

# UNIVERSAL DECLARATION OF HUMAN RIGHTS

## MEANING OF HUMAN RIGHTS

In simple words, human rights are those rights which enable a person to live in decent human life. In other words, the rights which are essential for the all round development of individual are known as human rights. Social, economic and political rights are essential for the overall development of the people and sum total of all these rights can be included in the category of human rights. But remember, an individual does not want only to live rather he wants to live life with dignity and respect. All such rights therefore, which enable a person to live a dignified and fulfilled life can be included in the list of human rights. The United Nations has prepared a comprehensive list of rights which has been included in the Universal Declaration of Human Rights with the result that the Human Rights have become the concern of international community.

## BRIEF HISTORY OF HUMAN RIGHTS

The history of human rights is almost as old as the history of mankind because from the very beginning man has been struggling for the rights. The Christian theologians are of the opinion that the man was turned out of heaven because he wanted to lead an independent life. Famous Greek philosopher Socrates preferred to drink cup of poison than to loose his freedom. But a systematic mention of rights was made by famous English thinker **John Locke** in his famous book '**Two Treatises on Government**' which was published in 17th century. According to John Locke before the state came into existence the man was living in the state of nature in which he enjoyed the right to life, right to liberty and the right to property. After this, in 1689 the British Parliament had passed Bill of Rights which included some basic rights of the people. After this, on July 4, 1776, thirteen American colonies had declared independence and it was said in the '**Declaration of Independence**', "*That all the men are created equal that they are allowed by their Creator with certain inalienable rights that among these rights are right to life, liberty and pursuit to happiness.*" After this, in 1789 the National Assembly of France had adopted Declaration of the Rights of Men and Citizens in which it was said that the objective of all the political organisations was the protection of the inalienable rights of men and these rights included right to life, right to liberty, right to property, right to security and right to oppose oppression etc. Besides this, right to freedom of speech and expression, right to press and right to religious freedom were also included in this declaration.

After this, in 1787 for the first time the rights of the citizens were included in the American Constitution through the first ten amendments and this way America became the first country



to include rights into the constitution in written form. After this, rights were included in written form in the constitutions of all the democratic countries and Fundamental Rights have also been included in Chapter - III of the Indian Constitution.

After this, in 1946 under Article - 68 of the Charter of the United Nations the Economic and Social Council had appointed a commission which was entrusted with the work to prepare the list of human rights. The Universal Declaration of Human Rights prepared by the commission was approved by the General Assembly on December 10, 1948 and because of this every year December 10 is celebrated as Human Rights Day through the world.

### **COMMITMENT OF THE UNITED NATIONS TO HUMAN RIGHTS**

The memories of the atrocities committed by Fascist and Nazi dictators were still fresh in the minds of the founders of the United Nations. They, therefore, were fully committed to make all arrangements in the Charter of the United Nations for the protection of the Human Rights. Besides this, they also wanted to make the Human Rights the Concern of the International Community and they have succeeded to achieve their objective to a large extent because today the entire world is concerned about the problem of the Human Rights.

The provisions of human rights have been made into the Preamble and the other articles of the Charter of the United Nations. In the Preamble, the faith in human rights has been reaffirmed. According to Article-1 (3) of the Charter, to achieve international co-operation for the development of human rights has been declared the objective of the United Nations. Apart from this, it has been made one condition for getting the membership of United Nations.

### **PROVISIONS MADE IN THE CHARTER OF UNITED NATIONS ABOUT HUMAN RIGHTS**

In the Preamble and the Charter of the United Nations, the following provisions have been made about Human Rights—

**1. Faith in Fundamental Human Rights**—It is said in the **Preamble** of the Charter of United Nations, "*Whereas the people of United Nations have in the Charter reaffirmed their faith in fundamental human rights in the dignity and worth of human persons and in the equal rights of men and women.*"

**2. To achieve international cooperation to promote Human Rights**—According to **Article-1 (3)** of the Charter of United Nations, "*The purpose of the United Nations are to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.*"

**3. To develop respect for Human Rights**—The United Nations is committed to promote universal respect for human rights and to achieve this purpose, it is written in the **Article-55** of the Charter, "*The United Nations shall promote universal respect for and observance of human rights and fundamental freedoms for all without distinctions as to race, sex, language or religion.*"



**4. Recommendations to promote the respect for Rights**—According to **Article-62** of the Charter, *“Economic and Social Council, may make recommendations for the purpose of promoting respect for and observance of human rights and fundamental freedoms for all.”*

**5. To appoint Commission for the promotion of Human Rights**—**Article-68** of the Charter provides that the Economic and Social Council shall set up commission in economic and social fields for the promotion of human rights.

