



# Human Rights Day

## Why in News

Human Rights Day is **observed every year on 10<sup>th</sup> December** - the day the United Nations General Assembly adopted, in 1948, the **Universal Declaration of Human Rights (UDHR)**.

- The UDHR **established a set of common basic values** both with regard to the view of human beings and to the relationship between the state and the individual.
- **2020 Theme:** Recover Better - Stand Up for Human Rights.

## Key Points

### ▪ Human Rights:

- These are **rights inherent to all human beings, regardless** of race, sex, nationality, ethnicity, language, religion, or any other status.
- These **include** the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more.
- **Nelson Mandela** had stated '**To deny people their human rights is to challenge their very humanity**'.

### ▪ International Human Rights Conventions and Bodies:

#### ◦ Universal Declaration of Human Rights (UDHR):

- The **30 rights and freedoms include civil and political rights**, like the right to life, liberty, free speech and privacy and **economic, social and cultural rights**, like the right to social security, health and education, etc.

- **India** took active **part in drafting of the UDHR**.

- The UDHR is **not a treaty**, so it does not directly create legal obligations for countries.
- The **UDHR**, together with the **International Covenant on Civil and Political Rights** and its two Optional Protocols (on the complaints procedure and on the death penalty) and the **International Covenant on Economic, Social and Cultural Rights** and its Optional Protocol, form the so-called **International Bill of Human Rights**.

#### ◦ Other Conventions:

- These 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.

- **India** is a **party to all these Conventions**.

#### ◦ Human Rights Council:

- The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights. It is made up of **47 United Nations Member States** which are **elected by the UN General Assembly**.
- 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 **Office of the High Commissioner for Human Rights (OHCHR)** serves as the **secretariat for the Human Rights Council**.
- **Amnesty International:**
  - An **international organisation** of volunteers who campaign for human rights. This organisation brings out independent reports on the violation of human rights all over the world.

## Human Rights in India

### ▪ Enunciated in the Constitution:

- Since inception, the Indian Constitution incorporated most of the rights enumerated in the Universal Declaration in two parts, the **Fundamental Rights and the Directive Principles of State Policy**.
  - **Fundamental Rights:** Articles **12 to 35** of the Constitution. These include the Right to Equality, Right to Freedom, Right Against Exploitation, Right to Freedom of Religion, Cultural & Educational Rights, Saving of Certain Laws and Right to Constitutional Remedies.
  - **Directive Principles of State Policy:** Article **36 to 51** of the Constitution. These include 'right to social security, right to work, to free choice of employment, and protection against unemployment, right to equal pay for equal work, right to existence worthy of human dignity, right to free & compulsory education, equal justice & free legal aid and the principles of policy to be followed by the State.'

### ▪ Statutory Provisions:

- **Protection of Human Rights Act, 1993** (as amended in 2019) provided for the **constitution of a National Human Rights Commission** at the Union level, which steers State Human Rights Commission in States and Human Rights Courts for better protection of Human Rights and for matters connected there with or incidental thereto.

### ▪ Recent Events:

- The human rights situation in Jammu and Kashmir (J&K) following the dilution of **Article 370** and the passage of the **Citizenship (Amendment) Act (CAA)** have brought renewed international focus on India's human rights practice.
- Since 2014, the government has **cancelled the registration of more than 14,000 NGOs under the Foreign Contribution Regulation Act (FCRA)**. It has also mainly targeted its own critics.
- Scores of **hate crimes against Muslims and other religious groups**, ethnic groups, including Dalits and Adivasi (an indigenous tribal people), as well as caste and gender-based crimes, took place across the country in 2019.
- The **Freedom in the World 2020 report** ranked **India at the 83<sup>rd</sup> position**, along with Timor-Leste and Senegal. India's **score fell by four points to 71**, the **worst decline** among the world's 25 largest democracies this year.
- **Measures Taken by Government during the Pandemic:**
  - During the **Corona pandemic**, the government ensured the **right to food** of every person through the **Pradhan Mantri Garib Kalyan Yojana**, so that no one would go hungry.
  - Apart from this, **wages have been increased under MGNREGA** for the

empowerment of workers in rural areas. The government **directly transferred money to the accounts of migrant labourers** affected by Covid-19, to ensure the protection of their rights.

## Way Forward

- Human rights are at the heart of the [Sustainable Development Goals \(SDGs\)](#), as in the absence of human dignity one cannot hope to drive sustainable development.
- The **Covid-19 crisis has been fuelled by** deepening poverty, rising inequalities, structural and entrenched discrimination and other gaps in human rights protection. Only measures to close these gaps and advance human rights can ensure that people fully recover and build back a world that is better, more resilient, just, and sustainable.

**Source: PIB**

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