

SUBJECT PAPER: THEORY AND PRACTICE OF HUMAN RIGHTS

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APPROACHES TO THE STUDY OF HUMAN RIGHTS

A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights.

Due to the lacunae between legal obligations to human rights and the actual situation, monitoring is an essential component of the international and national human rights system as it illuminates the situation of human rights commitments and ensures the relevancy of instruments. But how is monitoring carried out? The article explores monitoring in relation to the rights of the child and presents analysis about how actors interpret and execute monitoring and the significance of different approaches. Due to actors' different considerations of child rights in the process, an essential distinction is made between two approaches to monitoring, which are defined as 'linear' and 'circular'. The influence of these approaches upon monitoring is discussed in relation to: the untangling of rights; tool use; and limiting the process. The paper demonstrates that monitoring is complex with numerous issues and significant choices to be made that determine the value of various contributions.

CLASSIFICATION OF HUMAN RIGHTS

Human rights can be broadly classified on five bases.

They are:

Civil Human Rights

Political Human Rights

Economic Human Rights

Social and Cultural Human Rights

Development Oriented Human Rights

UNIVERSAL DECLARATION OF HUMAN RIGHTS

1. We Are All Born Free & Equal.

2. Don't Discriminate.
3. The Right to Life.
4. No Slavery.
5. No Torture.
6. Nobody has any right to hurt us or to torture us.
7. We're All Equal Before the Law.
8. Your Human Rights Are Protected by Law.
- 9 . No Unfair Detainment.
- 10 . The Right to Trial.
11. We're Always Innocent Till Proven Guilty.
12. The Right to Privacy.
13. Freedom to Move.
14. The Right to Seek a Safe Place to Live.
15. Right to a Nationality.
16. Marriage and Family.
17. The Right to Your Own Things.
18. Freedom of Thought.
19. Freedom of Expression.
20. The Right to Public Assembly.
21. The Right to Democracy.
22. Social Security.
23. Workers' Rights.
24. The Right to Play.
25. Food and Shelter for All.
26. The Right to Education.
27. Copyright.
28. A Fair and Free World.
- 29 . Responsibility.
30. No One Can Take Away Your Human Rights.

THREE GENERATIONS OF RIGHTS

In 1979, Czech jurist Karel Vasak introduced 3 different categories of human rights. His theory was based on the 3 tenets of the French Revolution. These are liberty, equality, and

fraternity. As such, he divided human rights in civil-political, socio-economic, and collective-developmental rights.

The first category of rights is rather individualistic. Civil-political rights essentially protect the individual from the state. You might hear them referred to as “blue rights.” Additionally, they are “negative” in nature. This means that in order to implement them, the government simply has to refrain from infringing upon them.

The second generation of rights speaks to socio-economic aspects. Often, we call them “red rights.” What strongly differentiates them from blue rights is their “positive” nature. In order to ensure these rights are protected, the government must fulfill them. In essence, socio-economic rights seek to guarantee equal conditions and treatment for all people.

The third and final generation of rights is collective-developmental. While you will find these types of rights mentioned in many documents, they are frequently contested. Many refer to collective-developmental rights as aspirational or soft law. Additionally, they often do not carry official legal status.

CIVIL, POLITICAL AND ECONOMIC RIGHTS

Civil and political rights are the rights that generally restrict the powers of the government in respect of actions affecting the individual and his or her autonomy (civil rights), and confer an opportunity upon people to contribute to the determination of laws and participate in government

Economic, social, and cultural rights include the human right to work, the right to an adequate standard of living, including food, clothing, and housing, the right to physical and mental health, the right to social security, the right to a healthy environment, and the right to education.

Economic and social rights are human rights that relate to our ability to live in dignity and participate fully in our society. They include rights related to the workplace, social security, and access to housing, food, water, health care and education.