

Chapter 12

PROTECTION OF HUMAN RIGHT

By the end of this chapter, students will be able to:

- Explain the basic features of the concept of human rights.
- Compare and contrast the rights and obligations of citizens under the 1973 constitutions with rights given to citizens under the UN Human Rights Declaration, 1948.
- Describe the State of basic human right in Pakistan.
- Develop an understanding of the human rights both at the National and International level and appreciate its worth in the human level.

Introduction

In this chapter, we will learn about the concept of human rights and rights of citizen's under the United Nation's Declaration for Human Rights (UDHR). In the same way, we will also learn about the rights and obligations of citizens in Pakistan.

Human Rights

According to Black's Law Dictionary, "human rights can be described as the freedoms, immunities and benefits that all human beings should be able to claim as a matter of right in the society in which they live." Human rights are also known as natural or basic rights.

Do You Know?

10th December is celebrated as a Human Rights Day across the World.

Human rights are based on mankind's increasing demand for a civilized life. In the civilized life, the inherent dignity of each human being is well respected and protected. Human rights are fundamental to our very existence without which, we cannot live as human beings. Life would be meaningless if individuals are unable to practice their natural rights.

Obligations of Citizens in Pakistan

As a citizen of Pakistan, it is our duty to:

- Defend the country.
- Participate in local community development positively and clean our neighbourhood.
- Respect and obey federal, provincial, and local laws.
- Respect honourable Courts.
- Cast vote during elections.
- Respect the rights, norms, beliefs, social and cultural values, and respect diversity of opinions.
- Save Water and Electricity.
- Promote Pakistan in a Positive way.
- Support plantation drive.
- Respect senior citizens.
- Promote dignity of teachers.
- Respect rule of law.

Universal Declaration of Human Rights (UDHR)

The development of the idea of human rights was started in the eighteenth century. However, the concept of human rights acquired significance in the wake of Second World War. The modern concept of human rights has been taken from the Universal Declaration of Human Rights (UDHR), which was adopted by the United Nations General Assembly on 10th. December 1948.

This document is considered a milestone in the history of human rights. According to this declaration, all people and all nations must aim to achieve certain goals and the same standards exist for all human beings across the globe. The UDHR remains the standard by which these rights are defined and framed. The Declaration in its summarized form is given as under:

Article	Title	Brief Description
01	Right to Equality	All human beings are born free and equal in dignity and rights.

02	Freedom from Discrimination	Every person is equal despite differences in terms of colour, gender, caste and creed, religion, language and country
03	Right to Life, Liberty, Personal Security	Every person has the right to life and to live in freedom and safety.
04	Freedom from Slavery	No one has the right to treat any person as a slave. Everyone should discourage the practice of slavery in society.
05	Freedom from Torture and Degrading Treatment	No one has the right to hurt anyone. No one shall be subject to torture or cruel in humane treatment.
06	Right to Recognition as a Person before the Law	Every person has the right to recognition everywhere as a person before the law.
07	Right to Equality before the Law	Equality of all before law.
08	Right to Remedy by Competent Tribunal	Every person has the right to ask for legal help when his/her rights are violated.
09	Freedom from Arbitrary Arrest and Exile	Nobody can be unlawfully detained and exiled.
10	Right to Fair Public Hearing	Every person is entitled to a fair trial.
11	Right to be Considered Innocent until Proven Guilty	No one can be detained or punished until and unless proved guilty.
12	Right to Privacy	Every person has right to ask for protection if his/her reputation is damaged and privacy is violated.
13	Right to Freedom of Movement	Every person has the right to move and settle in place of his/ her choice.

