

**LL.B (HONS) SEMESTER-IV
HUMAN RIGHTS LAW AND PRACTICE**

UNIT - I : CONCEPT

- | |
|--|
| 1. Historical Development and concept of Human Right |
| 2. Human Right in India ancient, medieval and modern concept of rights |
| 3. Human Right in Western tradition |
| 4. Concept of natural law and natural rights |
| 5. Human Right in legal tradition: International Law and National Law |
| 6. UN and Human Rights |
| 7. Universal Declaration of Human Rights (1980)- individual and group rights |
| 8. Covenant on political and Civil Rights (1966) |

MEANING OF HUMAN RIGHTS

Human beings are rational beings. They by virtue of their being human possess certain basic, inherent and inalienable rights which are commonly known as **human rights**. Human Rights are defined as all those rights which are essential for the protection and maintenance of dignity of individuals and create conditions in which every human being can develop his personality to the fullest extent. Human rights become operative with the birth of an individual. These are moral claims which are inalienable and inherent in all individuals by virtue of their humanity alone, irrespective of caste, colour, creed, and place of birth, sex, cultural difference or any other consideration. Because of their immense significance to human beings, human rights are also sometimes referred to as **fundamental rights**, **basic rights**, **inherent rights**, **natural rights** and **birth rights**. They are not created by any legislature through legislation and are not subject to amendment.

DEFINITION OF HUMAN RIGHTS

Dr. Justice Durga Das Basu defines -

"Human rights are those minimal rights, which every individual must have against the State, or other public authority, by virtue of his being a 'member of human family' irrespective of any consideration."

The Universal Declaration of Human Rights (UDHR), 1948, defines human rights as -

"Rights derived from the inherent dignity of the human person."

Research Paper On Human Rights

**Aoife Nolan, Rory O'Connell, Colin
Harvey**



Research Paper On Human Rights:

Research Handbook on Human Rights and Poverty Martha F. Davis, Morten Kjaerum, Amanda Lyons, 2021-03-26 This important Research Handbook explores the nexus between human rights poverty and inequality as a critical lens for understanding and addressing key challenges of the coming decades including the objectives set out in the Sustainable Development Goals The Research Handbook starts from the premise that poverty is not solely an issue of minimum income and explores the profound ways that deprivation and distributive inequality of power and capability relate to economic social cultural civil and political rights

Research Handbook on Human Rights and Business Surya Deva, David Birchall, 2020-07-31 This authoritative Research Handbook brings together leading international scholars and practitioners to provide in depth analysis of some of the most hotly debated topics and issues concerning the interface of human rights and business Offering critical insights on prominent strands of research within the field of business and human rights this comprehensive Research Handbook examines key challenges and potential solutions in the field

Research Handbook on the Politics of Human Rights Law Bård A. Andreassen, 2023-01-20 International human rights law is undoubtedly intertwined with politics and so this Research Handbook explores and provokes reflection on how politics impacts human rights legislation and conversely how human rights law shapes politics and the functioning of the state Bringing together leading international scholars in human rights law and politics the Research Handbook provides theoretical reflections and empirical analyses across the areas of governance and policies and examines the implementation mechanisms of human rights law in national and international jurisdictions

Encyclopedia of Human Rights Edward H. Lawson, 1996 Preface to the first edition

Human Rights and Islam Abdullah Saeed, 2018-04-27 Is there a basis for human rights in Islam Beginning with an exploration of what rights are and how the human rights discourse developed Abdullah Saeed explores the resources that exist within Islamic tradition He looks at those that are compatible with international human rights law and can be garnered to promote and protect human rights in Muslim majority states A number of rights are given specific focus including the rights of women and children freedom of expression and religion as well as jihad and the laws of war Human Rights and Islam emphasises the need for Muslims to rethink problematic areas of Islamic thought that are difficult to reconcile with contemporary conceptions of human rights

The United Nations and Human Rights Julie A Mertus, Julie Mertus, 2010-04-05 The fully revised and updated second edition not only provides a complete guide to the development structure and procedures within the UN human rights system but also this reflects the vital changes that have occurred within the UN system

Human Rights Litigation Against Multinationals in Practice Richard Meeran, Jahan Meeran, 2021 This edited collection provides a thorough review of multinational human rights litigation from some of the top practitioners in the field It provides useful guidance on the relevant laws procedures and practical considerations for such litigation in a number of legal systems including the UK US South Africa and Australia

Handbook on Human Rights in China Sarah

Biddulph, Joshua Rosenzweig, 2019 This Handbook gives a wide ranging account of the theory and practice of human rights in China viewed against international standards and China's international engagements around human rights The Handbook is organised into the following sections contested meanings international dimensions economic and social rights civil and political rights rights in action and access to justice political dimensions of human rights in Greater China and new frontiers

