



Apply Human Rights

Introduction to Litigators and others to Human Rights

Human rights refer to the concept of human beings as having universal rights, or status regardless of legal jurisdiction, and likewise other localizing factors, such as ethnicity and nationality.

All humans hold all human rights; after all human rights are said to be those benefits to which we are entitled simply by being human.

The international human rights movement was strengthened when the United Nations General Assembly adopted the *Universal Declaration of Human Rights* on 10 December 1948. Drafted as 'a common standard of achievement for all peoples and nations', the Declaration for the first time in human history spell out basic civil, political, economic, social and cultural rights that all human beings should enjoy. It has over time been widely accepted as the fundamental norms of human rights that everyone should respect and protect. The UDHR, together with the *International Covenant on Civil and Political Rights* and its two *Optional Protocols*, and the *International Covenant on Economic, Social and Cultural Rights*, form the so - called **International Bill of Human Rights**.

A series of international human rights treaties and other instruments adopted since 1945 have conferred legal form on inherent human rights and developed the body of international human rights. Other instruments have been adopted at the regional level reflecting the particular human rights concerns of the region and providing for specific mechanisms of protection. Most States have also adopted constitutions and other laws which formally protect basic human rights. While international treaties and customary law form the backbone of international human rights law other instruments, such as declarations, guidelines and principles adopted at the international level contribute to its understanding, implementation and development. Respect for human rights requires the establishment of the rule of law at the national and international levels.

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 fulfill 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 fulfill 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. Where domestic legal proceedings fail to address human rights abuses, mechanisms and procedures for individual complaints or communications 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.

All governments long-term objective is to ensure full respect for human rights all over the world. This means that human rights must not be violated. The national legal system must comply with the international human rights conventions that countries acceded to and these conventions are to be followed at both international and national levels. To achieve the objective of full respect of human rights it is important to increase knowledge and awareness of human rights.

The most important international standards concerning human rights can be found under the **Regulations category**.

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

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

Specific subjects' category includes the international standards on the right to life, protection against torture, right to liberty and security of person, access to justice, right to privacy, freedom of expression, and freedom of association.

Under the category **Case Law** we give reference to the most important databases with the rich access to the cases on the violation of human 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.

Under the **Legal Opinions** category we have most eminent cases by international and national attorneys, law experts. These formally written opinions state the experts' reasoned belief about what the law on human rights is, how the court would interpret it or how it applies to specific circumstances.

Interpretation of human rights by UN and others is another category under which we placed the interpretation of the content of human rights provisions given in the **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 human 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.

The **Bibliography** category consists of the list of important publications on specific issues of human rights.

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