14	Right to Asylum in other countries from persecution	If a person is being harmed or perceives threat to life, he / she has right to go to another country and seek protection.
15	Right to Nationality and Freedom to Change it	(1) Every person has the right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.
16	Right to Marriage and to Raise a Family	Every adult has right to marry and have a family.
17	Right to Own Property	Every person has the right to own property individually or jointly
18	Freedom of Belief and Religion	Every person has the right to freedom of faith. This includes right to change religion or belief if one wishes.
19	Freedom of Opinion and expression	Every person has the right to freedom of opinion and expression.
20	Right to Peaceful Assembly and Association	Every person has right to have peaceful assembly and association.
21	Right to Participate in Government and in Free Elections	Every person has the right to take part in the activities organized by Government. For instance, casting vote in elections.
22	Right to Social Security	Every person has the right to social security and he/ she is entitled to realization of economic, social and culture rights.
23	Right to Desirable Work and to Join Trade Unions	Every person has the right to work. This includes right to good working conditions and fair pay. Also every person has right to a join trade union.

24	Right to Rest and Leisure	Every person has the right to rest and leisure.
25	Right to Adequate Living Standard	Every person has right to enjoy basic facilities including housing, food, health, education and safe environment.
26	Right to Education	Every person has right to go to School and education up to elementary level should be free.
27	Right to Participate in the Cultural Life of Community	Every person has the right freely to participate in the cultural life of the community in order to enjoy the arts and to share scientific advancement and its benefits.
28	Right to live in a free and fair world	Every person has the right to live in the world where his / her rights and freedoms are respected.
29	Community Duties Essential to Respect and Protect Human Right	Every person has a responsibility to respect and protect the rights of others.
30	Every person has human rights and cannot be taken away.	No person or group should try to usurp one's human rights.

Developing an understanding of the human rights at the National and International level

The United Nations (UN) is the world organization. The aim of this organization is to maintain peace and stability in the world. It also works for betterment of human beings. It has a mandate to investigate violations of human

Do You Know?

Govt. of Pakistan in 2010 passed the protection against Harassment of women at the Workplace Act 2010. For more information, visit below link:

www.na.gov.pk/uploads/documents/1399368475_218.pdf

rights. The Human Rights Council is a subsidiary body of the General Assembly and reports directly to it. It ranks below the Security Council, which is the final authority for the interpretation of the United Nation's Charter. Forty-seven out of total number of members can deliberate on the issues in the council. The Council is based in Geneva. It meets three times a year with additional meetings to respond to urgent situations.

The Constitution of Islamic Republic of Pakistan obligates the State of Pakistan to protect and promote human rights of all its citizens without any discrimination. Furthermore, Pakistan being a responsible member of the international community has to honour its obligations.

Pakistan, as a signatory to the core international human rights conventions is committed to uphold the universal human rights standards and to implement them at the national level.

ACTIVITY

Compare and contrast rights of citizens under UDHR and 1973 Constitution of Pakistan.

SUMMARY

In this chapter, we learnt about the concept of human rights and rights of citizens under the UDHR. We studied UN Human Rights Declaration in a summarized form.

EXERCISE

Check your knowledge and understanding

A. Answer the following questions:

1. Write in your words the basic features of human rights.
2. Discuss in detail the rights and duties of citizens of Pakistan.
3. Critically evaluate the State of human rights in Pakistan and suggest measures to safeguard them.
4. Describe UN Human Rights Declaration, 1948.

B. Identify and classify the following obligations and rights:

- ❖ Abiding by law
- ❖ Equality of all citizens before law
- ❖ Casting vote during elections
- ❖ Freedom of expression
- ❖ Respecting diversity of opinions
- ❖ Liberty and security
- ❖ Cleaning neighbourhood
- ❖ Protection of property
- ❖ Defending the country

C. Fill In the Blanks

- i. _____ are those rights which are inherent in every person by virtue of being a human being.
- ii. Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly on _____.
- iii. The Article _____ of UN Human Rights Declaration States about Right to Education.

Conduct an Inquiry

- i. Conduct research about a partial case of violation of human rights and identify the forms of redressal.
- ii. Conduct an inquiry about the role of State in protection of rights of citizens.

Cooperate with others

Make two groups of students to prepare presentation on the following topics:

- Rights and obligations of citizens under the 1973 constitution.
- Rights given to citizens under the UN Human Rights Declaration, 1948.

Teacher's Note

Teachers are advised to refer the Constitution of Pakistan 1973 for further understanding of fundamental rights.