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Global Certificate Course in Risk Assessment for Human Rights

# International Human Rights Frameworks

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## International Human Rights Frameworks

The international human rights framework is a set of standards, laws, and mechanisms designed to protect and promote human rights at the global level. These frameworks provide a universal set of principles that apply to all individuals regardless of their nationality, ethnicity, or any other characteristic. International human rights law is binding on states that have ratified relevant treaties and agreements, and it sets out the rights that individuals are entitled to and the obligations of states to protect and uphold these rights.

### Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights (UDHR) is a foundational document in the international human rights framework. Adopted by the United Nations General Assembly in 1948, the UDHR sets out a common standard of rights that all people are entitled to, including civil, political, economic, social, and cultural rights. While the UDHR is not a legally binding treaty, it has served as the basis for the development of other human rights instruments and is widely considered to be customary international law.

### International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights (ICCPR) is one of the core international human rights treaties. Adopted in 1966, the ICCPR recognizes and protects a range of civil and political rights, such as the right to life, freedom of speech, freedom of religion, and the right to a fair trial. States that are party to the ICCPR are legally bound to respect, protect, and fulfill these rights for all individuals within their jurisdiction.

### International Covenant on Economic, Social and Cultural Rights (ICESCR)

The International Covenant on Economic, Social and Cultural Rights (ICESCR) complements the ICCPR by recognizing and protecting economic, social, and cultural rights. Adopted in 1966, the ICESCR includes rights such as the right to work, the right to education, the right to health, and the right to an adequate standard of living. States that are party to the ICESCR are obligated to take steps to progressively realize these rights to the maximum of their available resources.

### International Bill of Human Rights

The International Bill of Human Rights is a collective term that refers to the UDHR, the ICCPR, and the ICESCR. Together, these three documents form the core of the international human rights framework and provide a comprehensive set of rights that cover civil, political, economic, social, and cultural aspects of human rights. The International Bill of Human Rights represents a global commitment to upholding the dignity and worth of every individual and ensuring that all people can enjoy their fundamental rights and freedoms.

### Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international treaty that aims to eliminate discrimination against women in all areas of life. Adopted in 1979, CEDAW recognizes that women are entitled to the same rights as men and obligates states parties to take measures to ensure gender equality and protect women's rights. CEDAW covers a wide range of issues, including education, employment, health, and political participation.

### Convention on the Rights of the Child (CRC)

The Convention on the Rights of the Child (CRC) is a landmark treaty that sets out the civil, political, economic, social, and cultural rights of children. Adopted in 1989, the CRC recognizes that children are entitled to special protection and care and that their best interests should be a primary consideration in all actions concerning them. States parties to the CRC are required to take measures to ensure that children can enjoy their rights and develop to their full potential.

### International Labour Organization (ILO) Conventions

The International Labour Organization (ILO) is a specialized agency of the United Nations that sets international labor standards and promotes decent work for all. The ILO has adopted a number of conventions that address various aspects of labor rights, including freedom of association, the right to collective bargaining, and the prohibition of forced labor and child labor. States that ratify ILO conventions are bound to implement the provisions of these conventions in their national laws and practices.

### United Nations Guiding Principles on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights (UNGPs) are a set of guidelines that outline the responsibilities of states and businesses in relation to human rights. Endorsed by the UN Human Rights Council in 2011, the UNGPs are based on three pillars: the state duty to protect human rights, the corporate responsibility to respect human rights, and the need for access to remedy for victims of human rights abuses. The UNGPs provide a framework for preventing and addressing human rights violations in the context of business activities.

### International Criminal Court (ICC)

The International Criminal Court (ICC) is a permanent international tribunal established to prosecute individuals for the most serious crimes of international concern, such as genocide, war crimes, and crimes against humanity. The ICC operates on the principle of complementarity, meaning that it can only intervene when national authorities are unwilling or unable to prosecute such crimes. The ICC plays a crucial role in holding perpetrators of human rights abuses accountable and ensuring justice for victims.

### Human Rights Defenders

Human rights defenders are individuals or groups who work to promote and protect human rights through peaceful means. Human rights defenders play a vital role in monitoring human rights violations, advocating for policy change, providing support to victims, and raising awareness about human rights issues. However,

human rights defenders often face risks and challenges, including harassment, intimidation, violence, and legal persecution, for their work. It is essential to recognize and support the important contribution of human rights defenders to the promotion and protection of human rights.

### Right to Development

The right to development is a collective human right that encompasses economic, social, cultural, and political dimensions. Recognized in the Declaration on the Right to Development adopted by the UN General Assembly in 1986, the right to development emphasizes the importance of sustainable development, poverty eradication, and the equitable distribution of resources. States have an obligation to create conditions that enable individuals and communities to participate in and benefit from development processes and to ensure that development is inclusive, participatory, and respectful of human rights.

### Human Rights-Based Approach (HRBA)

A human rights-based approach (HRBA) is a way of designing and implementing policies, programs, and projects that are based on human rights principles and standards. HRBA emphasizes the importance of ensuring that all individuals can enjoy their human rights and that development processes are inclusive, participatory, and empowering. Key elements of HRBA include non-discrimination, participation, accountability, transparency, and empowerment. By incorporating a human rights perspective into their work, states, organizations, and other actors can contribute to the realization of human rights for all.

### Inter-American Human Rights System

The Inter-American Human Rights System is a regional human rights framework that operates within the framework of the Organization of American States (OAS). The system includes the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights, which are responsible for promoting and protecting human rights in the Americas. Individuals and groups can submit complaints of human rights violations to the IACHR, which can issue recommendations and reports on human rights issues. The Inter-American Court of Human Rights can hear cases brought against states parties to the American Convention on Human Rights.

### African Human Rights System

The African human rights system is a regional human rights framework that operates within the African Union (AU). The system includes the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights, which are responsible for promoting and protecting human rights in Africa. The African Commission can receive complaints of human rights violations from individuals and groups and issue recommendations to states parties to the African Charter on Human and Peoples' Rights. The African Court can hear cases brought against states parties to the Protocol to the African Charter on Human and Peoples' Rights.

### European Human Rights System

The European human rights system is a regional human rights framework that operates within the Council

of Europe. The system includes the European Court of Human Rights, which is responsible for interpreting and enforcing the European Convention on Human Rights. Individuals and groups can bring cases of human rights violations against states parties to the European Convention to the European Court, which can issue judgments on the compatibility of state actions with the Convention. The European human rights system plays a crucial role in protecting human rights in Europe and ensuring accountability for violations.

### Challenges in Implementing International Human Rights Frameworks

While international human rights frameworks provide a comprehensive set of standards and mechanisms for promoting and protecting human rights, there are several challenges in their implementation. One of the main challenges is the lack of political will among states to respect and uphold human rights, leading to impunity for perpetrators of human rights abuses. Another challenge is the gap between international human rights standards and national laws and practices, which can hinder the effective realization of rights on the ground. Additionally, there are challenges related to resource constraints, institutional capacity, and the need for greater awareness and understanding of human rights among all stakeholders. Overcoming these challenges requires sustained efforts by states, civil society, international organizations, and other actors to ensure that human rights are respected, protected, and fulfilled for all individuals.