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Violation of Human Rights Still Goes on...

By Dr. Eugene D'Souza, Mumbai

Dec 10, 2009

Every year on 10th December, Human Rights Day is observed throughout the world. It was on this day in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. This has become a universal standard for defending and promoting human rights. Every year on 10th December, Human Rights Day marks the adoption of the Universal Declaration OF Human Rights with the central principle that "All human beings are born with equal and inalienable rights and fundamental freedoms". Since its adoption in 1948, the Declaration has been and continues to be a source of inspiration for national and international efforts to promote and protect human rights and fundamental freedoms. However, in spite of the efforts of the United Nations and various international Human Rights watch forums and organizations, violation of Human Rights still goes on in different parts of the world.



The objective of the 30-article Universal Declaration of Human Rights is to promote and encourage respect for human rights and fundamental freedoms. The declaration proclaims the personal, civil, political, economic, social, and cultural rights of humans, which are limited only by recognition for the rights and freedoms of others and the requirements of morality, public order, and general welfare. The universal character of the Declaration can be understood by the fact that almost all its articles start with the word 'Every one' or 'No one' or 'Men and Women'. It shows that every human being is entitled to enjoy the human rights irrespective of their race, religion, region or gender.

Among the rights cited by the Declaration are the rights to life, liberty, and security of person; to freedom from arbitrary arrest; to a fair trial; to be presumed innocent until proved guilty; to freedom from interference with the privacy of one's home and correspondence; to freedom of movement and residence; to asylum, nationality, and ownership of property; to freedom of thought, conscience, religion, opinion, and expression; to association, peaceful assembly, and participation in government; to social security, work, rest, and a standard of living adequate for health and well-being; to education; and to participation in the social life of one's community. The Declaration was conceived as the first part of an international Bill of Rights. The UN Commission on Human Rights directed its efforts to the incorporation of the main principles of the Declaration into various international agreements.

The chief focus of the Human Rights Day-2009 is on Non-discrimination. The first few famous words of the Universal Declaration of Human Rights established 60 years ago, "All human beings are born free and equal in dignity and rights" form the basic premise of international human rights law. Yet today, the fight against discrimination remains a daily struggle for millions of people around the world. The realisation of all human rights - social, economic and cultural rights as well as civil and political rights has been hampered by discrimination.

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In spite of efforts by promoters of the Human Rights, almost in all the countries of the world, violation of Human Rights has been taking place in one way or the other. Police and custodians of law cause atrocities against women, children, prisoners, poor and destitute. The police use third degree methods or torture to extract confessions from suspected criminals. Torture can be either physical or psychological, and aims at the humiliation or damage to the dignity of the person. Physical torture might include mutilation, beatings, and electric shocks. Sometimes innocent people die due to such inhuman treatment by the police. Death in police custody has become a common feature in many countries of the world. There have been instances of police encounters in which suspected criminals are being killed. In psychological torture, detainees are sometimes deprived of food and water for long periods, kept standing upright for hours, deprived of sleep, or tormented by high-level noise. Torture is used in some cases as a way to carry out interrogations and extract confessions or information. Today, it is increasingly used as a means of suppressing political and ideological dissent, or for punishing political opponents who do not share the ideology of the ruling group.

In addition to torture, tens of thousands of people detained in connection with conflicts 'disappear' each year, and are usually killed and buried in secret. Government forces take people into custody, detain them in secret and even refuse to take responsibility for their whereabouts or fate. This abduction of persons is typically intended to secure information. In most cases, interrogations involve threats and torture and those who are arrested are subsequently killed. Dead bodies are buried in unmarked graves in an attempt to conceal acts of torture and summary execution of those in custody. Because people disappear without any trace, families do not know whether their loved ones are alive or dead.

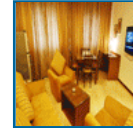
In many cases, individuals who pose a threat to those in power or do not share their political views or ideology may be arbitrarily imprisoned. Moreover, they may not be brought to trial at all or may not be granted fair trial. Denial of the right to vote and exclusion from all forms of political participation, denying the people the freedom of movement from one part of the country to another in search of livelihood and shelter and mass expulsion from a region for parochial reasons also constitute the violation of Human Rights.

It has been often found that discrimination takes the centre stage in political oppression when people are denied their basic political and civic rights on the basis of religion, region, race, or gender. The Apartheid that prevailed in South Africa for many years was the worst form of racial discrimination by which the black people were denied their basic and fundamental rights. The system of Apartheid in South Africa institutionalized extreme racial discrimination that involved laws of segregation by which people belonging to different races were required to live in separate areas. Certain individuals were held to be inferior by definition and not regarded as full human beings under the law. Disregarding Human Rights, the laws established under this system aimed at social control, and brought about a society divided along racial lines.



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There has been widespread violation of Human Rights that victimises women. During the war period, women and girls have been often raped by soldiers or forced into prostitution. For a long time, the international community has failed to address the problem of sexual violence during armed conflict. However, sexual assaults, which often involve sexual mutilation, sexual humiliation and forced pregnancy have been quite common during various wars in different parts of the world. Such crimes have been motivated by the fact that since long women of the enemy territories have been considered as the 'spoils' of war to which soldiers were entitled.

Trafficking in women has been a form of sexual slavery in which women are transported and sold for prostitution. These so-called 'comfort women' are another example of institutionalized sexual violence against women during wartime. In addition, women are distinctly vulnerable to certain types of human rights abuses. Besides the sexual abuse, discrimination against women based on customs and traditions is prevalent in many parts of the world and leads to various forms of political and social oppression. This includes strict dress codes and harsh punishments for sexual transgressions, which impose severe limitations on women's basic liberties. In addition, women in some regions such as in Africa suffer greater poverty than men and are denied political influence, education, and job opportunities. In parts of India, ill treatment of women in the name of dowry leading to either murder or suicide, honour killing for going against clan or caste rules, rape, etc. constitute violation of Human Rights.

As the world observes the Human Rights Day on 10th December 2009, it is important for the governments to sensitize the security and law enforcement agencies to respect Human Rights and follow the spirit of the law rather than taking the law into their own hands. In many cases the poor, destitute, illiterate and innocent people become the worst victims of the violation of Human Rights. While it is important for the people in general to know their rights and freedoms, the authorities also should be aware that they are the custodians of the law and follow the legal procedure rather than behave in highhanded manner while enforcing the law. It has been often found that when faced with prejudice and discrimination, political leaders, governments and ordinary citizens are silent or complacent about the violation of the Human Rights.

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Wednesday, December 09, 2009

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Fax : 0091-824-2439373
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