

Human Rights Background

Definition

The basic rights and freedoms that all people are entitled to regardless of nationality, gender, national or ethnic origin, race, religion, language or other status. These human rights are protected in national and international law.

Historical

The foundations of human rights can be traced back through Magna Carta and the American and French Revolutions, and the 18th century philosophers of the Enlightenment. They were formalised and refined in the 20th century following two devastating world wars and the atrocities of the holocaust.

Geneva Convention (1864 – 1949)

The treaties of the Geneva Convention are the result of the efforts of Henri Dunant, the founder of the International Committee of the Red Cross, to safeguard the human rights of individuals involved in armed conflict. They were revised and readopted in 1949. The revisions cover the use of chemical and biological weapons, and anti-personnel mines. The rules prohibit, for example, the use of torture or degrading treatment, killing or injuring an enemy who surrenders and attacking the civilian population.

Universal Declaration of Human Rights 1948

Adopted in Paris by the United Nations General Assembly. Since 1948, numerous other treaties have been added. These provide protection notably against all forms of racial discrimination and discrimination against women, and against torture. They also protect the rights of children, people with disabilities and migrant workers.

European Convention on Human Rights 1953

International Treaty to protect human rights and fundamental freedoms in Europe. Drafted by the Council of Europe All member states are party to the convention.

The Council of Europe 1949 was founded in Strasbourg to promote cooperation between all countries of Europe in areas of human rights, legal standards, the rule of law, democratic development and culture. The Council cannot make binding laws. There are 47 member states. (It is a totally separate body from the EU.)

European Court of Human Rights

Set up in 1959 in Strasbourg. It rules on violations of the civil and political rights set out in the European Convention of Human Rights. The President of the Court is Sir Nicolas Bratza UK.

http://www.echr.coe.int/ECHR/homepage_en



This court is not to be confused with the Court of Justice of the European Union in Luxembourg which deals with the application of EU law, not human rights; nor with the International Court of Justice in The Hague, a UN organisation which deals with disputes between member countries.

UK Human Rights Act 1998

Gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights.

EU Charter of Fundamental Rights

Came into force with Lisbon Treaty December 2009. Sets out civil, political, economic and social rights of all citizens and residents in the EU.