of Human Rights (UDHR), was adopted by the countries of the UN in 1948 and it remains the most famous and most important of all human rights frameworks. The preamble recognises a universal entitlement to rights for all humans, and sets the aim of contributing towards freedom, justice and peace in the world. Human rights are defined in the 30 articles.

The UDHR is not legally binding for countries, so it cannot be enforced in a court of law – it was conceived as a statement of objectives to be pursued by governments. However, it has formed the basis of a range of treaties that are legally binding, such as the Convention on the

Rights of the Child, and the Convention against Torture. Regional groups of countries and individual states have incorporated these human rights into their own treaties and laws, such as the European Convention of Human Rights and the UK Human Rights Act.

For a summary version of the UDHR see www.amnesty.org.uk/lifeanddeath. You can also order free copies of *My rights passport* which sets out the UDHR articles.

The International Covenant on Economic, Social and Cultural Rights

Economic, social and cultural rights relate to the conditions necessary to meet basic human needs. These include the rights to education, adequate housing, food, water, the highest attainable standard of health, the right to work and rights at work, as well as the cultural rights of minorities and indigenous peoples. These rights are enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). While the primary obligation to ensure the respect, protection and fulfilment of human rights lies with the state in which people live, all states also have obligations to respect, protect and fulfil human rights through international assistance and cooperation.

The International Covenant on Civil and Political Rights

Civil and political rights include the right to equality before the law, a fair trial, freedom of expression, movement, assembly and association. They are given binding legal expression in a number of international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR).

The United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) outlines a wide range of civil, political, economic, social and cultural rights for children under 18. The UNCRC was opened for signature in 1989 and has been ratified by all UN member states except the United States and Somalia. The UK government ratified the UNCRC in 1991.

Nations that ratify this international convention are bound to it by international law. Compliance is monitored by the United Nations Committee on the Rights of the Child which is composed of members from countries around the world.