

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 1 : United Nations | Human Rights Watch

*VI Human Rights Law-Making Outside the United Nations and Co-ordination between the United Nations and the Specialized Agencies VII Human Rights Law-Making in the United Nations: A Case for Reforms Annex I International Covenant on Civil and Political Rights.*

Other countries only gained sovereignty and joined the United Nations later, [30] which explains the relatively small number of states entitled to the historical vote, and in no way reflects opposition to the universal principles. International Human Rights Day[ edit ] Main article: The commemoration is observed by individuals, community and religious groups, human rights organizations, parliaments, governments, and the United Nations. Decadal commemorations are often accompanied by campaigns to promote awareness of the Declaration and human rights. In its preamble, governments commit themselves and their people to progressive measures that secure the universal and effective recognition and observance of the human rights set out in the Declaration. Eleanor Roosevelt supported the adoption of the Declaration as a declaration rather than as a treaty because she believed that it would have the same kind of influence on global society as the United States Declaration of Independence had within the United States. Even though it is not legally binding, the Declaration has been adopted in or has influenced most national constitutions since It has also served as the foundation for a growing number of national laws, international laws, and treaties, as well as for a growing number of regional, sub national, and national institutions protecting and promoting human rights. The third paragraph of the preamble of the Declaration reads as follows: For this reason, the Universal Declaration of Human Rights is a fundamental constitutive document of the United Nations. In addition, many international lawyers [39] [40] [41] [42] believe that the Declaration forms part of customary international law [43] and is a powerful tool in applying diplomatic and moral pressure to governments that violate any of its articles. The United Nations International Conference on Human Rights advised that the Declaration "constitutes an obligation for the members of the international community" to all persons. The Declaration has served as the foundation for two binding UN human rights covenants: The Declaration continues to be widely cited by governments, academics, advocates, and constitutional courts, and by individuals who appeal to its principles for the protection of their recognised human rights. Praise[ edit ] The Universal Declaration has received praise from a number of notable people. The Lebanese philosopher and diplomat Charles Malik called it "an international document of the first order of importance", [44] while Eleanor Roosevelt "first chairwoman of the Commission on Human Rights CHR that drafted the Declaration" stated that it "may well become the international Magna Carta of all men everywhere. Some Muslim diplomats would go on later to help draft other UN human rights treaties. Furthermore, the alleged incompatibility between the concept of human rights and religion in general, or particular religions such as Islam, needs to be examined in an unbiased way. It is important to acknowledge and appreciate that other societies may have equally valid alternative conceptions of human rights. War Resisters International has stated that the right to conscientious objection to military service is primarily derived from"but not yet explicit in"Article 18 of the UDHR: The AAA warned that the document would be defining universal rights from a Western paradigm which would be unfair to countries outside of that scope. They proposed three notes for consideration with underlying themes of cultural relativism: The individual realizes his personality through his culture, hence respect for individual differences entails a respect for cultural differences", "2. Respect for differences between cultures is validated by the scientific fact that no technique of qualitatively evaluating cultures has been discovered", and "3. Standards and values are relative to the culture from which they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes of one culture must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole. They stated their view of the interdependence and indivisibility of human rights and stressed the need for universality, objectivity , and non-selectivity of human rights. However, at the same time, they emphasized the principles of sovereignty and non-interference, calling

## DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

for greater emphasis on economic, social, and cultural rights—in particular, the right to economic development over civil and political rights. The Bangkok Declaration is considered to be a landmark expression of the Asian values perspective, which offers an extended critique of human rights universalism.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 2 : U.S. quits U.N. human rights body, citing bias vs. Israel, alarming critics | Reuters

*The Universal Declaration of Human Rights is generally agreed to be the foundation of international human rights law. Adopted in 1948, the UDHR has inspired a rich body of legally binding.*