**6. To develop respect for Human Rights is the purpose of Trusteeship System**—While explaining the objectives of the Trusteeship Council, it is said in **Article-76** of the Charter, *“The basic objective of the trusteeship system shall be to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.”*

### **APPOINTMENT OF COMMISSION ON HUMAN RIGHTS**

From the very beginning, the human rights have held an important place in the various activities of the United Nations and under Article-68 of its Charter, provision has been made for the appointment of Commission on human rights. Economic and Social Council which is an organ of the United Nations recommends the appointment of 18 members commission to prepare the list of human rights. At present there are 32 members of this Commission. In December, 1948, this Commission prepared a comprehensive declaration of human rights and presented it before the General Assembly of the United Nations.

**Note**—On June 16, 2006, the Human Rights Commission was abolished and was replaced by Human Rights Council on June 19, 2006.

**Adoption of the Declaration of Human Rights by General Assembly**—On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights. Forty eight countries voted in favour of this resolution and no country voted against it. But eight countries did not take part in the voting. Now every year throughout the world, December 10 is celebrated as a Human Rights Day.

### **NATURE AND CHARACTERISTICS OF HUMAN RIGHTS INCLUDED INTO THE DECLARATION**

Following are the characteristics of the rights included into the declaration of Human Rights—

**1. It starts with Preamble**—The Declaration of Human Rights starts with preamble in which the human rights are considered the measure of the success of all the people and the nations. Apart from this to promote respect for human rights has also been fixed as the duty of each nation.<sup>1</sup>

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1. “This Declaration is common standard of achievement for all people and for all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance both, among the people of member states themselves and among the people of territories under their jurisdiction.”

—Text of the Preamble of Universal Declaration of Human Rights.



**2. Detailed and comprehensive Rights**—The rights approved by the declaration of General Assembly are quite comprehensive and detailed. This declaration starts with preamble and it has 30 articles. In the preamble, the importance of human rights and the factors responsible for their adoption have been explained. And in the different articles of the declaration, the different human rights have been fully explained so that every individual is able to understand these.

**3. Individuals, not the states are the subject of Rights**—Though the members of the United Nations are the states and not the individuals, yet the subject of rights included into the declaration are individuals of this universe. The purpose of these rights is to save the men living in the every corner of the world from exploitation and to create necessary conditions for their development.

**4. Rights are Universal**—The rights included into the Declaration are universal in nature and every individual without any discrimination of caste, colour, creed, religion etc is entitled to enjoy these rights. Even the citizens of the subordinate states are also entitled to enjoy these rights.

**5. Rights are Non-justiciable**—Remember this that the rights are non-justiciable and to accept or not to accept these is upto the sweet will of the state. We all know that the United Nations is a non-sovereign body, so it cannot impose her will on the member nations. But this does not mean that these rights are of no importance. These are the symbols of the desires of the international community and no civilized state can ignore these.

**6. Rights are not Absolute**—The rights included into the declaration are not absolute. It means that no individual can make the arbitrary use of these rights. While enjoying these rights, one has to respect the right of the others. Apart from this, these rights cannot be enjoyed against the principles and objectives of the United Nations.

**7. Based on the principle of Human Equality, Liberty and Brotherhood**—The Declaration of Human Rights is based on the principle of human liberty, equality and brotherhood. It is said in **Article-1** of the Declaration of Human Rights, "*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 spirit of brotherhood.*"

**8. Common standard of achievement for all Nations**—Declaration of Human Rights is a common standard of achievements for all nations. These rights are not to be achieved only by a few nations rather ~~all nations~~ are bound to take steps to achieve these.

**9. No mention of Duties**—In the Declaration of Human Rights along with rights, no mention is made of duties whereas rights and duties go side by side. It is said in **Article-29 (1)** of the Declaration of Human Rights, "Every one has duties to the community in which alone the free and full development of his personality is possible." But what are these duties, nothing is written about these.



