

Human Rights Day: 10 December 2018

Summary

Human Rights Day is observed annually on 10 December, the date that the UN General Assembly adopted the [Universal Declaration of Human Rights](#) in 1948.¹ This year will mark the 70th anniversary of the declaration's adoption. This House of Lords Library Briefing provides an overview of the UN's year-long campaign to mark the anniversary of the declaration; the UN's human rights priorities and programme of work for the period 2018 to 2021; and the UK Government's strategic aims in promoting human rights internationally and recent developments in the UK.

Universal Declaration of Human Rights

Background

On 10 December 1948, the UN General Assembly adopted the Universal Declaration of Human Rights (UDHR).² Meeting in Paris, the assembly adopted the declaration with 48 states in favour and eight nations abstaining from the vote but none dissenting. The first draft of the declaration had been proposed in September 1948 with over 50 member states participating in the final drafting.

The UDHR comprises a preamble and 30 articles. It begins by recognising that the “inherent dignity” and the “equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”.³ It declares that human rights are “universal” and that all member states have “pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms”.⁴ The articles set out civil and political rights—like the right to life, liberty, free speech and privacy—as well as economic, social and cultural rights, such as the right to social security, health and education.

The UDHR, together with the [International Covenant on Civil and Political Rights](#) (ICCPR) and its two [optional protocols](#) (on the complaints procedure and on the death penalty) and the [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR) and its [optional protocol](#), form the so-called [International Bill of Human Rights](#).⁵

UN Campaign to Mark the 70th Anniversary

On 10 December 2017, the UN Human Rights Office of the High Commissioner (OHCHR), the leading UN body on human rights, launched a year-long campaign to mark the UDHR's 70th anniversary in 2018.⁶ The OHCHR has stated that the three core objectives of the campaign are to promote, engage and reflect. The aim is to:

- Engage a broad base of audiences the world over.
- Help promote understanding of how the Universal Declaration empowers us all.
- Encourage further reflection on the ways that each of us can stand up for rights, every day.⁷

As part of the initiative, the UN has asked the public, national and local authorities, civil and international organisations, the private sector and the media to participate in the following ways:⁸

- To read the Universal Declaration of Human Rights.
- To take the [human rights pledge](#): an individual makes a commitment to “respect” and “uphold” people’s rights; to “stand up” when someone’s rights are denied or undermined; and to “take action” by using their “rights to stand up” for another individual’s rights.
- To promote the declaration by sharing the campaign’s posts on social media using #standup4humanrights. By using the hashtag, the individual’s posts will appear on the UN’s ‘[wall of champions](#)’.
- To take part in the ‘[add your voice!](#)’ project, where participants record a reading of an article from the declaration in the speaker’s native language, and to share the video on social media.
- To have a discussion at home, work or university on why human rights matter.

On 1 October 2018, the OHCHR, in partnership with the UN development programme (UNDP), created a new website called ‘[Human Rights 70](#)’.⁹ The objective of the website is to illustrate how the UN system works to “promote” human rights globally in its daily operations. Each of the articles of the declaration are discussed and an example given of the work of a particular UN agency.¹⁰

The campaign will culminate on the UDHR’s 70th anniversary celebration on 10 December 2018.

United Nations Human Rights Priorities

UN Human Rights 2018–21 Plan

In July 2018, the OHCHR published its management programme of work for the period 2018 to 2021.¹¹ It set out six strategic objectives, based around the UN’s human rights pillars:¹²

- **Accountability:** strengthening rule of law and accountability for human rights violations.
- **Participation:** enhancing and protecting civic space and people’s participation.
- **Non-discrimination:** enhancing equality and countering discrimination.
- **Development:** integrating human rights in sustainable development.
- **Peace and security:** supporting early warning, prevention and protection of human rights in situations of conflict and insecurity.
- **International human rights mechanisms:** increasing implementation of the international human rights mechanisms’ outcomes.¹³

The OHCHR has also identified key areas where it intends to “shift” its approach to obtain “greater coherence” and “unite its efforts” across its different areas of work.¹⁴ The plan identifies four shift areas where it will integrate its work across each of its six objectives. The four areas on which the OHCHR will “focus more intensively across all [it does]” are:¹⁵

- Broadening the global constituency for human rights.
- Protecting and expanding civic space.
- Preventing conflict, violence and insecurity.

- Delivering human rights in the context of “frontier” issues: “challenges to the future of people, peace and planet”, such as climate change, digital space, inequality and migration, have “often unseen but critical human rights dimensions”.