The history of human rights has not been entirely progressive. Many established rights would be replaced by other less tolerant systems. Stable institutions may be uprooted such as in cases of conflict such as war and terrorism. The Northeast African civilization of Ancient Egypt [18] supported basic human rights. The Cyrus Cylinder is a clay tablet created in 539 BC. Following the reportedly destructive Kalinga War, Ashoka adopted Buddhism and abandoned an expansionist policy in favor of humanitarian reforms. In Britain in 1701, the English Bill of Rights and the Scottish Claim of Right each made illegal a range of oppressive governmental actions. Additionally, the Virginia Declaration of Rights of 1776 encoded into law a number of fundamental civil rights and civil freedoms. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. Hegel during the 18th and 19th centuries. Although the term had been used by at least one author as early as 1789. This was achieved across the British Empire by the Slave Trade Act, which was enforced internationally by the Royal Navy under treaties Britain negotiated with other nations, [28] and the Slavery Abolition Act. In the United States, all the northern states had abolished the institution of slavery between 1780 and 1804, although southern states clung tightly to the "peculiar institution". During the reconstruction period immediately following the war, several amendments to the United States Constitution were made. These included the 13th amendment, banning slavery, the 14th amendment, assuring full citizenship and civil rights to all people born in the United States, and the 15th amendment, guaranteeing African Americans the right to vote. In Russia, the reformer Tsar Alexander II ended serfdom in 1861, [6] although the freed serfs often faced restrictions of their mobility within the nation. Many groups and movements have achieved profound social changes over the course of the 20th century in the name of human rights. In Europe and North America, labour unions brought about laws granting workers the right to strike, establishing minimum work conditions and forbidding or regulating child labour. National liberation movements in many countries succeeded in driving out colonial powers. Movements by long-oppressed racial and religious minorities succeeded in many parts of the world, among them the civil rights movement, and more recent movements, on behalf of women and minorities in the United States. The establishment of the International Committee of the Red Cross, the Lieber Code and the first of the Geneva Conventions in 1864 laid the foundations of International humanitarian law, to be further developed following the two World Wars. Enshrined in its charter was a mandate to promote many of the rights later included in the Universal Declaration of Human Rights. The United Nations has played an important role in international human-rights law since its creation. Following the World Wars, the United Nations and its members developed much of the discourse and the bodies of law that now make up international humanitarian law and international human rights law. Analyst Belinda Cooper argued that human rights organisations flourished in the 1970s, possibly as a result of the dissolution of the western and eastern Cold War blocs. It was seen as the answer to the UDHR. True religion is the guarantee for enhancing such dignity along the path to human integrity. Philosophy of human rights The philosophy of human rights attempts to examine the underlying basis of the concept of human rights and critically looks at its content and justification. Several theoretical approaches have been advanced to explain how and why human rights have become a part of social expectations. One of the oldest Western philosophies of human rights is that they are a product of a natural law, stemming from different philosophical or religious grounds. Other theories hold that human rights codify moral behaviour which is a human social product developed by a process of biological and social evolution associated with Hume. Human rights are also described as a sociological pattern of rule setting as in the sociological theory of law and the work of Weber. These approaches include the notion that individuals in a society accept rules from legitimate authority in exchange for security and economic

## DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

advantage as in Rawls' a social contract. The two theories that dominate contemporary human rights discussion are the interest theory and the will theory. Interest theory argues that the principal function of human rights is to protect and promote certain essential human interests, while will theory attempts to establish the validity of human rights based on the unique human capacity for freedom. At an international level the most common categorisation of human rights has been to split them into civil and political rights, and economic, social and cultural rights. Indivisibility The UDHR included both economic, social and cultural rights and civil and political rights because it was based on the principle that the different rights could only successfully exist in combination: The ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his social, economic and cultural rights. Similarly, without livelihoods and a working society, the public cannot assert or make use of civil or political rights known as the full belly thesis. The indivisibility and interdependence of all human rights has been confirmed by the Vienna Declaration and Programme of Action: All human rights are universal, indivisible and interdependent and related. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. Although accepted by the signatories to the UDHR, most do not in practice give equal weight to the different types of rights. Some Western cultures have often given priority to civil and political rights, sometimes at the expense of economic and social rights such as the right to work, to education, health and housing. Similarly the ex Soviet bloc countries and Asian countries have tended to give priority to economic, social and cultural rights, but have often failed to provide civil and political rights. Categorisation Opponents of the indivisibility of human rights argue that economic, social and cultural rights are fundamentally different from civil and political rights and require completely different approaches. Similarly civil and political rights are categorized as: Out of these generations, the third generation is the most debated and lacks both legal and political recognition. This categorisation is at odds with the indivisibility of rights, as it implicitly states that some rights can exist without others. Prioritisation of rights for pragmatic reasons is however a widely accepted necessity. American human rights scholar Philip Alston argues: If every possible human rights element is deemed to be essential or necessary, then nothing will be treated as though it is truly important. The term inalienable rights or unalienable rights refers to "a set of human rights that are fundamental, are not awarded by human power, and cannot be surrendered. International human rights law In the aftermath of the atrocities of World War II, there was increased concern for the social and legal protection of human rights as fundamental freedoms. The foundation of the United Nations and the provisions of the United Nations Charter provided a basis for a comprehensive system of international law and practice for the protection of human rights. Since then, international human rights law has been characterised by a linked system of conventions, treaties, organisations, and political bodies, rather than any single entity or set of laws. Human traffickers, almost invariably operating with the protection of corrupt local officials and police, enslave children and young women in the sex trade. So long as the regimes that sponsor and protect these criminals remain in power, their crimes go unrecognized.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 3 : The Foundation of International Human Rights Law | United Nations