**10. Prohibition to use these rights contrary to the Purposes and Principles of United Nations**—It is said in **Article-29 (3)** of the Declaration of Human Rights, *“These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.”* In other words, everybody is bound to use these rights in accordance with the principles and objectives of the United Nations.

**11. Nobody has the right to destroy these Rights**—It has been provided in **Article-30** of the Declaration of Human Rights that, *“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.”*

### **PREAMBLE OF THE DECLARATION OF HUMAN RIGHTS**

The Declaration of Human Rights begins with the Preamble in which the reasons for the adoption of the Declaration of Human Rights are given and these are :

*“Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.*

*Whereas disregard and contempt of Human Rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.*

*Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.*

*Whereas it is essential to promote the development of friendly relations between nations.*

*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 women and have determined to promote social progress and better standards of life in larger freedom.*

*Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for the observance of human rights and fundamental freedoms.*

*Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.”*

international  
independent, trust, non self governing or under any

## **CLASSIFICATION OF THE RIGHTS INCLUDED IN DECLARATION**

There are total 30 Articles of the Universal Declaration of Human Rights. Though no proper classification of the rights is made in the Declaration of Human Rights, yet keeping in mind the objective or purpose of these rights, these can be divided into the following categories—

- 1. Civil Rights**
- 2. Political Rights and**
- 3. Economic, Social and Cultural Rights**

A brief description of these categories is given below

### **I. CIVIL RIGHTS**

The following Civil Rights have been included in the Declaration of Human Rights—

**1. Rights to Life, Liberty and Security**—Under **Article-3** of Declaration of Human Rights, rights to life, liberty and security are essential for the development of an individual. Therefore, these rights are given to all the individuals of the world.

**2. Right against Slavery**—Under **Article-4**, slavery is a curse and in order to remove this curse, every individual is given the right against slavery and all types of slave trade is abolished. According to **Article-4** of the Declaration, *"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."*

**3. Right against inhuman Treatment**—Under **Article-4**, everybody is provided right against inhuman treatment. It is provided in the declaration that none shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

**4. Right to Equality before Law**—Under **Article-7**, all are given the right to equality before law and are entitled without any discrimination to equal protection of law. All are also entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

**5. Right to Protection against the violation of Rights**—Under **Article-8**, everybody has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him by the constitution or by law.



**6. Protection against arbitrary Arrest**—Under **Article-9**, nobody shall be subjected to arbitrary arrest, detention or exile.

**7. Right to get justice from independent Courts**—Under **Article-10 and 11**, 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.

**8. Right against interference in family and private Life**—Under **Article-12**, nobody shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attack upon his honour and reputation. Everyone has right to the protection of the law against such interference or attack.

**9. Right to freedom of Residence and Movement**—Under **Article-14**, everyone is given the right to freedom of movement and residence within the borders of each state. Apart from this, everybody is given the right to leave his country and come back to his country.

**10. Right to marry and lead a family Life**—Under **Article-16**, men and women of full age, without any discrimination of race, nationality or religion, have the right to marry and to found a family. All are entitled to equal rights as to marriage and its dissolution. It is also said that the marriage shall be entered into only with the free and full consent of the intending spouses. It is also accepted that the family is the natural and the fundamental group unit of the society and is entitled to protection by the society and the state.

**11. Right to freedom of thought and Expression**—Under **Article-19**, everybody is given the right to freedom of opinion and expression. This right also includes freedom to hold opinion without interference and seek, receive and impart information and ideas through any media and regardless of frontiers.

**12. Right to conscience and Religious Freedom**—Under **Article-18**, everyone has the right to religious freedom. 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.

**13. Right to freedom of peaceful assembly and Association**—Under **Article-20**, everybody is given the right to freedom of peaceful assembly and association. No one may be compelled to belong to any association against his wishes.

**14. Right to Education**—Under **Article-26**, everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be available and higher education shall be equally accessible to all on the basis of merit.

The purpose of the education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. 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.



## II. POLITICAL RIGHTS

The following Political Rights have been included in the Declaration of Human Rights :

**1. Right to Get Asylum**—Under **Article-14**, of Declaration of Human Rights, everybody has the right to seek and enjoy asylum in other countries because of the persecution in his own country. But this right is given only for political crimes and not to the persons who are involved in other criminal activities or are working against the principles and objectives of United Nations.

