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NAAC ACCREDITED 'A' GRADE



Topic: United Nations & Human Rights

Course Title: UN and International Relations

Paper: PLS-A-CC-4-9

Unit: 4

Semester: 4

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The United Nations and Human Rights

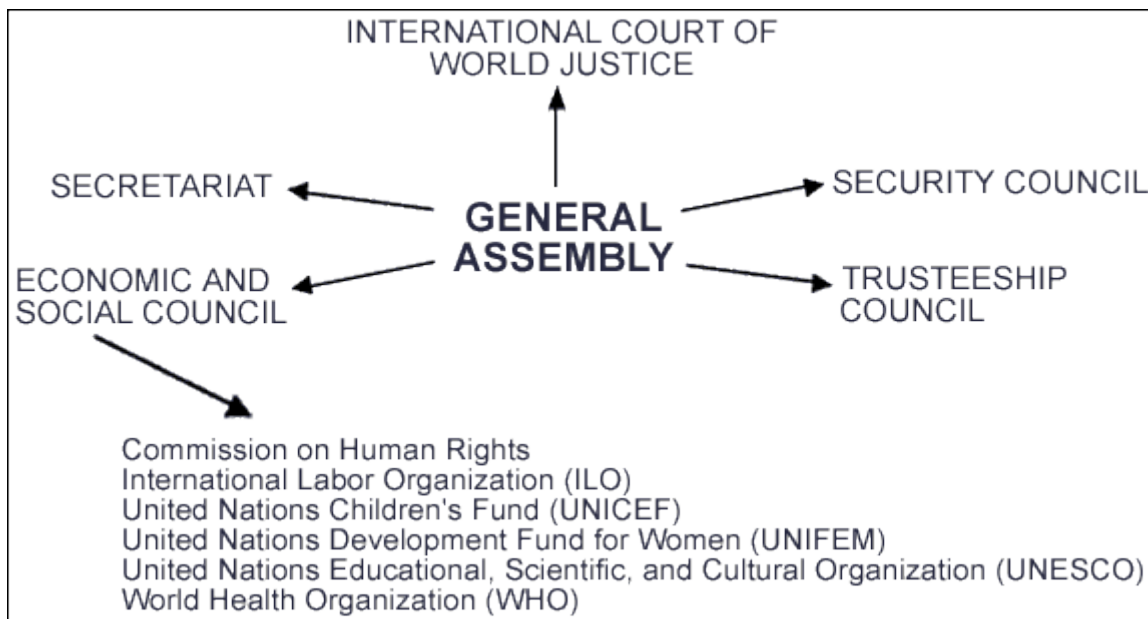
The United Nations Charter sets forth the "inherent dignity" and the "equal and inalienable rights of all members of the human family." Upholding these human rights principles as "the foundation of freedom, justice, and peace in the world" is fundamental to every undertaking of the United Nations.

The UN General Assembly

The United Nations currently comprises 185 member states, all of which belong to the General Assembly. The General Assembly controls the UN's finances, makes non-binding recommendations, and oversees and elects members of other UN organs. It is the General Assembly that ultimately votes to adopt human rights declarations and conventions, which are also called treaties or covenants. For example, in 1948 when the UN Commission on Human Rights had completed its draft of the Universal Declaration of Human Rights, the General Assembly voted to adopt the document.

Other UN Bodies

In addition to the General Assembly, in which all member states are represented, there are five other main bodies of the United Nations that deal with different types of international concerns and administrative tasks.



Although human rights are fundamental to all functions of the UN, human rights issues mainly fall under the Economic and Social Council (ECOSOC). This council of fifty-four members elected by the General Assembly is responsible for coordinating all economic and social work of the UN and its affiliated institutions.

The Economic and Social Council oversees the work of many intergovernmental organizations (IGOs) and certain UN commissions, such as the UN Commission on Human Rights.

The UN Commission on Human Rights

Made up of fifty-three member states elected by ECOSOC the UN Commission on Human Rights initiates studies and fact-finding missions and discusses specific human rights issues. It has responsibility for initiating and drafting human rights declarations and conventions.

ECOSOC also supervises intergovernmental organizations (IGOs), which are specialized agencies that function independently with their own charter, budget, and staff but are affiliated with the UN by special agreements. IGOs report to the ECOSOC and may be asked to review reports from certain UN bodies that are relevant to their area of focus.

Some intergovernmental organizations that work to protect human rights include:

- International Labor Organization (ILO) – Develops international labor standards and provides technical assistance training to governments.
- United Nations Children’s Fund (UNICEF) – Works with other UN bodies, governments, and nongovernmental organizations to provide community-based services in primary healthcare, basic education, and safe water and sanitation for children in developing countries. Human rights are fundamental to its programming.
- United Nations Development Fund for Women (UNIFEM) – Promotes economic and political empowerment of women in developing countries, working to ensure their participation in development planning and practices, as well as their human rights.
- United Nations Educational, Scientific, and Cultural Organization (UNESCO) – Pursues intellectual cooperation in education, science, culture, and communications and promotes development through social, cultural, and economic projects.
- World Health Organization (WHO) – Conducts immunization campaigns, promotes and coordinates research, and provides technical assistance to countries that are improving their health systems.