*The author concludes that the present system of law-making is inadequate and points to many examples of unclear provisions and of overlap and conflict within a single instrument More This book is an examination and critique of the methods employed by the United Nations in adopting human rights instruments.*

Every grown-up has the right to marry and have a family if they want to. Men and women have the same rights when they are married, and when they are separated. The Right to Your Own Things. Everyone has the right to own things or share them. Nobody should take our things from us without a good reason. We all have the right to believe in what we want to believe, to have a religion, or to change it if we want. We all have the right to make up our own minds, to think what we like, to say what we think, and to share our ideas with other people. The Right to Public Assembly. We all have the right to meet our friends and to work together in peace to defend our rights. The Right to Democracy. We all have the right to take part in the government of our country. Every grown-up should be allowed to choose their own leaders. We all have the right to affordable housing, medicine, education, and childcare, enough money to live on and medical help if we are ill or old. Every grown-up has the right to do a job, to a fair wage for their work, and to join a trade union. The Right to Play. We all have the right to rest from work and to relax. Food and Shelter for All. We all have the right to a good life. Mothers and children, people who are old, unemployed or disabled, and all people have the right to be cared for. The Right to Education. Education is a right. Primary school should be free. We should learn about the United Nations and how to get on with others. Our parents can choose what we learn. We all have the right to our own way of life and to enjoy the good things that art, science and learning bring. A Fair and Free World. There must be proper order so we can all enjoy rights and freedoms in our own country and all over the world. We have a duty to other people, and we should protect their rights and freedoms.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 4 : Human Rights Law-Making in the United Nations: A Case for Reforms - Oxford Scholarship

*Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and.*

When those handsomely remunerated within transnational institutions make their priority spiteful political issues and arguably anti-Semitic point-scoring -- rather than protecting hard-won humanistic principles such as human rights -- the very values that differentiate segments of the modern world from the more barbarous norms of the past -- their legitimacy is eroded. Where was the United Nations then? A royal pardon for both men should be granted immediately. It is high time that democratic nations reasserted their sovereignty in the face of these unelected, untransparent, and unaccountable transnational institutions which so often make a mockery of the standards they are pledged to uphold. The "rise of populism" has become an absorbing subject for political commentators in the West, yet as the Cato Institute scholar, Alberto Mingardi, helpfully observes, the term is "as slippery as it is popular. The nations of the West are, after all, democracies: An answer to this dysfunction might lie in the layers of transnational governance, which proliferated after the Second World War, superseding national, and by implication democratically-accountable, decision making. To say so is not an exercise in polemic; it is a product of soberly assessing the facts. The following nations, for example, have been elected by the UN to the UNHRC, and charged with upholding "the highest standards in the promotion and protection of human rights," for, according to UN Watch: The government arbitrarily detains, and in some cases forcibly disappears, individuals who criticized the authorities, and its security forces face allegations of torturing detainees. With cases of executions between April and August -- considered a "conservative estimate" -- the nation received a warning last November not to commit genocide. Saudi Arabia Executions for "crimes" -- including apostasy, adultery and witchcraft -- take place in the founding nation of Islam. There is no freedom of religion -- despite 4. The ruling monarchy in the country is reputedly increasingly unpopular. It apparently chose to salve this decline in its appeal by beheading one its many princes in October. It is also well known for flogging -- nearly to death -- anyone who might suggest a thought with which the ruling monarchs and clergy might not agree. Freedom of association remains "severely restricted" in China whilst freedom of expression encounters government censors who erase "politically unacceptable information. There are widespread and credible allegations of organ harvesting against religious minorities in the country, where the long-term imprisonment of dissidents continues to be commonplace. Bangladesh Bloggers and secular intellectuals live in perpetual fear of indiscriminate Islamist attacks in Bangladesh. A three-year "murder spree" in the country also "spread to aid workers, minority religions and Muslims who did not want their country reshaped by extremist Islam," according to the Guardian. Atheists and gay rights campaigners have also been killed. In the past five years, "at least people have vanished through enforced disappearances," says VOA News -- a "routine practise" in the nation. These include, "arbitrary executions, rape, torture and cruel, inhuman and degrading treatment," which are mostly committed by "the army, police and intelligence services. In recent years, genocide and fighting in Syria, carried out both by Islamist forces and the regime of President Bashar al-Assad, have claimed an estimated, lives and injured a further 1. Since, Syria has curiously faced only 16 separate reprimands at the UNHRC, whilst Israel -- the most condemned country within the council -- has faced 62 such reprimands. In telling remarks, Eviatar Manor went on to question why there was an agenda item attacking Israel tabled at the UNHRC, at the time, whilst "the tragedies of Syria, Yemen, Iraq, Libya, to name but a few, are unfolding and producing a tsunami of refugees about to engulf Europe? Moreover, when the United Nations abandons these irreplaceable values, how is it that the wider world has pretended not to notice? We are a generous nation. But we must ask ourselves what good is being accomplished by this disproportionate contribution. Bolton, who argued in that there should be no mandatory funding of the UN -- that the US should "pay only for what we want, and we would insist that we get what we pay for. It is high time that democratic nations reasserted their sovereignty in