**2. Right to Nationality**— **Article-15**, of the Declaration of Human Rights provides to every one the right to nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

**3. Right to Vote**—Under **Article-21(3)**, the basis of the authority of the government shall be the will of the people and the people shall express their will from time to time through elections held on the basis of universal adult franchise. Everybody shall be given the right to vote without any discrimination of caste or religion or race etc.

**4. Right to take part in the Government**—Under **Article-21(1)**, everybody has the right to take part in the government of his country directly or through their representatives elected on the basis of universal adult franchise.

**5. Equal Right to acquire Public Office**—Through **Article-21 (2)** of the Declaration of Human Rights, everybody is given the equal right to acquire public office and no discrimination shall be made with anybody on the basis of his caste, religion, colour, race etc.

**6. Right to freedom of opinion and its Expression**— **Article-19** of the Declaration of Human Rights provides to everybody the right to freedom to hold his opinion and to express the same. In this connection, an individual is free to acquire any information through any source.

## III. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The following economical, social and cultural rights are included into the Declaration of Human Rights :

**1. Right to Property**—Under **Article-17**, everyone has the right to own property alone as well as in association with others. It is also said that no body shall be arbitrarily deprived of his property.

**2. Right to Work**—Under **Article-23 (2)**, everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

**3. Rights to get equal wages for the same Job**—Everyone without any discrimination has the right to equal pay for equal work.

**4. Right to just Remuneration**—Under **Article-23 (3)** of the Declaration of Human Rights, every individual has the right to get just and profitable remuneration.

**5. Right to Decent Standard of Life**—Under **Article-25** of the Declaration of Human Rights, every individual has the right to decent standard of life in which he gets sufficient to eat, clothes to wear, house to live, medical facilities and other essential social services.



**6. Right to form and to join Trade Unions**—Under **Article-23 (4)**, everyone has the right to form and to join trade unions for the protection of his interests.

**7. Right to Rest and Leisure**—Under **Article-24**, everyone has the right to rest and leisure including reasonable limitations of working hours and periodic holidays with pay.

**8. Right to Social Security**—Under **Article-22**, everyone has the right to a standard of living adequate life for the health and well being of himself and of his family, including food, clothing, housing and medical care and necessary social service, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or lack of livelihood in circumstances beyond his control.

**9. Special facilities for mothers and Children**—Under **Article-25**, motherhood and childhood are entitled to special care and assistance. All children whether born in or out of wedlock shall enjoy the same social protection.

**10. Right to participate in Cultural Life**—Under **Article-27**, everyone has the right freely to participate in the cultural life of the community to enjoy the art and to share in scientific advancement and its benefits. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production which he is the author.

**11. Right to social and international order for the enjoyment of Right**—Under **Article-28**, everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

### **SAFEGUARD OF HUMAN RIGHTS**

**Prohibition to Destroy These Rights**—**Article-30** of the Universal Declaration of Human Rights provides that, "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."

In brief, the Universal Declaration of Human Rights prohibits every state, human organisation, international organisation and individuals to do any act which is against or violates the human rights. The member states of United Nations are bound to respect the human rights and international public opinion and Human Rights Council work as watchdog of these rights.



## **IMPORTANCE OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS**

The adoption of the Universal Declaration of Human Rights is an important historical event. In the words of the chairperson of the Commission on Human Rights, **Mrs. F.D. Roosevelt**, "*This Declaration of Human Rights can take the form of an International Magna Carta of rights for all the men on this earth.*" It will also be proper to call this declaration an International Charter of Human Rights. The importance of this declaration can be divided into following headings—

**1. Essential for the all round development of Individual**—The rights included in the Universal Declaration of Human Rights are essential for the all round development of the personality of the individual. So the proper implementation and protection of these rights is essential.

**2. This Declaration is Universal in Nature**—This declaration is prepared by keeping in mind the interests of the people of this entire universe. The rights included into this declaration are given to all without making a discrimination on the basis of caste, colour, creed, race and religion etc so this declaration is really universal in nature.

**3. Creates awareness among the People**—The declaration of human rights has created an awareness among the people living in every corner of the world and the people who were denied these basic rights started fighting for getting these rights. Now they are fully aware of their rights and they are determined to get these.

