

International human rights law

Published: 1 Jan 2011

Over the years, states have created an extensive array of international conventions, declarations, and organizational frameworks to protect human rights. These conventions reflect the human rights norms that the signatory states undertake to meet and guarantee. In America, Europe, and Africa, states established separate regional systems to promote and protect human rights. In this context, the states formulated human rights declarations and conventions and established enforcement mechanisms.

The primary international human rights instruments that were adopted by the UN and achieved major status in international law are the [Universal Declaration of Human Rights](#) [1] of 1948, the [International Covenant on Civil and Political Rights](#) [2] of 1966, and the [International Covenant on Economic, Social and Cultural Rights](#) [3], also of 1966. These three documents jointly comprise what is called the "International Bill of Rights."

The Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights, without distinction of any kind. In addition, the Universal Declaration proclaims the right to life, liberty and security of person. Slavery and servitude are forbidden, as are torture, cruel, inhuman, or degrading treatment or punishment, and arbitrary arrest. According to the Universal Declaration, everyone has the right to recognition everywhere as a person before the law, the right to equal protection of the law, the right to a fair and public hearing before an impartial tribunal, the right to found a family without any limitation due to race, nationality, or religion, and freedom of conscience, thought, and religion. The Universal Declaration also states that all persons have the right to social security, just conditions at work, and an adequate standard of living for the individual and his or her family.

The two covenants of 1966 reemphasized the duty and obligations of states to promote human rights. They added two collective rights: the right of peoples to self-determination, and the right to freely dispose of their natural resources. In addition, the covenants delineate the rights relevant to the particular covenant.

Other international human rights conventions include, among others, the [International Convention on the Elimination of All Forms of Racial Discrimination](#) [4] of 1965, the [Convention on the Elimination of All Forms of Discrimination against Women](#) [5] of 1979, the [Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) [6] of 1984, the [Convention on the Rights of the Child](#) [7] of 1989, and the [International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families](#) [8] of 1990.

It is important to note that the drafters of international human rights law related to situations in which states are faced with an emergency or with security instability, stating that, in such situations, the states may derogate from some of their obligations. However, the conventions establish the conditions under which the state may argue that such a condition exists, and then, too, there are some rights that states are not allowed to limit. For example, the Covenant on Civil and Political Rights provides that states may, "in time of public emergency which threatens the life of the nation," take measures derogating from their obligations under the Covenant to the extent strictly required by the exigencies of the situation. The measures taken must not involve discrimination solely on the ground of race, color, sex, language, religion, or social origin, or be inconsistent with their other obligations under international law. Whenever a state avails itself of the right of derogation, it must immediately inform the other signatory states. However, even when all these conditions are met, the state may not derogate from its obligations to ensure the right to life, the right not to be subject to torture or cruel, inhuman, or degrading treatment or punishment, the right not to be enslaved, and other rights. Also, states may not deny in any situation the right of a person to be considered a person before the law, or the freedom of conscience, thought, and religion.

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