

2. Human Rights Day 2025- Polity

Human Rights Day is observed annually around the world on 10th December

Human Rights Day- Background and Significance

Human Rights Day is observed annually on 10 December to commemorate the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly in 1948. The observance began in 1950, following UN General Assembly Resolution 423 (V). The day serves as a global reminder of the shared commitment of states to uphold human dignity, freedom, and equality.

Theme for 2025- “Human Rights, Our Everyday Essentials”- Emphasises that human rights are not abstract ideals, but practical necessities for daily life.

Highlights the linkage between human rights and- Access to food, water, housing, healthcare, and education. Safe working conditions and social security. Digital rights, privacy, and freedom from surveillance. Reinforces the idea that development, governance, and human rights are interdependent.

Universal Declaration of Human Rights (UDHR)

Nature and Structure- Adopted in 1948, the UDHR is a foundational human rights document in international law. Comprises Preamble outlining the philosophical basis of human rights. 30 Articles detailing civil, political, economic, social, and cultural rights. It is not a legally binding treaty, but a declaration of principles.

Core Principles of the UDHR

1. **Universality-** Rights apply to all individuals everywhere, without exception.
2. **Inalienability-** Rights cannot be taken away, except under strict legal conditions.
3. **Indivisibility and Interdependence-** Civil-political and socio-economic rights are equally important.
4. **Equality and Non-Discrimination-** No distinction based on race, colour, sex, language, religion, political opinion, national or social origin, or other status.
5. **Legal and Normative Significance-** Although non-binding, the UDHR has influenced national constitutions and legislations worldwide. Forms the moral and legal foundation of international human rights law

Led to binding treaties- Such as International Covenant on Civil and Political Rights (ICCPR). International Covenant on Economic, Social and Cultural Rights (ICESCR). Many provisions are now considered part of customary international law.

Human Rights Conceptual Understanding - Human rights are inherent and fundamental entitlements possessed by all human beings simply by virtue of being human. They are essential for Human dignity, Personal autonomy, social justice, Democratic governance

Key Characteristics

1. **Universal-** Apply to everyone, everywhere.
2. **Inalienable-** Cannot be surrendered or arbitrarily withdrawn.
3. **Indivisible-** No hierarchy among rights.
4. **Accountability-based-** States are primary duty-bearers.

Human Rights vs Civil Rights

Human Rights - Derived from international norms and moral principles. Apply universally, irrespective of nationality. Exist prior to and independent of the state. Example- Right to life, freedom from torture, freedom of conscience.

Civil Rights- Created and enforced by domestic legal systems. Scope and enforcement depend on national constitutions and laws. Can evolve, expand, or contract through legislation and judicial interpretation. Example- Voting rights, freedom of assembly under national law.

Significance of Human Rights

Protection of Human Dignity- Affirm the intrinsic worth of every individual. Prevent reduction of individuals to mere instruments of the state or market.

Equality and Social Justice– Promote equal treatment before law. Address systemic discrimination based on caste, gender, religion, ethnicity, or disability.

Accountability and Rule of Law– Provide a framework to–

1. Hold governments and institutions accountable
2. Prevent abuse of power
3. Ensure remedies for victims of violations

Democratic Governance– Free elections, freedom of expression, and an independent judiciary are rooted in human rights principles. Strengthen participatory democracy and constitutional morality.

National Human Rights Commission (NHRC) of India

Institutional Background– Established in 1993 under the Protection of Human Rights Act. It is a statutory (not constitutional) body.

Objective– Promotion and protection of human rights in India.

Composition– Chairperson– Former Chief Justice of India or Judge of the Supreme Court of India.

Members– Judicial members (former Supreme Court/High Court judges). Experts in human rights

Ex-officio members– Heads of National Commissions for SCs, STs, Women, Minorities, etc.

Functions and Powers

Investigates complaints of human rights violations by– Public servants, Security forces (with limited jurisdiction). Intervenes in court proceedings involving human rights issues. Reviews constitutional and legal safeguards. Conducts research, promotes awareness, and encourages NGO participation. Advises the government on policy and legislative reforms.

Limitations

Recommendations are advisory and not binding. Limited jurisdiction over armed forces. Dependence on government for enforcement reduces effectiveness.

Contemporary Relevance for India

Human rights discourse intersects with

1. Police reforms and custodial violence
2. Freedom of speech and digital rights
3. Rights of minorities, migrants, women, and children
4. Balancing national security with civil liberties

Strengthening institutions like NHRC is critical for

1. Constitutional governance
2. International credibility
3. Sustainable and inclusive development

Source– <https://ddnews.gov.in/en/president-murmu-to-attend-nhrCs-human-rights-day-event-today/>