**4. Rights are made the concern of International Community**—According to **Bilgrami**, the Universal Declaration of Human Rights and the literature published related to these rights has made these rights the concern of the entire world. Though in these days, the different states feel that the rights are an internal matter of each state, yet from the core of their heart, they feel that now these rights have become the concern of an international community.

**5. These are the guiding principles for different Nations**—After the adoption of the Universal Declaration of Human Rights by the General Assembly, the framers of the constitutions of the different states have given due place to these rights in their constitutions. So, these rights have become guiding principles for the different states and also the source of their inspiration.



**6. Essential to create an International society based on Justice**—In the present day International order, we find so many inequalities which are the cause of tensions in this world. To remove these tensions and to create a society based on justice, it is essential to implement the Universal Declaration of Human Rights.

**7. Measuring rods to judge the progress made by different States**—How much progress the different states have made to make the life of their citizens worth living, the Universal Declaration of Human Rights is a measuring rod to measure this. On the basis of the efforts made by different states to give practical shape to these rights, we can judge the seriousness of the concerned states in this direction. In the words of **Louis Henkin**, "*Whatever its legal quality, the Declaration has set the standard by which national behaviour can be measured and to which nations aspire.*"

**8. Influence of Declaration on International Covenants and Conventions**—The Universal Declaration of Human Rights has influenced almost all the international covenants and conventions adopted by the General Assembly after the adoption of this declaration. These rights have also influenced the other organs of the United Nations and its helping agencies. Through these international conventions and covenants, efforts have been made to stop genocide, apartheid, forced labour, Human trade, trade in human flesh and slavery etc. In the words of **Prof. Louis B. Sohn**, "*Declaration has become a part of constitutional law of the world community and together with the charter of United Nations. It has achieved a character of world law which is superior to all other international instruments and domestic laws.*"

According to **Jacob Blaustin**, "*The Declaration has acquired a political and moral authority which is unequalled by any other instrument with the exception of charter itself.*"

**9. Based on the Human Principles of Equality, Liberty and Fraternity**—The principle of liberty, equality and fraternity has been accepted by the people all over the world and it was the war cry of French Revolutionaries. After that this became the slogan of the people of all over the world and the Declaration of Human Rights have also given due recognition to these principles.

**10. Prohibition of Discrimination**—The rights included in the Declaration of Human Rights prohibit any discrimination on the basis of caste, colour, race and religion etc and propagate equal treatment with all the people of the world. With the proper implementation of these principles, the exploitation of the people being done on the basis of their caste, religion, colour and race etc would come to an end.

**11. Strengthens democratic order in the World**—In 20th and 21st century, the democracy is the most popular form of government. With the proper and honest implementation of the Declaration of Human Rights, the Democratic order will further get strengthened in the world.

**12. Make the State Governments Responsible**—The member states of the United Nations are bound to respect and enforce the rights included in the Universal Declaration of



Human Rights. **Article - 30** of the Universal Declaration of Human Rights provides that 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. So, proper provisions have been made in the Declaration of Human Rights for the protection of these.

**13. Create respect for Human Rights**—The Universal Declaration of Human Rights has created sense of respect for human rights in the international community. Whenever any violation of human rights takes place anywhere in the world, the international community governments of different countries and various NGOs raise their voice against it and because of this the incidents of the violation of human rights have decreased considerably. As a respect of human rights every year December 10 is celebrated as Human Rights Day by the international community.

In brief, we can say that the Universal Declaration of Human Rights works as a guide and watch-dog to ensure these rights at world level and first the Human Rights Commission and now Human Rights Council works as a light house to create awareness among the people about Human Rights.

## **CRITICISM OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS**

The different critics have given the following arguments against the Declaration of Human Rights:

**1. Against the principle of State Sovereignty**—We all know that every state is sovereign and is free from all types of internal and external limitations. But the Declaration of Human Rights is direction for the states which is against the principle of state sovereignty.

**2. Rights are Non-justiciable**—The rights included into the Declaration of Human Rights are non-justiciable because no individual can go to courts for the enforcement of these rights. This way these rights seem to be superfluous.

**3. Against the fundamental principles of United Nations**—The basic principle of United Nations is that it shall not interfere in the domestic affairs of any country. The Declaration of Human Rights is a direct interference in the domestic affairs of the states because rights are the internal matters of the states.