The OHCHR states that its roadmap is “anchored” in the goals and targets set out in the [2030 Sustainable Development Agenda](#), the UN’s post-2015 development agenda and the successors to the millennium development goals.¹⁶ The management plan sets out how the OHCHR will “shine a particular spotlight” on the human rights of women, young people and people living with a disability.¹⁷

UN Statistics on Human Rights Violations

In March 2018, the OHCHR published its annual appeal.¹⁸ It identified areas where the UN had been making progress as well as areas where further work was needed.

Areas of work where progress had been made in 2017 included:¹⁹

- In 80 countries 45,000 victims of torture had received rehabilitation support through 178 non-governmental organisations.
- Over 2,300 civil society organisations collaborated with the UN to promote increased engagement in national, regional and international processes affecting human rights.
- The UN had monitored 567 trials and visited 4,020 places of detention.
- Over 2,600 training sessions delivered for around 54,700 government and civil society partners in more than 50 countries on issues including monitoring and investigation, access to justice, responsible business conduct, anti-discrimination standards and engagement with international human rights mechanisms.

However, the document also pointed to areas where the “promise” of the UDHR was “yet to be fully realised”. It found that:²⁰

- In 2015, 65 million men, women and children were displaced from their homes by war and persecution.
- Around 1 in 10 children worldwide were engaged in child labour.
- Approximately 29% of children under the age of five worldwide had not had their births registered.
- Almost 1 in 3 people in detention were held without being tried or sentenced for a crime.
- In 2016, about 80% of the population in developed regions had internet access, compared to 40% in developing regions and 15% in least developed countries.
- In 2014, 9% of primary school-aged children worldwide were not in school.

UK Government International Human Rights Priorities

The UK Government has stated that the UDHR ensures that “we constantly strive to protect and promote rights, at all times and for all people”,²¹ and that it serves as a “reminder” that ensuring “universal respect” for those principles remains a “difficult task”.²² In July 2018, it made a commitment to continue to “play a significant part” in the “endeavour to protect the inherent dignity of all members of the human family”.

In July 2018, during an evidence session with the House of Commons Foreign Affairs Committee, the Minister of State for the Commonwealth and the UN, Lord Ahmad of Wimbledon, set out the UK Government's strategic aims in promoting human rights abroad:

I am proud to say that our human rights priorities are reflective of the broadest agenda. We are talking of issues of gender equality; the importance that we attach to education for children, particularly young girls [...]; violence against women; and freedom of religion and belief, which is a key priority. There is an element in there of representing not just all the faiths and different beliefs, but also the rights of humanists, atheists and agnostics to have the right to choose what not to believe, which may be no belief itself. That is an inherent right to protect. There are equally issues of LGBT rights and children in armed conflict. It is a very broad-based agenda.²³

Following the Commonwealth heads of government meeting in April 2018, in London, the UK Government announced financial support for a range of projects "designed to underpin and promote human rights and democracy" across the Commonwealth.²⁴ These included:

- Up to £3 million to build human rights capacity with a focus on small states. The funding is intended to support human rights institutions to meet international standards and help improve governance. Women, young people, persons with disabilities, and other minority groups are to all benefit.
- £7.5 million to tackle child labour and online sexual exploitation.
- £5.6 million on the rights of women and LGBT people.
- A £4 million programme to drive more inclusive and accountable democracy.
- The Government committed £212 million through the [Department for International Development's Girls' Education Challenge](#) to help around 1 million girls in developing countries across the Commonwealth to receive a quality education.²⁵

Human Rights in the UK

Human Rights Framework in the UK

The UK's human rights framework includes legal²⁶ and other human rights commitments.²⁶ Among these are:²⁷

- Treaties agreed under the authority of international bodies, principally the United Nations, such as the International Covenant on Civil and Political Rights.
- Treaties agreed at a European level, such as the [European Convention on Human Rights](#) (ECHR), which was adopted by the Council of Europe in 1950, and the [Charter of Fundamental Rights of the European Union](#). The charter covers civil, political, economic, social and cultural rights and became binding across the EU in 2009. It binds all EU member states, including the UK, but only when implementing EU law.²⁸
- Laws made at a national level. In the UK, this is principally the Human Rights Act 1998, which gives direct effect in UK law to most of the ECHR rights. Some national laws are relevant to protecting aspects of human rights, like the Equality Act 2010. Others are drafted in such a way as to protect human rights. For example, the Mental Health Act 1983 guards against arbitrary deprivation of the right to liberty (a convention right).

The Equality and Human Rights Commission is a statutory body and is responsible for monitoring the human rights situation in Britain. The commission reports its findings and recommendations to the UN, the UK Government and the UK Parliament.²⁹ It operates independently of government.