Research Handbook on Labour, Business and Human Rights Law Janice R. Bellace, Beryl ter Haar, 2019 Inquisitive and diverse this innovative Research Handbook explores the ways in which human rights apply to people at work through national constitutional provisions judicial decisions and the application of rights expressed in supranational instruments Key topics include evaluation of the role of the ILO in developing and promoting internationally recognized labour rights and the examination of the meaning of the obligation of business to respect human rights considering the evolution from international soft law to incorporation in codes of conduct and the emerging requirement of due diligence **A Global**

Handbook on National Human Rights Protection Systems Bertrand G. Ramcharan, Gianni Magazzeni, Mona M'Bikay, Inès French, 2023-09-29 The human rights movement strives to develop a universal culture of human rights in all societies as well as to confront gross violations This book the first ever of its kind is a veritable State of the World Report on Human Rights It reproduces summaries by UN High Commissioners for Human Rights on the state of the national human rights protection systems of each UN Member State These summaries were sent following each state's passage through the Universal Periodic Review UPR process of the UN Human Rights Council The summaries identify each state's constitutional legal judicial and institutional architecture international conventions not yet ratified areas of progress problem areas and problems affecting different parts of the population The High Commissioners summaries reproduced here are preceded by insightful reflections on the concept of a national human rights protection system and by regional outlines of national human rights protection systems in the Americas and the Caribbean Europe Africa Asia and the Pacific The book also contains some case studies of the national human rights protection systems of sample states such as Australia Bhutan Brazil Canada Democratic Republic of the Congo Guyana Portugal Switzerland Sweden and South Africa **The Incoherence of Human**

Rights in International Law Louisa Ashley, Nicolette Butler, 2024-09-02 Incoherence is a term that is all too often associated with the public international law regime To a great extent its incoherence is arguably a natural consequence of the fragmented nature of both the development and overall scope of the discipline Despite significant achievements since the Universal Declaration of Human Rights 1948 a coherent human rights regime that is properly integrated with other branches of public international law is still lacking This book explores this incoherent approach to human rights including specific challenges that arise as a result of the creation and regulation of legal relationships between parties state and non state that sit outside of the human rights framework with a view to considering how it may be remedied Divided into three parts the collection provides a critical exploration of various challenges and barriers related to the absence of human rights in some

instances contemporary emergence of rights and a lack of rights fulfilment in others These three situations are considered within the wider context of and difficulties facing a human rights based approach to international law Each of the three parts aligns with one of the three prime responsibilities and duties of states in respect of international human rights to promote to protect and to fulfil The contributions represent different perspectives in international law and human rights and how the global agenda of promoting human rights the rules based international order and multilateralism requires further strengthening the lens of incoherence providing a means to understand particular inconsistencies Chapters focus upon subjects including international investment law international financial contracts the arms trade indigenous peoples rights rights of peasants the right to a clean healthy and sustainable environment the right to food and transitional justice Presenting a critical exploration of key contemporary challenges and the implementation of human rights law in different contexts the collection will be of interest to a wide ranging audience of international law and international relations scholars and practitioners and students of law politics and globalisation across the world

Research Handbook on Law, Society and Ageing Sue Westwood, Nancy J. Knauer, 2024-08-06 In an era where the population is rapidly ageing this timely Research Handbook addresses the wide ranging social and legal issues concerning older people

Trauma and Human Rights Lisa D. Butler, Filomena M. Critelli, Janice Carello, 2019-07-17 Human rights violations and traumatic events often come in the lives of victims experiences however the human rights framework and trauma theory are rarely deployed together to illuminate such experiences This edited volume explores the intersection of trauma and human rights by presenting the development and current status of each of these frameworks examining traumatic experiences and human rights violations across a range of populations and describing efforts to remediate them Individual chapters address these topics among Native Americans African Americans children women lesbian gay bisexual transgender individuals those with mental disabilities refugees and asylees and older adults and also in the context of social policy and truth and reconciliation commissions The authors demonstrate that the trauma and human rights frameworks each contribute invaluable and complementary insights and that their integration can help us fully appreciate and address human suffering at both individual and collective levels

Research in Multidisciplinary Subjects (Volume-10) Chief Editor- Biplab Auddya, Editor- Dr. Narsingh Pimparne, Laila Subba, Natasha Lama, Dr. Nehal Ahmad Ansari, Dr. Dharmasoth Rama Devi, 2023-11-28