Other UN Bodies and Human Rights

The UN Security Council, comprising fifteen member states, is responsible for making decisions regarding international peace and security. It can make recommendations and decisions for action, including providing humanitarian aid, imposing economic sanctions, and recommending peacekeeping operations. The Security Council has been responsible for establishing international tribunals to prosecute serious violations of humanitarian law. For example, special tribunals have been set up to prosecute war crimes in the former Yugoslavia and acts of genocide in Rwanda.

The Secretariat is the administrative arm of the UN, responsible for overseeing the programs and policies established by the other UN organs. The position of UN High Commissioner on Human Rights, currently held by Mary Robinson, the former President of Ireland, is part of the UN Secretariat.

International Human Rights Law

International human rights law lays down the obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

One of the great achievements of the United Nations is the creation of a comprehensive body of human rights law—a universal and internationally protected code to which all nations can subscribe and all people aspire. The United Nations has defined a broad range of internationally accepted rights, including civil, cultural, economic, political and social rights. It has also established mechanisms to promote and protect these rights and to assist states in carrying out their responsibilities.

The foundations of this body of law are the Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, respectively. Since then, the United Nations has gradually expanded human rights law to encompass specific standards for women, children, persons with disabilities, minorities and other vulnerable groups, who now possess rights that protect them from discrimination that had long been common in many societies.

Economic, social and cultural rights

The International Covenant on Economic, Social and Cultural Rights entered into force in 1976. The human rights that the Covenant seeks to promote and protect include:

- the right to work in just and favourable conditions;
- the right to social protection, to an adequate standard of living and to the highest attainable standards of physical and mental well-being;
- the right to education and the enjoyment of benefits of cultural freedom and scientific progress.

Civil and political rights

The International Covenant on Civil and Political Rights and its First Optional Protocol entered into force in 1976. The Second Optional Protocol was adopted in 1989.

The Covenant deals with such rights as freedom of movement; equality before the law; the right to a fair trial and presumption of innocence; freedom of thought, conscience and religion; freedom of opinion and expression; peaceful assembly; freedom of association; participation in public affairs and elections; and protection of minority rights. It prohibits arbitrary deprivation of life; torture, cruel or degrading treatment or punishment; slavery and forced labour; arbitrary arrest or detention; arbitrary interference with privacy; war propaganda; discrimination; and advocacy of racial or religious hatred.

Human Rights Conventions

A series of international human rights treaties and other instruments adopted since 1945 have expanded the body of international human rights law. They include the Convention on the Prevention and Punishment of the Crime of Genocide (1948), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention on the Elimination

of All Forms of Discrimination against Women (1979), the Convention on the Rights of the Child (1989) and the Convention on the Rights of Persons with Disabilities (2006), among others.

Human Rights Council

The Human Rights Council, established on 15 March 2006 by the General Assembly and reporting directly to it, replaced the 60-year-old UN Commission on Human Rights as the key UN intergovernmental body responsible for human rights. The Council is made up of 47 State representatives and is tasked with strengthening the promotion and protection of human rights around the globe by addressing situations of human rights violations and making recommendations on them, including responding to human rights emergencies.

The most innovative feature of the Human Rights Council is the Universal Periodic Review. This unique mechanism involves a review of the human rights records of all 192 UN member states once every four years. The Review is a cooperative, state-driven process, under the auspices of the Council, which provides the opportunity for each state to present measures taken and challenges to be met to improve the human rights situation in their country and to meet their international obligations. The Review is designed to ensure universality and equality of treatment for every country.

UN High Commissioner for Human Rights

The United Nations High Commissioner for Human Rights exercises principal responsibility for UN human rights activities. The High Commissioner is mandated to respond to serious violations of human rights and to undertake preventive action.

The Office of the High Commissioner for Human Rights (OHCHR) is the focal point for United Nations human rights activities. It serves as the secretariat for the Human Rights Council, the treaty bodies (expert committees that monitor treaty compliance) and other UN human rights organs. It also undertakes human rights field activities.

Most of the core human rights treaties have an oversight body which is responsible for reviewing the implementation of that treaty by the countries that have ratified it. Individuals, whose rights have been violated can file complaints directly to Committees overseeing human rights treaties.

Human Rights and the UN System

Human rights is a cross-cutting theme in all UN policies and programmes in the key areas of peace and security, development, humanitarian assistance, and economic and social affairs. As a result, virtually every UN body and specialized agency is involved to some degree in the protection of human rights. Some examples are the right to development, which is at the core of the Sustainable Development Goals; the right to food, championed by the UN Food and Agriculture Organization, labour rights, defined and protected by the International Labour Organization, gender equality, which is promulgated by UN Women, the rights of children, indigenous peoples, and disabled persons. Human rights day is observed every year on 10 December.