Recent Developments in the UK

In November 2018, the United Nations Special Rapporteur on extreme poverty and human rights, Professor Philip Alston, conducted a twelve-day fact-finding mission in the UK.³⁰ Professor Alston found that “successive governments ha[d] presided over the systematic dismantling of the social safety net in the United Kingdom”, and that the Government’s policies and cuts to social support since 2010 were “entrenching high levels of poverty”. He stated that the “costs of austerity” had fallen disproportionately “upon the poor, women, racial and ethnic minorities, children, single parents, and people with disabilities”.³¹ He also suggested that the Government was treating the potential risks of exiting the EU for people in poverty “as an afterthought”. The special rapporteur’s final report is scheduled to be presented to the Human Rights Council in Geneva in June 2019.³²

Responding to a parliamentary question about the special rapporteur’s report, the Parliamentary Under Secretary at the Department for Work and Pensions, Baroness Buscombe, stated that the Government would consider the report “carefully”.³³ However, she said that the Government “disagree[ed]” with the report’s conclusion:

Under this Government, income inequality has fallen and remains lower than in 2010; the number of children in workless households is at a record low; and there are 1 million fewer people in absolute poverty (before housing costs) compared with 2010, including 300,000 children.³⁴

Also in November 2018, after Professor Alston’s statement on his interim report, a study carried out for the Equality and Human Rights Commission was published on the impact of changes to public spending on protected groups in England, Scotland and Wales.³⁵ The study examined the impact of spending on health, social care, police, transport, housing and education between 2010/11 and 2015/16. It also looked at the expected impact of spending plans for these sectors up to and including 2021/22.

The report found that the changes in spending had resulted in a “disproportionately negative impact” on the households of several protected groups, in particular “lone parent households, young adults, households containing disabled people and certain ethnic groups”.³⁶ For instance, lone parent households were the “largest average losers of any demographic type from combined tax, welfare and public spending reforms” in all three countries. In England, their average losses were 18.7%, compared with 10.5% in Wales and 7.6% in Scotland. The study found that when cuts to public spending were combined with the changes to the tax and welfare system, the overall impacts of combined reforms were regressive: “poorer households [lost] more than richer households”.³⁷

The report highlighted that under the ICESCR, of which the UK is a state party, governments are obligated to “allocate the maximum resources available to the protection and implementation of human rights”, including the right to public services such as health care and education.³⁸ The study stated that this duty required the Government to demonstrate that it had made “every effort to mobilise, allocate and spend budget resources to fulfil people’s rights”. It concluded that:

This adverse impact on the living standards, access to social care and health care and other rights of certain groups is in contravention of the non-discrimination principle the UK committed to respect under international human rights law [...] The UK Government’s published impact

assessments do not, in themselves, indicate that these obligations have been taken into account; nor do they indicate that the Government has paid sufficient regard to the public sector equality duty (PSED) and the impact of reforms on disadvantaged groups.³⁹

In response to the report, the Government stated that it “rejected” the analysis, which it said did not “include recent announcements such as the five-year NHS settlement or the increase in universal credit work allowances”.⁴⁰ The Government also highlighted that the report had predicted future spending but “the spending review next year will set out government plans beyond 2019/20”. Regarding the protection of people’s rights, the Government stated that the “Treasury, and other government departments, always considers how our policies will affect people of different incomes and those with protected characteristics such as race, religion and disabilities”.

Further Reading

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- United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Management 2018–2021 Plan](#), July 2018
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- United Nations Human Rights Office of the High Commissioner, ‘[UN Human Rights Report 2017](#)’, accessed 27 November 2018
- Foreign and Commonwealth Office, [Human Rights and Democracy: The 2017 Foreign and Commonwealth Office Report](#), July 2018, Cm 9644
- House of Commons Foreign Affairs Committee, [Global Britain: Human Rights and the Rule of Law](#), 11 September 2018, HC 874 of session 2017–19
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- Equality and Human Rights Commission, [The Cumulative Impact on Living Standards of Public Spending Changes](#), November 2018
- Equality and Human Rights Commission, [The Cumulative Impact of Tax and Welfare Reforms](#), March 2018