## **DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS**

the face of these unelected, untransparent, and unaccountable transnational institutions that so often make a mockery of the standards they are pledged to uphold. George Iglar, between and , aided those facing death across Europe for criticizing Islam. The articles printed here do not necessarily reflect the views of the Editors or of Gatestone Institute. No part of the Gatestone website or any of its contents may be reproduced, copied or modified, without the prior written consent of Gatestone Institute. [Get Free Exclusive Gatestone Content:](#)

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 5 : United Nations - Wikipedia

*This book is an examination and critique of the methods employed by the United Nations in adopting human rights instruments. The author concludes that the present system of law-making is inadequate.*

Human rights Unlike the League of Nations, the United Nations incorporated the principle of respect for human rights into its Charter, affirming respect for human rights and for fundamental freedoms for all without regard to race, sex, language, or religion. According to the Charter, the General Assembly is charged with initiating studies and making recommendations, and ECOSOC is responsible for establishing commissions to fulfill this purpose. Consequently, the Commission on Human Rights, originally chaired by Eleanor Roosevelt, was created in to develop conventions on a wide range of issues, including an international bill of rights, civil liberties, the status of women for which there is now a separate commission, freedom of information, the protection of minorities, the prevention of discrimination on the grounds of race, sex, language, or religion, and any other human rights concerns. The commission prepared the nonbinding Universal Declaration of Human Rights, which was adopted by the General Assembly in . After the declaration, the commission began drafting two covenants, one on civil and political rights and another on economic and cultural rights. Differences in economic and social philosophies hampered efforts to reach agreement, but the General Assembly eventually adopted the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights in . The covenants, which entered into force in , are known collectively, along with the Universal Declaration of Human Rights, as the international bill of rights. Although all countries have stated support for the declaration, not all observe or have ratified the two covenants. In general, Western countries have favoured civil and political rights rights to life, liberty, freedom from slavery and arbitrary arrest, freedom of opinion and peaceful assembly, and the right to vote, and developing countries have stressed economic and cultural rights such as the rights to employment, shelter, education, and an adequate standard of living. The Commission on Human Rights and its subcommission meet annually in Geneva to consider a wide range of human rights issues. Human rights violations are investigated by a Human Rights Committee set up according to the provisions of the International Covenant on Civil and Political Rights. In particular, the UN has acted to strengthen recognition of the rights of women and children. It established a special Convention on the Elimination of All Forms of Discrimination Against Women, which was approved in and has been ratified by some countries, and the Convention on the Rights of the Child, which has been ratified by more than countries. The UN, through special rapporteurs and working groups, monitors compliance with human rights standards. In addition to reestablishing the pre-World War II system of narcotics control, which had been disrupted by the war, the United Nations addressed new problems resulting from the development of synthetic drugs. Efforts were made to simplify the system of control by drafting one convention incorporating all the agreements in force. Financed largely by the contributions of member states, it has helped feed children in more than countries, provided clothing and other necessities, and sought to eradicate diseases such as tuberculosis, whooping cough, and diphtheria. UNICEF promotes low-cost preventive health care measures for children, including the breast-feeding of infants and the use of oral rehydration therapy to treat diarrhea, the major cause of death in children. WHO is the primary UN agency responsible for health activities. UNAIDS is the leading advocate of global action on AIDS, supporting programs to prevent transmission of the disease, providing care for those infected, working to reduce the vulnerability of specific populations, and alleviating the economic and social impact of the disease. Much disagreement has arisen regarding the scientific bases of environmental concerns and the question of how to combine the goals of environmental protection and development. Although both developed and developing countries recognize the need to preserve natural resources, developing countries often charge that the environment has been despoiled primarily by the advanced industrialized states, whose belated environmental consciousness now hampers development for other countries. In other instances,

## DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

developed countries have objected to the imposition of environmental standards, fearing that such regulations will hamper economic growth and erode their standard of living. UNEP succeeded in establishing, through the General Assembly, a World Commission on Environment and Development and in outlining an environmental program to set priorities for the 1995 period. The Earth Summit, which was far larger than any previous intergovernmental global conference, incorporated input from numerous NGOs. The Global Warming Convention was amended in by the Kyoto Protocol and in by the Paris Agreement on climate change , both of which aimed to limit global average temperature increases through reductions in greenhouse gas emissions.

**Dependent areas** The United Nations has expressed concern for people living in non-self-governing territories. Most importantly, the UN has affirmed and facilitated the transition to independence of former colonies. The anticolonial movement in the UN reached a high point in 1975, when the General Assembly adopted a resolution sponsored by more than 40 African and Asian states. In 1975 the General Assembly took action to end the League of Nations mandate for South West Africa, providing for a United Nations Council for South West Africa in 1975 to take over administrative responsibilities in the territory and to prepare it for independence by 1975. South Africa refused to acknowledge the council, and the General Assembly, secretary-general , and Security Council continued to exert pressure through the 1970s. In 1978 the General Assembly adopted a program of action toward Namibian independence, and the Security Council developed a plan for free elections. In 1978, with Namibian independence and the departure of Cuban troops from neighbouring Angola implicitly linked, South Africa finally agreed to withdraw from Namibia. Namibia gained formal independent status in 1978.

**Development of international law** The United Nations, like the League of Nations, has played a major role in defining, codifying, and expanding the realm of international law. The International Law Commission , established by the General Assembly in 1948, is the primary institution responsible for these activities. The International Court of Justice reinforces legal norms through its judgments. The commission and the committee have influenced international law in several important domains, including the laws of war , the law of the sea, human rights, and international terrorism. The work of the UN on developing and codifying laws of war was built on the previous accomplishments of the Hague Conventions 1907 , the League of Nations, and the Kellogg-Briand Pact 1928. In the following year the commission presented to the General Assembly its draft articles, which enumerated crimes against international law, including any act or threat of aggression, annexation of territory, and genocide. The UN also took up the problem of defining aggression , a task attempted unsuccessfully by the League of Nations. Both the International Law Commission and the General Assembly undertook prolonged efforts that eventually resulted in agreement in 1948. In 1948 the General Assembly adopted a series of resolutions to strengthen legal norms in favour of the peaceful resolution of disputes and against the use of force. The UN has made considerable progress in developing and codifying the law of the sea as well. The initial conference approved conventions on the continental shelf , fishing, the high seas , and territorial waters and contiguous zones, all of which were ratified by the mid-1950s. The resulting Law of the Sea Treaty has been ratified by some countries. The United States signed a revised treaty after a compromise was reached in 1982, though the agreement has yet to be ratified by the U.S. The UN has worked to advance the law of treaties and the laws regulating relations between states. In 1988 the General Assembly passed a resolution declaring 1988-1998 the UN Decade of International Law, to be dedicated to promoting acceptance and respect for the principles and institutions of international law. The ICC, which is to be located at The Hague upon the ratification of the statute by at least 60 signatory countries, has jurisdiction over crimes against humanity, crimes of genocide , war crimes, and crimes of aggression, pending an acceptable definition of that term. Under the terms of the convention, no person age 18 years or older is immune from prosecution, including presidents or heads of state. Since the United Nations has been active in developing a legal framework for combating international terrorism. The General Assembly and specialized agencies such as the International Civil Aviation Organization and the International Atomic Energy Agency established conventions on issues such as offenses committed on aircraft, acts jeopardizing the safety of civil aviation, the unlawful taking of hostages, and the theft or illegal transfer of nuclear weapons technology.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 6 : The United Nations: Making a Mockery of Human Rights

