



Apply Human Rights

Introduction to Litigators and others to Detainees Human Rights

In countries throughout the world people are being detained and imprisoned arbitrarily without a fair trial. In these circumstances many face torture or other forms of ill-treatment. They may be held in conditions that are so poor that these amount to cruel, inhuman or degrading treatment.

Detainees even though they are deprived of liberty, are still entitled to basic human rights. According to the *Universal Declaration of Human Rights* no-one may be subjected to arbitrary arrest, detention or imprisonment. Detention is seen as 'arbitrary' when there is no legal basis for detention or there are grave violations of the right to a fair trial.

Detention and imprisonment which is lawful under national standards may be considered arbitrary under international standards.

Under international human rights law, all defendants have the right to a fair trial. But in many countries throughout the world, detainees are held without due process and prisoners are convicted in trials where these safeguards have been ignored. In some instances people are held for long periods without trial.

The most important international standards on the rights of detainees can be found under the **Regulations category**.

We have as well covered the regional agreements on the rights of detainees and published them under the geographical area, such as **Africa, Americas, Asia, Middle East, Europe and Oceania**.

At the national level most countries have implemented and enforced the human rights of detainees in national law.

Under the category **Case Law** we give reference to the most important databases with the rich access to the cases on the violation of detainees' rights. Case law incorporates courts' decisions from individual cases and encompasses courts' interpretations of statutes, constitutional provisions, administrative regulations and, in some cases, law originating solely from the courts.

Interpretation of detainees rights by UN and others is another category under which we placed Compilation of General Comments and General Recommendations adopted by Human Rights Treaty Bodies- International Human Rights Instruments.

To have access to legal recourse against violations of detainees' rights is essential. That is why the **Complaint Procedures** category contains an overview of complaint procedures under different human rights bodies. Individuals who claim that any of their rights have been violated and who have exhausted all available domestic remedies may submit a written communication to the Committee for consideration.

If you need to get in contact with the persons or organisations working on protection and promotion of detainees' rights and get their view on a certain problem we have the **Contact persons/organisations category** at your disposal.