- ¹ United Nations, [Universal Declaration of Human Rights](#), November 2015.
- ² United Nations, '[Universal Declaration of Human Rights: History of the Document](#)', accessed 26 November 2018.
- ³ United Nations, [Universal Declaration of Human Rights](#), November 2015, p 1.
- ⁴ *ibid*, p 2.
- ⁵ United Nations, '[Human Rights](#)', accessed 27 November 2018.
- ⁶ United Nations Human Rights Office of the High Commissioner, '[About the Campaign](#)', accessed 26 November 2018.
- ⁷ *ibid*.
- ⁸ United Nations Human Rights Office of the High Commissioner, '[Paris Launches UDHR70 Campaign](#)', 11 December 2018.
- ⁹ United Nations Human Rights Office of the High Commissioner and United Nations Development Programme, '[Human Rights 70](#)', accessed 26 November 2018.
- ¹⁰ United Nations Human Rights Office of the High Commissioner, '[Highlights: Launch of the Human Rights 70 Website](#)', accessed 26 November 2018.
- ¹¹ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Management 2018–2021 Plan](#), July 2018.
- ¹² The UN human rights' thematic pillars are: the core human rights principles of participation, non-discrimination and accountability; the mainstreaming of human rights across development and peace and security, the other pillars of the UN; and, support of the UN human rights system.
- ¹³ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Appeal 2018](#), March 2018, p 6.
- ¹⁴ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Management 2018–2021 Plan](#), July 2018, p 42.
- ¹⁵ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Appeal 2018](#), March 2018, pp 6–7; and [United Nations Human Rights Management 2018–2021 Plan](#), July 2018, p 42.
- ¹⁶ Further information on the 2030 Sustainable Development Agenda can be found in the House of Lords Library Briefing, [UN Sustainable Development Goals: Integration into UK Policy](#) (16 November 2018).
- ¹⁷ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Appeal 2018](#), March 2018, p 8; and [United Nations Human Rights Management 2018–2021 Plan](#), July 2018, p 5.
- ¹⁸ United Nations Human Rights Office of the High Commissioner, [United Nations Human Rights Appeal 2018](#), March 2018.
- ¹⁹ *ibid*, p 4.
- ²⁰ *ibid*, p 13.
- ²¹ Foreign and Commonwealth Office, [Human Rights and Democracy: The 2017 Foreign and Commonwealth Office Report](#), July 2018, Cm 9644, p ii.
- ²² House of Lords, '[Written Statement: Annual Human Rights and Democracy Report 2017](#)', 16 July 2018, HLWS831.
- ²³ House of Commons Foreign Affairs Committee, [Oral Evidence: FCO's Human Rights Work, HC 874](#), 12 July 2018, Q 82.
- ²⁴ Foreign and Commonwealth Office, [Human Rights and Democracy: The 2017 Foreign and Commonwealth Office Report](#), July 2018, Cm 9644, p ii.
- ²⁵ *ibid*; and Foreign and Commonwealth Office and Equality and Human Rights Commission, '[UK Announces £2.9 million for Human Rights Across the Commonwealth](#)', 16 April 2018.
- ²⁶ Equality and Human Rights Commission, '[Human Rights Explained](#)', updated 5 September 2018.
- ²⁷ *ibid*.
- ²⁸ Further information on some of the overarching human rights issues relating to Brexit can be found in the House of Lords Library Briefing, [Human Rights Priorities in the Light of Brexit](#) (7 December 2017).
- ²⁹ Equality and Human Rights Commission, '[Our Human Rights Work](#)', updated 9 October 2018.
- ³⁰ United Nations Human Rights Office of the High Commissioner, '[UN Poverty Expert Says UK Policies Inflict Unnecessary Misery](#)', 16 November 2018.
- ³¹ United Nations Human Rights Office of the High Commissioner, '[Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on Extreme Poverty and Human Rights](#)', 16 November 2018.
- ³² United Nations Human Rights Office of the High Commissioner, '[UN Human Rights Expert to Visit UK to Assess Poverty](#)', 1 November 2018.
- ³³ House of Lords, '[Written Question: Poverty](#)', 28 November 2018, HL11547.
- ³⁴ *ibid*.
- ³⁵ Equality and Human Rights Commission, [The Cumulative Impact on Living Standards of Public Spending Changes](#), November 2018.
- ³⁶ *ibid*, p 89.

³⁷ There was variation between England, Wales and Scotland in the impacts by protected group. The report's main findings on the variation by country can be found on pages 89 to 90.

³⁸ Equality and Human Rights Commission, [The Cumulative Impact on Living Standards of Public Spending Changes](#), November 2018, p 90.

³⁹ *ibid*, pp 90–1.

⁴⁰ Patrick Butler, '[Spending Cuts Breach UK's Human Rights Obligations, Says Report](#)', *Guardian*, 28 November 2018; and Samuel Osborne, '[Most Marginalised 'Hardest Hit' by Government Policies, Report Suggests](#)', *Independent*, 28 November 2018.

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