

# Recognizing Human Rights Day

10 December 2015

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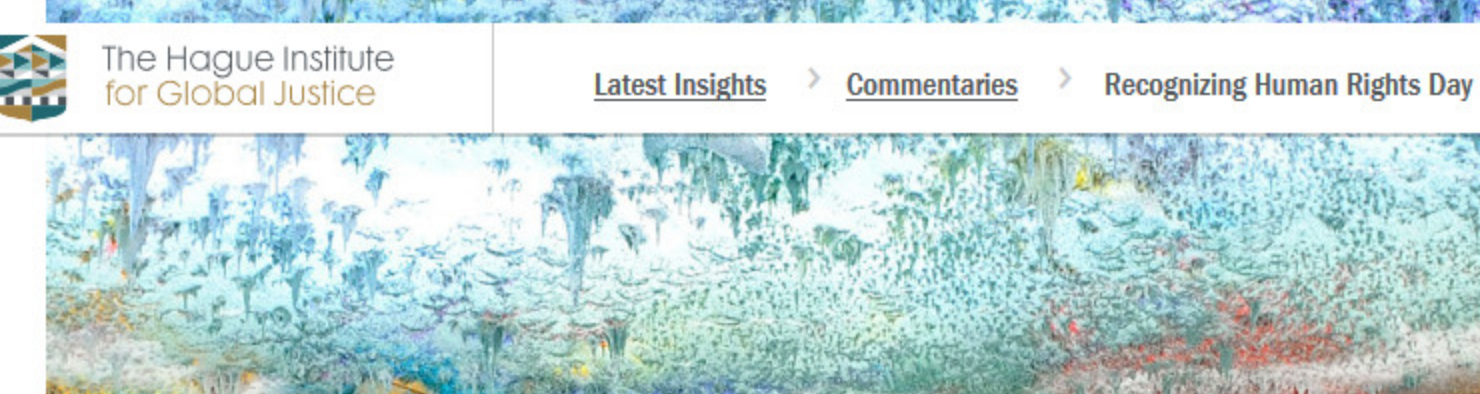
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## Leadership and Staff

An international organization with policy experts from around the globe.



Ceiling in the conference room of the UN Human Rights Council.

The Guinness Book of World Records certified on 1 January 2009 that the Universal Declaration of Human Rights was the world's most translated document, appearing in 370 languages and dialects. That number has surely grown since then!

On this day, 10 December, in the year 1948, just three years after the end of the Second World War, the United Nations General Assembly took the landmark step of adopting the Declaration. That document, although not legally binding, provides 'a common standard of achievement' which inspired the international community to develop, refine and implement human rights guarantees in the form of legally binding obligations upon UN Member States.

The Declaration was drafted by a committee of the UN Commission on Human Rights chaired by Eleanor Roosevelt (widow of the President of the United States), and the following eminent experts: René Cassin of France, Charles Malik of Lebanon, Peng Chung Chang of China, W. Hodgson of Australia, Hernán Santa Cruz of Chile, Alexander E. Bogomolov of the Union of Soviet Socialist Republics, and Charles Dukes of the United Kingdom of Great Britain and Northern Ireland. John P. Humphrey of Canada, who served as Director of the UN's Human Rights Division, played a principal role in actually drafting the text.

The first draft of the Declaration was tabled in September 1948 and by the time of its adoption, more than 50 UN Member States had taken part in finalizing it. One could say that since 1948, the Declaration has swept the world up in its far-sighted vision for all of humanity.

### Why is the Universal Declaration of Human Rights So Important and What Does it Say?

It is a remarkably brief document – just 30 articles long – that sets out the basic human rights and fundamental freedoms of every human being.

The Declaration's preamble refers to 'the inherent dignity and of the equal and inalienable rights of all members of the human family' as the 'foundation of freedom, justice and peace in the world'. Evoking the horrors of World War II, the Declaration avers that '... 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'. It reaffirms the UN Charters expression of 'faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women' towards 'social progress and better standards of life in larger freedom'.

The Universal Declaration goes on to list, without much detail or definition, the principle of non-discrimination, right to life, liberty and security of person, right not be enslaved, right not to be tortured, right to be recognized as a legal person, right to an effective remedy, and many other civil and political rights, as well as economic, social and cultural rights, such as the right to education, the right to health, the right to social security, that many of us today take for granted.

The Declaration's adoption represents the first time that the international community reached agreement on a text identifying which rights and freedoms should be considered to constitute 'human rights' in the sense of embracing values core to each and every persons existence simply by virtue of that person being human. That was in itself a remarkable achievement given the global community's tremendous diversity of cultures, languages, religions, beliefs, histories, and legal and political traditions, spread across continents and thousands of peoples.

Once the Universal Declaration laid the foundations for international agreement on the catalogue of human rights, the international community then filled in the details over the decades since then to elaborate a series of multilateral human rights treaties on matters of most pressing concern, namely: racial discrimination; civil and political rights; economic, social and cultural rights; discrimination against women; torture, rights of the child; protection of migrant workers; rights of persons with disabilities; and protection of persons from enforced disappearance. These treaties are not merely words on paper. The multilateral human rights treaties set up mechanisms to monitor a State Party's compliance with its international treaty obligations, hear from the State as well as from other stakeholders on measures it has taken to bring its policies, laws and practices into line with international human rights law, review the challenges that remain, and develop recommendations on how to improve.

The UN human rights system also features the UN Human Rights Council of 47 Member States which investigates and reviews the human rights situation in any country, or anywhere according to a particular theme. That body can appoint a 'special rapporteur', 'independent expert', 'special representative' or 'commission of inquiry' to focus on urgent human rights situations or other issues which the international community considers should be addressed with high priority. In addition, the UN Human Rights Council's Universal Periodic Review works constructively with each UN Member State, other UN human rights bodies, national human rights commissions, and human rights NGOs and other stakeholders, to study the country's human rights situation every four years, make recommendations, and check the degree to which those recommendations have been implemented.

### The Impact of International Human Rights Law on Domestic Jurisdictions

The words of the Universal Declaration might have had little impact were it not for the fact that so many countries around the world have incorporated language from the Declaration into their Constitutions, laws and policies. This, together with the elaboration of international human rights treaties that have been widely signed and ratified by the vast majority of UN Member States, and implemented within countries, has resulted in greater alignment of country practices towards much greater human rights promotion and protection. Key to the translation of international human rights law into domestic implementation has been an impressive rise in the establishment and operation of independent national human rights institutions in so many countries the world over.

### Challenges Remain

At a deeper level, the adoption of the Universal Declaration of Human Rights on 10 December 1948 substantially advanced the development of a human rights culture around the globe that helps people everywhere to understand better that protection of human dignity is a matter of legal rights and obligations, not just concepts, ideas or ideologies, and to claim these rights in practice.

There is however push-back from some of the world's authoritarian regimes which worry that their tenacious hold on power could be threatened by the revolutionary words of the Declaration that explicitly recognize every individual's rights against the power of Government, and which demand democratic governance and the rule of law.

Moreover, serious human rights violations continue apace in countries the world over, particularly in armed conflict situations, and the list of victims of unbridled violence grows longer by the day. Ultimately, the true test of the success of the international human rights movement, a movement in which the Universal Declaration's adoption was a turning point, is the degree to which all human rights of everyone are promoted and protected everywhere, and on that score, there remains much work to be done!