

FIRSTPOST.

Human Rights Day on 10 December: 70 years since UN adopted resolution, violations still not thing of past

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The world celebrates International Human Rights Day on Monday. On this day in 1948, the United Nations General Assembly — then headquartered in Paris — ratified the Universal Declaration of Human Rights (UDHR). Of the 58 member states, 48 voted in favour of the resolution, while eight abstained and two failed to vote.

It may seem a routine affair that the UN General Assembly adopted Resolution 217 to ratify the UDHR. But the internationalist idea behind the declaration meant that two years later, the UN adopted another resolution to formally declare 10 December as International Human Rights Day.

Over the years, Human Rights Day has witnessed non-violent protests and peace marches by NGOs, open debates, political conferences and cultural events — all driving the point of respecting individual freedom and liberty. The five-yearly "United Nations Prize in the field of Human Rights", constituted in 1966, is also awarded on this day.

As the world marks 70 years of the adoption of the UDHR, the UN's year-long campaign #StandUp4HumanRights draws to a close. By this campaign, the UN aimed to "call on people to take action for greater freedoms, stronger respect and more compassion for the rights of others".

A World War never again

The idea of drafting a universal document specifying different individual freedoms arose from the ashes of World War II that killed over 50 million people. The seed of the idea was sown in January 1941, when then United States president Franklin D Roosevelt articulated the "four freedoms" — freedom of speech, freedom of worship, freedom from want and freedom from fear. After the war, when the Allied powers decided to establish the UN, the idea of a human rights charter got a much-needed impetus.

In 1946, the UN Economic and Social Council established a Commission on Human Rights, under which a nine-member drafting committee, led by Eleanor Roosevelt, was given the task of creating the charter on human rights.

The drafting committee deliberated on the content of the charter in two sessions between 1947 and 1948, finally completing it in May 1948. It is believed that Eleanor Roosevelt submitted the draft to the UN General Assembly with these words: "We stand today at the threshold of a great event, both in the life of the United Nations and in the life of mankind. This declaration may well become the international Magna Carta for all men everywhere."

UDHR inspired India's founding fathers

The UDHR comprises 30 articles that list several individual freedoms for men, women and children. The first article sets the tone: "All human beings are born free and equal in dignity and rights. The right to lead a dignified life, the freedom to practice any religion, express thoughts, exercise speech and move freely across borders are some of the salient principles enshrined in the UDHR."

Interestingly, the UDHR holds the record of being the most translated document, available in over 500 languages across the world.

Although not legally binding in itself, the principles expressed in the UDHR have, nevertheless, been elaborated in several international treaties and now considered a part of the international customary law.

One may find striking similarities between the UDHR and the Fundamental Rights enshrined in the Constitution of India. According to the Government of India, the founders of modern India strove to incorporate several principles enshrined in the UDHR. Most of the rights listed in the Constitution of India are in two parts: The Fundamental Rights and the Directive Principles of State Policy. The latter covers nearly the entire field of the 1948 declaration.

Present day human rights

Seventy years have passed since the adoption of the UDHR, yet it is as relevant in the present context as it was in the 20th Century Cold War era.

In the 21st Century, there has been a renewed effort to clearly determine the parameters of human rights for the sake of successful implementation and monitoring. A 2012 UN report underlined a more data- and evidence-based approach to monitor human rights in countries. It listed down 10 broad indicators to effectively track human rights in every nation, suggesting the best practices adopted as well as inadequate responses.

If international human rights organisations are to be believed, the world still faces grave violations. According to Human Rights Watch's 2018 report, the rise of populism across the globe led many governments to side-step solving existential crises. Instead, the report claimed, "The result has been a frontal assault on the values of inclusivity, tolerance and respect that lie at the heart of human rights.... Indeed, certain populists seem to relish breaking the taboos that embody these values."

According to the 2017-18 report by Amnesty International, Yemen, Syria, Saudi Arabia, China and Venezuela were among the top human rights violators in the world. Turkey, under President Recep Tayyip Erdogan and Russia under President Vladimir Putin were other countries that found mention in the report. But what surprised many were the inclusion of the Donald Trump-led US and the European Union. While the US was ranked for setting the tone for a "hate-filled rhetoric", the EU was added to the list for its failure to help refugees entering its member states.

In the foreword to the 2017-18 report, Salil Shetty, the secretary general of Amnesty International, noted: "As we enter the year in which the Universal Declaration of Human Rights turns 70, it is abundantly clear that none of us can take our human rights for granted."

India and human rights

With rising cow vigilantism and attacks over minorities as well as Dalits, India has been at the receiving end of human rights groups the last few years. Amnesty International, in its 2017-18 report, expressed concern over authorities being "openly critical of human rights defenders". The report condemned the use of repressive laws to curtail freedom of expression, while alluding to journalist and activist Gauri Lankesh's murder in September 2017. This also contributed to India falling in the Press Freedom Index from 105 in 2009 to 138 in 2018.

Human Rights Watch also criticised the Indian government over lack of accountability for past violence in Jammu and Kashmir and the North East. It also blamed the Narendra Modi government for having failed to review and repeal the Armed Forces Special Powers Act (AFSPA) in Jammu and Kashmir and parts of the North East.

A 2017 report published by Washington DC-based think tank Cato Institute placed India at the 102nd spot for Human Freedom with a score of 6.55, slightly lower than the international average of 6.59. A glance at the parameters shows that India's low score could be attributed to perceived decline in rule of law, an overburdened judicial system and excessive economic regulations.

However, there were bright spots, too, for India. International organisations appreciated judicial intervention in decriminalising homosexuality and protecting individual privacy. While the Modi government's bid to secure rights for differently-abled citizens and decriminalise suicide were acknowledged, Human Rights Watch argued that a lot more needed to be done for effective implementation.