

HUMAN RIGHTS NEEDS, PROVISIONS. REALISATIONS

“The evolution of the human rights movement clearly illustrates humanity’s ongoing struggle toward creating a better world.” – Robert Alan

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Abstract

Education has been formally recognized as a human right since the adoption of the Universal Declaration of Human Rights in 1948. This has since been affirmed in numerous global human rights treaties, including the United Nations Educational, Scientific and Cultural Organization(UNESCO) Convention against Discrimination in Education (1960), the International Covenant on Economic, Social and Cultural Rights (1966) and the Convention on the Elimination of All Forms of Discrimination against Women (1981). These treaties establish an entitlement to free, compulsory primary education for all children; an obligation to develop secondary education, supported by measures to render it accessible to all children, as well as equitable access to higher education; and a responsibility to provide basic education for individuals who have not completed primary education. Furthermore, they affirm that the aim of education is to promote personal development, strengthen respect for human rights and freedoms, enable individuals to participate effectively in a free society, and promote understanding, friendship and tolerance. The right to education has long been recognized as encompassing not only access to educational provision, but also the obligation to eliminate discrimination at all levels of the educational system, to set minimum standards and to improve quality. In addition, education is necessary for the fulfilment of any other civil, political, economic or social right.

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HUMAN RIGHTS – MEANING

“Right” in English, like equivalent words in several other languages, has two central moral and political senses: rectitude and entitlement.

In the sense of rectitude, we speak of “the right thing to do,” of something being right (or wrong). In the narrower sense of entitlement, we typically speak of something having a right.

Human rights are equal rights: one either is or is not a human being, and therefore has the same human rights as everyone else (or none at all). One cannot stop being human, no matter how badly one behaves nor how barbarously one is treated. And they are universal rights, in the sense that today we consider all members of the species *Homo sapiens* “human beings,” and thus holders of human rights.

NEED FOR HUMAN RIGHT EDUCATION

- 1) Awareness
- 2) Essential for international society based on justice
- 3) Prevention of discrimination and protection of minority
- 4) Essential for self-determination
- 5) Essential for all round development

HUMAN RIGHT FOR EDUCATION IN INDIA

- 1) **Primary level:** - Right to education to all as according to 1934 basic education concept (without any discrimination-age, sex, caste, religion , group etc.)
- 2) **Elementary level:-** To provide free and compulsory education to all children in the age group of 6 to 14
- 3) **Secondary level:-** Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by

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every appropriate means, and in particular by the progressive introduction of free education

- 4) **Higher level:-** Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education

PROVISIONS ON HUMAN RIGHTS EDUCATION

Universal Declaration of Human Rights (Article 26)

Article 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory (age of 6 to 14). Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

International Covenant on Economic, Social and Cultural Rights (Article 13)

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free

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society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

Primary education shall be compulsory and available free to all;

Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph I of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Convention on the Rights of the Child (Article 29)

Article 29

1. States Parties agree that the education of the child shall be directed to:

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- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

Convention on the Elimination of All Forms of Discrimination against Women (Article 10)

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the

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same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same Opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

International Convention on Elimination of All Forms of Racial Discrimination (Article 7)

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

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Realization of Human Rights

Role of NGO

Many organizations around the world dedicate their efforts to protecting human rights and ending human rights abuses. Public support and condemnation of abuses is important to their success, as human rights organizations are most effective when their calls for reform are backed by strong public advocacy. Non Governmental Organization is one of the examples of such groups. In every part of the globe, there are Non-Governmental Organizations' (NGOs) working every hour of the day to document the injustices heaped upon women, children and the under-class, standing beneath the bottom rung of the society. By their active campaigning, they remind Governments to keep their promise in order to give practical shape to goals set by various national and international conventions on human rights. India is estimated to have between 1 million and 2 million NGOs. The NGO are a necessary corollary to the democratic machinery of the government, they are means of democratic empowerment of those who are less powerful and less advantaged as the government machinery and its authorized institution are not always sufficient to guarantee the protection of human right.

Human Right and NGO

Human rights as the 'Rights relating to life, liberty, equality, and dignity of individuals guaranteed by the constitution or embodied in international covenants and enforceable by the courts in India'

The term non-governmental or, more accurately non-profit is normally used to cover the range of organizations which go to make up civil society. Such organizations are characterized, in general, by having as the purpose of their existence something other than financial profit. However, this leaves a huge multitude of reasons for existence and a wide variety of enterprises and activities. NGOs range from small pressure groups on, for example, specific environmental concerns or specific human rights violations, through educational charities, women's refuges, cultural associations, religious organizations, legal foundations, humanitarian assistance programs. The Economic and Social Council may make suitable arrangements for consultation

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with nongovernmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

NGO's have a vital role to play in the promotion and protection of human right specially in the developing country, has the largest number of NGO's whose activates are spared in different fields for the welfare of human being including the promotion and protection of human right.