Human Rights and Public Finance Aoife Nolan, Rory O'Connell, Colin Harvey, 2013-10-21 This edited collection addresses some of the most important challenges in contemporary human rights law and practice Its central theme is the linkage between public finance particularly budget decisions and the realisation or not of economic and social rights While much academic and political debate on economic and social rights implementation has focused on the role of the courts this work places the spotlight squarely on those organs of government that have the primary responsibility and the greatest capacity for giving effect to such rights namely the elected branches of government The major actors considered in this book are politicians public

servants and civil society with their role in realising economic and social rights the work's key focus The book thus makes a crucial contribution to remedying the current imbalance in attention paid by economic and social rights scholars to the legislature and executive vis a vis the judiciary Featuring pioneering work by leading experts in the field of human rights and public finance this multidisciplinary collection will be of great interest to academics practitioners public servants and students working in the areas of law human rights economics development and political science Corporate Social Responsibility - Sustainable Business Rae Lindsay, Roger Martella, 2020-06-17 In a dramatic departure from its voluntary origins corporate social responsibility CSR is rapidly shifting to hold multinational companies accountable for more than traditional shareholder performance This CSR movement is embracing new environmental social and governance ESG frameworks that both promote global sustainability goals and enhance accountability for negative impacts businesses can have on planet and people This collection of essays by leading businesspeople international civil servants legal practitioners academics and other experts offers a forward looking and pragmatic perspective that illuminates the major themes in this movement towards increasingly sustainable transparent and accountable business practices The collection shows how CSR has evolved to account for societal pressures environmental climate change and human rights impacts international policy imperatives and the practical challenges of regulating commercial activity that transcends borders The chapters offer an in depth examination of current issues including international frameworks and multistakeholder initiatives catalysing foundational change the shifting emphasis on corporate imperatives to avoid harm to third parties trends in CSR focused on assuring the planet's future sustainability and social stability regulatory initiatives around the globe including Europe North America Asia and Africa and extended accountability for activities of corporate group members and supply chains The pressure and business case for companies to incorporate CSR into corporate governance is intensifying with each quarter shareholder meeting and regulatory agenda The integration of CSR and new ESG frameworks into multinational corporate strategy and operations is key to sustainable business models that can generate long term value for the organization and all stakeholders Their acceptance as cornerstones of 21st century business practice appears inevitable Taking full account of the imperative for companies and their lawyers to grapple with the practical and legal challenges in this area this volume is an invaluable and pragmatic addition to the practitioners toolbox at this important juncture in an ever more dynamic field

The Challenge of Conflict Ustinia Dolgopol, Judith Gail Gardam, 2006 This collection is an integrated body of essays that provides a comprehensive range of viewpoints on how international legal and political mechanisms can address the catastrophic consequences of deadly conflict in today's world The authors are drawn from a diverse range of disciplines encompassing law peace studies international relations and criminal justice and include judges members of the military academics United Nations personnel and representatives of non government organisations *Integrating Sustainable Development Into International Investment Agreements* John Anthony VanDuzer, Penelope Simons, Graham Mayeda, 2013 This

guide is designed to assist developing countries to negotiate International Investment Agreements IIAs that are more effective in promoting their sustainable development The book is a useful reference tool for developing country negotiators and interested parties

The Greek-Turkish Relationship and NATO Fotios Moustakis, 2003 This publication shows that the Eastern Mediterranean having been transformed from a region of secondary importance during the Cold War to one of greater importance for the western interests in the post Cold War era is in a state of flux Despite sporadic periods of rapprochement tensions between Greece and Turkey still exist Therefore one must question the grounds behind the lack of normal relations that exist between these two NATO members and its effects on the NATO organisation as a whole Hence this volume has two purposes first to examine Greek and Turkish foreign security and defence policies during and after the post Cold War period and second to investigate why these policies have been formulated

Health Law, Human Rights and the Biomedicine Convention Gevers, Ewoud Hondius, Joep Hubben, 2006-01-01 In 1997 the Council of Europe established the Convention on Human Rights and Biomedicine It is generally regarded as an important addition to the general human rights laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms 1950 in particular with a view to the developments in modern biology and medicine The Biomedicine Convention which entered into force in 2000 is a framework treaty meaning that a number of issues have to be dealt with or will be elaborated in additional Protocols at this moment three such Protocols have already been opened for signature This volume of essays written in honour of Henriette Roscam Abbing upon her retirement as Professor of Health Law at the University of Utrecht gives an overview of some of the most important issues raised by the Convention In six parts this volume discusses the basic concepts and leading principles the provision of services the rights of patients research human tissue and genetics and the implementation of the Convention

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