

## Role and Legal Aspects of United Nations Organization on Human Rights in Indian Sub-Continent

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**Abstract:** Human rights organizations are non-government and non-profit bodies in which people are actively working in the field as responsible citizens. United Nations Organization is a body designated for protection of human rights and the promotion and protection of human rights has been a major preoccupation for the United Nations since 1945 (UNDPI, 1996). According to Federal Department of Foreign Affairs (FDFA), one of the most important objectives of the United Nations Organization (UNO) is to promote respect for human rights and the basic freedoms of all human beings and peoples. UNO is continuously taking initiatives for its protection. Recently UNO has adopted international human rights treaties, established United Nations High Commissioner for Human Rights in 1993 and also established Human Rights Council in 2006. This article is aimed to describe the role and legal aspects of UNO on human rights. It can be said that UN human rights machinery has expanded: its areas of concern, its working methods, and its frequency of reporting are greater than in the past (Gaer, 2005). [Singhal Ashish Kumar. Role and legal aspects of united nations organization on human rights in Indian Sub-continent. Report and Opinion 2011;3(7):23 -24]. (ISSN: 1553-9873). <http://www.sciencepub.net>.

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### 1. Introduction

Human rights are the basic rights entitled to all human beings without discrimination, regardless of nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. These rights are all interrelated, interdependent and indivisible. Some documents which basically emphasized on human rights are Universal Declaration of Human Rights, The International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and these rights include economic, social, cultural, political and civil rights (Maiese, 2004). It is necessary to protect the human rights and UNO is playing an important role in this regard.

Ordinarily the United Nations is considered to be an association or organization of States. But it should be kept in mind that the United Nations also has a distinct legal personality of its own apart from those of its members. It has its Headquarter and officials in New York City. Thus the United Nations is a legal person and is capable of holding and disposing of property and can enter into peace and security of World order by its agencies. In East Timor, we have seen it. When there was a violation of human rights on large scale, the United Nations peace forces intervened there immediately after passing a resolution by UN General Assembly in this matter.

### 2. UN Bodies Responsible for Human Rights

Under the UN umbrella, the bodies responsible for the protection and development of human rights are the Office of the High

Commissioner for Human Rights and the Human Rights Council, both of which are based in Geneva. High Commissioner for Human Rights was created by General Assembly in 1993. United Nations Organization established United Nations Human Right Council in June 2006. The Council's mandate is to promote and protect human rights. It acts as a forum in which confrontation is expected to yield to mutual respect and understanding as well as dialogue between all concerned (EDA).

### 3. Role of UNO in Human Rights

In Today's world, there are many International organizations that come forward in the cases of violation of human rights such as Amnesty International. These organizations are doing a very tough job. In Bosnia, when many cases of violation of human rights arose, United Nations General Assembly immediately acted in this regard. In Afghanistan, the Taliban Military rulers are violating the human rights of the people of the country such as the main victims are women in that country.

Article-1 of the U.N. Charter emphasizes the need to maintain International peace and security which is the most important purpose. The second purpose of United Nations is the develop friendly relations among nations based on respect for the principles of equal rights and self-determination of people and to take other appropriate measures to strengthen universal peace.

In Sanfrancisco Conference on January 26, 1945, wherein the United Nations Charter was adopted and signed by 51 nations of the world but after fulfilling some conditions on October 24, 1945,

the United Nations was ultimately established. The preamble of the United Nations Charter clearly says that "we the peoples of the United Nations" includes in itself every individual person. It means that despite the membership of the States in the United Nations the common people are also the member of this World Organization.

On 10<sup>th</sup> December, 1948, "The Universal declaration of human rights" was adopted by United Nations assembly. Ordinarily, the United Nation plays a very vital role on human rights. It preserves the human rights of the person concerned whose rights have been violated in any part of the World.

In UN Charter, there are many provisions regarding protection of human rights. Article-55, 56 of the UN Charter provide a foundation for and an impetus to further Improvement in the protection of human rights. The preamble of the UN Charter clearly indicates its thinking about human rights. It states that "we the people of United Nations faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women."

Human rights are some time called fundamental rights or basic rights or natural rights. As fundamental or basic rights they are those which must not be taken away by any legislature or any act of government and which are often set out in a constitution. As natural rights they are seen as belonging to men and women by their very nature. Human rights are not created by any legislation; they assume the position of natural rights. Any civilized country or body like the UN must recognize them. They can not be subjected to the process of amendment even. The legal duty to protect human rights includes the legal duty to respect them. In the last few years we have seen it in the working environment of the UN that the members of the UN have committed themselves to promote respect for and observance of human rights and fundamental freedom.

Despite the numerous activities of the UN for the promotion and observance of human rights there are still many violations and denials of human rights. If the international community has a future, the United Nations will have to adjust itself to new circumstances and that the body of international human rights law will continue to grow. We must remember it that the idea of human rights has a force of its own which governments can never extinguish. The promotion of human rights as the purpose of the UN is dependent upon other purpose of the UN progress in human rights can be accomplished only if and to the extent that other purposes of the UN are achieved.

In present situation of the world, there is a much more need to add new rules in the law books of developing countries particularly in Indian continent because we see that in western countries such as United State of America there are strict rules. There Supreme Court has a wide power in this regard.

#### 4. Conclusion

The World Organization such as United Nations can do an excellent job in this regard. Because UN can implement its policies towards human rights by its bodies such as Security Council, UN General Assembly, International Court of Justice etc. So, in this regard, if United Nations approves some changes, than it can achieve more success.

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