Role of NGO's

“The 21st Century will be an era of NGOs.” — Kofi Annan, Former UN Secretary General
The world conference on human right was held in Vienna in Austria in 1993, with objective “to review and assess the progress made in the field of human right”. The resolution no 38 of the declaration stated –the world conference on human right recognizes the important role of Non Government Organization in the promotion of all human right and in humanitarian.

NGO organization have functioned as the conscience of the national in the field of human right by taking prompt action to investigate the instance human right by undertaking and the spot studies and publishing the observations.

NGOs play a pivotal, role in many fields, such as in prevention of HIV/AIDS, to educate to teach and train vulnerable groups, child care, child exploitation, child labour, bonded labour, in sex tourism, and providing counseling in number of matters including domestic disputes, subject relating to rights of women and children and so on.

Among the wide variety of roles that NGOs play, the following are important

- The Social Welfare Role - where relief and charity are key actions. NGOs in this role can be seen as initiating internal programs and projects.
- The Mediatory Role - where communication as a skill is important for development and social action. NGOs in this role can be seen as participating or taking up external programs and projects.

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- The Consultative Role - where support documentation and dissemination of information and expertise is critical. NGOs in this role can be seen as working in collaborative programs. Local experts/professionals/resource persons play major secondary roles.
- Development and Operation of Infrastructure: Community- based organizations and cooperatives can acquire, subdivide and develop land, construct housing, provide infrastructure and operate and maintain infrastructure such as wells or public toilets and solid waste collection services.
- Supporting Innovation, Demonstration and Pilot Projects: NGO have the advantage of selecting particular places for innovative projects and specify in advance the length of time which they will be supporting the project - overcoming some of the shortcomings that governments face in this respect.
- Facilitating Communication: The significance of this role to the government is that NGOs can communicate to the policy-making levels of government, information about the lives, capabilities, attitudes and cultural characteristics of people at the local level. NGOs can facilitate communication upward from people to the government and downward from the government to the people.
- Technical Assistance and Training: Training institutions and NGOs can develop a technical assistance and training capacity and use this to assist both CBOs and governments.
- Research, Monitoring and Evaluation: Innovative activities need to be carefully documented and shared - effective participatory monitoring would permit the sharing of results with the people themselves as well as with the project staff.

Advocacy for and with the Poor: In some cases, NGOs become spokespersons or ombudsmen for the poor and attempt to influence government policies and programs on their behalf. This may be done through a variety of means ranging from demonstration and pilot projects to participation in public forums and the formulation of government policy and plans, to

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publicizing research results and case studies of the poor. Thus NGOs play roles from advocates for the poor to implementers of government programs; from agitators and critics to partners and advisors; from sponsors of pilot projects to mediators.

Role of NGO at International level in protecting human right

At the international level, the status of human rights is watched by many NGOs. Amnesty International is one such organization. This Organization is dedicated to publicizing violation of human rights, especially freedom of speech and religion and right of political dissent. It also works for the release of political prisoners and, when necessary, for the relief of their families. For its commendable services in the field of human rights, Amnesty International was awarded the Nobel Prize for peace in 1977.[]

Human Rights Foundation

The Human Rights Foundation (HRF) is a non-profit organization whose stated mission “is to ensure that freedom is both preserved and promoted” in the Americas. [The Human Rights Foundation was founded in 2005 by Thor Halverson. Its head office is in New York City, New York, USA. Its definition of human rights focuses on the essential ideals of freedom of self-determination and freedom from tyranny and the rights of property.

Contribution of NGOs towards the development of Human Rights(Realization)

- * They mobilize public opinion.
- * They contribute a lot to the society.
- * They pressurize the government on certain issues, such as protection of prisoners rights, torture etc.
- * They approach the judiciary on behalf of poor people who otherwise have no access to justice.
- * They ask for submission of certain reports.
- * They play a special role especially in the developing countries for the development of human rights.

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Conclusion:

The human right education can help both of reduce human right violations and contribute to building free and peaceful and growing societies. Human right should be a subject to all level of education .this paper presents an overview of the human rights and implementation, need, provisions and realizations. Human rights shall be extremely useful and beneficial for the human being for their better and shining life.

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