**4. These are not better than moral Principles**—The Universal Declaration of Human Rights is in no way better than the moral principles because to accept these or not to accept these is upto the wishes of the member states. From the experience we can say that the member states accept only those orders of the United Nations which are in their interests.

**5. No time limit to implement these Principles**—No time limit has been fixed for the proper implementation of the rights included into the declaration. Apart from this, we have seen that many states have violated and are violating these rights and the United Nations is a silent spectator to all this.



**6. Responsible for International Conflicts**—The Declaration of Human Rights is also responsible for international conflicts. U.S.A. is blaming the Soviet Bloc that in the countries of this bloc, the people are not being given civil and political rights. Opposite to it, Soviet Union is blaming the American Bloc that in these countries, no importance is being given to economic, social and cultural rights.

**7. No proper classification of these Rights**—No proper classification of the rights has been done and in the same article different rights have been included. This creates problem for a common man as he fails to understand these.

**8. Gap between Theory and Practice**—There is a wide gap between the theory and practice about the position of Human Rights in various countries of the world and on the basis of that we can simply say that no importance is given to Human Rights. Even today, in many countries of the world, inhuman treatment is done with the individuals. Besides this, many countries of the world are still victim of hunger and starvation and millions sleep empty stomach. Everyday millions of the people are dying because of the lack of medical care. In many countries terrorism is a great threat to the peace and stability and everyday the people are dying because of ethnic and religious clashes etc. In its report published in 1987, the **Amnesty International** had said that even today, there were many 'prisoners of conscience' which were languishing in jails for years and years on account of their opposition to the governments of time.

**9. No provision of Duties**—It is said in **Article-29 (i)** of the Declaration of Human Rights that, "*Every one has duties to the community in which alone the free and full development of his personality is possible.*" But what are those duties, there is no mention of these in the Charter of Human Rights. You are aware of the fact that rights have on importance without duties rather the rights inhere in the discharge of duties.

**Conclusion**—Above we have read in detail the Universal Declaration of Human Rights alongwith its criticism and importance. Though we accept that there is no supreme power behind these rights and to implement or not to implement these is upto the different states, yet in spite of this, we cannot ignore their importance. The real purpose of the declaration is to prepare public opinion in favour of the rights which are essential for the development of the individual and the United Nations is successful in this direction to a great extent. In this declaration, those rights are included which citizens of every nation should get as these are essential to lead a human life. So, we cannot ignore the rights.

The former Secretary General of the United Nations, **Mr. Javier Perez De Cuellar** while speaking on the Human Rights Day, December 10, 1987 said, "*A primary speaking on our endeavours during the year ahead should be to increase public knowledge of the provisions of the Declaration so that it permeates social and political awareness in all societies. We must also draw attention to the efforts of the United Nations to promote and encourage respect for human rights universally.*" To achieve this purpose, there is need to involve all individuals, groups, non-governmental organizations, the media, academic institutions and governmental agencies throughout the world. Along with development, peace and security,



the human rights have been accepted as the 'Third Pillar' of the United Nations and for their protection and proper implementation on June 19, 2006, an affective organization by the name of Human Rights Council has replaced the Human Rights Commission. It has further increased the effectiveness and importance of human rights.

## **ESSAY TYPE QUESTIONS**

1. Discuss the characteristics and kinds of the rights included in Declaration of Human Rights.
2. Make out a critical evaluation of the rights included in the Declaration of Human Rights. Discuss its significance. **(G.N.D.U. April, 2008)**
3. What do you mean by Universal Declaration of Human Rights? Write down the important provisions of this Declaration. **(P.U. April, 2009)**
4. Write down the importance of the rights included in the Declaration of Human Rights. **(G.N.D.U. II Sem. 2016)**
5. Make a brief evaluation of the United Nations' Universal Declaration of Human Rights. **(G.N.D.U. April, 2011)**
6. Give a brief account of U.N. Declaration of Human Rights. **(G.N.D.U. April, 1989, 2013)**
7. Discuss the U.N. Declaration of Human Rights. What is its significance ? **(P.U. April, 2010)**
8. What efforts have been made by the U.N. to implement Human Rights ?
9. Make an appraisal of Human Rights.
10. Which Political and Civil Rights have been accepted as universal by the Human Rights Commission of United Nations? What steps have been taken by the United Nations for the implementation of these rights?