*In his book Human Rights Law-Making in the United Nations, Theodor Meron takes a constructive approach towards evaluating the quality and effectiveness of the UN human rights policy-making system.*

We are all born free. We all have our own thoughts and ideas. We should all be treated in the same way. These rights belong to everybody, whatever our differences. The Right to Life. We all have the right to life, and to live in freedom and safety. Nobody has any right to make us a slave. We cannot make anyone our slave. Nobody has any right to hurt us or to torture us. I am a person just like you! The law is the same for everyone. It must treat us all fairly. We can all ask for the law to help us when we are not treated fairly. Nobody has the right to put us in prison without good reason and keep us there, or to send us away from our country. The Right to Trial. If we are put on trial this should be in public. The people who try us should not let anyone tell them what to do. Nobody should be blamed for doing something until it is proven. When people say we did a bad thing we have the right to show it is not true. The Right to Privacy. Nobody should try to harm our good name. Nobody has the right to come into our home, open our letters, or bother us or our family without a good reason. We all have the right to go where we want in our own country and to travel as we wish. If we are frightened of being badly treated in our own country, we all have the right to run away to another country to be safe. Right to a Nationality. We all have the right to belong to a country.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 7 : United Nations - Human rights | theinnatdunvilla.com

*Today, the most senior transnational body responsible for preserving such rights, the United Nations Human Rights Council (UNHRC), housed within the Palace of Nations in Geneva, is arguably a.*

The Right of Individual Petition and the Existence of" ; schema: Public and Private Reach" ; schema: A Case for" ; schema: Article 16 Domestic Relations and the Question of Abortion" ; schema: Religious Practices concerning Marriage and Family Matters" ; schema: One Instrument - One Control organ" ; schema: Aspects of the Notion of a Hierarchy of Norms in International" ; schema: The Right to Life" ; schema: Models of Law-Making outside the United Nations" ; schema: Prohibition of Discrimination in the Exercise of Rights" ; schema: The International Convention on the Elimination of all Forms" ; schema: Alternative Law-Making Models" ; schema: Their Necessity and Scope" ; schema: Article 1 Defining Discrimination" ; schema: Article 9 Nationality" ; schema: Observations on a Hierarchy of Norms" ; schema: The Prohibition of Torture" ; schema: International Convention on the Elimination of All Forms of" ; schema: Article 13 Credit, Family Benefits" ; schema: United Nations Educational, Scientific and Cultural" ; schema: Article 6 Exploitation of Prostitution" ; schema: Clauses for Avoidance or Reduction of Conflicts" ; schema: Article 2 Obligation to Eliminate Discrimination" ; schema: Convention on the Elimination of All Forms of Discrimination" ; schema: The Convention on the Elimination of All Forms of" ; schema: The Adequacy of Measures for Ensuring Implementation" ; schema: The International Labour Organisation" ; schema: Article 10 Education" ; schema: One Instrument or Two Instruments with the same Normative" ; schema: Article 5 Modification of Patterns of Conduct" ; schema: Freedom of Expression" ; schema: Purpose and Effect" ; schema: Techniques for Avoidance or Reduction of Normative Conflicts" ; schema: The Relevance of the Competence of Control organs" ; schema: Protection Ratione Personae" ; schema: Optional Protocol to the International Covenant on Civil and" ; schema: Legal Status of Women under Religious Laws" ; schema: Co-ordination Between the United Nations and the" ; schema: The Reporting Systems" ; schema: The Legal Setting" ; schema: Is the Distinction Significant? The Human Rights Committee" ; schema: In the Regional organizations: The Council of Europe" ; schema: The Interrelationship Between the Regional and the Global" ; schema: Potential for Conflicts" ; schema: In the Specialized Agencies" ; schema: Reflections on" ; schema: Protection Ratione Loci" ; schema: Article 7 Political Rights" ; schema: Declaration on the Elimination of All Forms of Intolerance and" ; schema: The Exception Based on Citizenship" ; schema: International Covenant on Civil and Political Rights" ; schema: Protecting Maternity and Guaranteeing Employment" ; schema: Article 3 Advancement of Women" ; schema: Article 12 Health Care" ; schema: The Competence of the Human Rights Committee with regard to" ; schema: Two Instruments - One Control organ" ; schema: Overbreadth and other Problems" ; schema: The Institutional Setting" ; schema: Potential for Conflicts" ;

