

Introduction to Human Rights Law

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Key concepts, sources, and foundational principles

1. What Is Human Rights Law?

Aspect	Description
Definition	A body of international and domestic rules that protect the inherent dignity and freedoms of every person.
Purpose	To guarantee basic rights, limit state power, and provide mechanisms for enforcement and redress.
Scope	Applies to individuals (including non-citizens) and, increasingly, to corporations and other non-state actors.

2. Core Principles

Principle	Meaning	Typical Application
Universality	Rights belong to all people, everywhere, without discrimination.	No exemption for nationality, race, gender, etc.
Indivisibility & Interdependence	All rights are equally important; the realization of one often depends on others.	Economic, social, and cultural rights support civil-political rights.
Equality & Non-Discrimination	Same rights must be enjoyed by everyone; special measures may be needed to achieve substantive equality.	Anti-racism laws, gender-affirming policies.
Participation	Individuals must have a voice in decisions affecting their rights.	Public hearings, right-to-information provisions.
Accountability & Rule of Law	States must respect, protect, and fulfill rights and can be held legally responsible.	Judicial review, independent tribunals.

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Principle

Meaning

Typical Application

Progressive Realization

(mainly for economic, social, cultural rights)

States must take steps, using maximum available resources, to achieve full enjoyment of rights over time.

Gradual improvement of health care access.

3. Main Sources of Human Rights Law

Source

Nature

Examples

International Treaties

Binding agreements among states; require ratification.

- *International Covenant on Civil and Political Rights* (ICCPR)
- *International Covenant on Economic, Social and Cultural Rights* (ICESCR)
- *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW)

Customary International Law

Practices accepted as law, even without treaty text.

Prohibition of genocide, torture, slavery.

General Principles of Law

Widely recognized legal concepts that fill gaps.

Good faith, due process.

Regional Instruments

Treaties and declarations specific to a geographic region.

- *European Convention on Human Rights* (ECHR)
- *American Convention on Human Rights* (ACHR)
- *African Charter on Human and Peoples' Rights*

National Constitutions & Legislation

Domestic incorporation of international standards; may go beyond them.

Bill of Rights (U.S.), Basic Law (Germany), Human Rights Act (UK).

Judicial Decisions & Soft Law

Court rulings and non-binding guidelines shape interpretation.

UN Human Rights Committee opinions, International Court of Justice (ICJ) advisory opinions.

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4. Structure of the International Human Rights System

1. **Treaty-Based Bodies** – monitor compliance (e.g., Human Rights Committee for ICCPR, Committee on Economic, Social and Cultural Rights for ICESCR).
2. **UN Mechanisms** – Special Rapporteurs, Working Groups, the Office of the High Commissioner for Human Rights (OHCHR).
3. **Regional Courts & Commissions** – European Court of Human Rights, Inter-American Court of Human Rights, African Court on Human and Peoples