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 8 : United Nations, Universal Declaration of Human Rights, History: United for Human Rights

*United Nations - Human rights: Unlike the League of Nations, the United Nations incorporated the principle of respect for human rights into its Charter, affirming respect for human rights and for fundamental freedoms for all without regard to race, sex, language, or religion.*

Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December General Assembly resolution A as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over languages. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Everyone has the right to life, liberty and security of person. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Everyone has the right to recognition everywhere as a person before the law. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. No one shall be subjected to arbitrary arrest, detention or exile. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay. All children, whether born in or out of wedlock, shall enjoy the same social protection. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

# DOWNLOAD PDF HUMAN RIGHTS LAW-MAKING IN THE UNITED NATIONS

## Chapter 9 : United Nations Universal Declaration of Human Rights Summary: Youth For Human Rights Vid

*Human rights law-making in the United Nations: a critique of instruments and process. [Theodor Meron;] -- PART I: A CRITIQUE OF SELECTED HUMAN RIGHTS INSTRUMENTS I. The International Convention on the Elimination of all Forms II.*

The Universal Declaration of Human Rights is generally agreed to be the foundation of international human rights law. Adopted in 1948, the UDHR has inspired a rich body of legally binding international human rights treaties. It continues to be an inspiration to us all whether in addressing injustices, in times of conflicts, in societies suffering repression, and in our efforts towards achieving universal enjoyment of human rights. It represents the universal recognition that basic rights and fundamental freedoms are inherent to all human beings, inalienable and equally applicable to everyone, and that every one of us is born free and equal in dignity and rights. Whatever our nationality, place of residence, gender, national or ethnic origin, colour, religion, language, or any other status, the international community on December 10 made a commitment to upholding dignity and justice for all of us. Foundation for Our Common Future Over the years, the commitment has been translated into law, whether in the forms of treaties, customary international law, general principles, regional agreements and domestic law, through which human rights are expressed and guaranteed. Indeed, the UDHR has inspired more than 80 international human rights treaties and declarations, a great number of regional human rights conventions, domestic human rights bills, and constitutional provisions, which together constitute a comprehensive legally binding system for the promotion and protection of human rights. The two Covenants have developed most of the rights already enshrined in the UDHR, making them effectively binding on States that have ratified them. They set forth everyday rights such as the right to life, equality before the law, freedom of expression, the rights to work, social security and education. Over time, international human rights treaties have become more focused and specialized regarding both the issue addressed and the social groups identified as requiring protection. The body of international human rights law continues to grow, evolve, and further elaborate the fundamental rights and freedoms contained in the International Bill of Human Rights, addressing concerns such as racial discrimination, torture, enforced disappearances, disabilities, and the rights of women, children, migrants, minorities, and indigenous peoples. Universal Values The core principles of human rights first set out in the UDHR, such as universality, interdependence and indivisibility, equality and non-discrimination, and that human rights simultaneously entail both rights and obligations from duty bearers and rights owners, have been reiterated in numerous international human rights conventions, declarations, and resolutions. Today, all United Nations member States have ratified at least one of the nine core international human rights treaties, and 80 percent have ratified four or more, giving concrete expression to the universality of the UDHR and international human rights. International human rights law lays down obligations which States are bound to respect. By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights. Through ratification of international human rights treaties, Governments undertake to put into place domestic measures and legislation compatible with their treaty obligations and duties. The domestic legal system, therefore, provides the principal legal protection of human rights guaranteed under international law. Where domestic legal proceedings fail to address human rights abuses, mechanisms and procedures for individual and group complaints are available at the regional and international levels to help ensure that international human rights standards are indeed respected, implemented, and enforced at the local level.