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Ratification action for  
the Campaign on the 50th Anniversary of  
the Universal Declaration of Human Rights

In 1948, the Member States of the United Nations (UN) proclaimed the Universal Declaration of Human Rights as “a common standard of achievement for all peoples and all nations”. The rights enshrined in the Universal Declaration of Human Rights have since been codified in human rights treaties, which, once ratified or acceded to by states, are legally binding.

Under the UN Charter, Member States of the UN pledged themselves to promote “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”. These aims should be strengthened by universal adherence to the international instruments which translate the principles embodied in the Universal Declaration of Human Rights into a more detailed legal form.

The ratification of human rights treaties is a basic but essential step which every government can take to demonstrate its commitment to protect human rights. When a government becomes a party to international human rights treaties, it affirms to the international community its determination to respect the dignity and worth of the human person.

These treaties give people an objective standard of behaviour — drafted by governments themselves — against which they can measure the law and practice of their own authorities.

Moreover, ratification of international instruments is an occasion for a state to review its own legislation and practice, to ensure that they are in full conformity with these international standards.

Acceptance by states of international obligations helps to establish more durable commitments in the field of human rights protection. Adherence to these instruments not only invigorates domestic efforts at implementation but also preserves the achievements of today’s governments against retrogression by those of tomorrow.

Adherence by all states to these important instruments would be a major step forward in the further development and strengthening of international human rights protection for the benefit of all people.

As the former United Nations Secretary-General Perez de Cuellar said:

*“The common standard of achievement embodied in the Universal Declaration is the birthright of all peoples. It is our joint responsibility to make it a living, universal reality.”*

Speaking in January 1997 at an international workshop in Warsaw, Poland, on “The Universal Declaration at the Dawn of the 21st Century”, President Nelson Mandela of South Africa said:

*“The fundamental truths set out in this Declaration have lost none of their relevance or vitality in the half century since their adoption. We as South Africans join with our fellow world citizens in striving for the realization of these rights for all people everywhere. It is time for everyone to re-dedicate themselves to these ideals.”*

**The International Covenant on Civil and Political Rights (ICCPR)** protects fundamental rights including those at the core of Amnesty International’s work: the right to life; the right to freedom

of expression, of conscience, and association; the right to be free from arbitrary arrest or detention; the right to freedom from torture or ill-treatment; and the right to a fair trial.

\* **Call on the government to become a party to and implement the ICCPR.** This would be a clear sign of its will to respect and promote fundamental human rights.

**The Human Rights Committee** is a group of 18 experts set up under the ICCPR to monitor the way states parties implement their obligations under the Covenant. States parties must submit reports on the measures they have adopted to give effect to the rights guaranteed in the Covenant. These reports should be provided on time, and contain full information, so that the Committee can decide whether the government is doing what is required by the ICCPR.

During the examination of the state reports the Committee can formulate conclusions and recommendations on how the government should bring its laws and practice into line with the provisions of the ICCPR. The experts also make general comments on how states should interpret their obligations under the ICCPR.

**The Optional Protocol to the ICCPR** gives the Human Rights Committee the power to receive complaints from individuals that they are the victim of a violation by their government of any of the rights in the ICCPR, providing domestic remedies have been exhausted. The Optional Protocol provides an important way for individual victims to seek redress for violations of their rights.

\* **Urge the government to become a party to the Optional Protocol to the ICCPR,** in order to enable the Human Rights Committee to receive individual complaints.

**The Second Optional Protocol to the ICCPR** aims at the worldwide abolition of the death penalty. Amnesty International opposes the death penalty as a violation of the right to life and as the ultimate form of cruel, inhuman or degrading punishment. It is inherently unjust and arbitrary. The risk of error is inescapable. Moreover, it has never been shown that the death penalty has any special power to reduce crime and political violence.

\* **Urge the government to become a party to the Second Optional Protocol to the ICCPR,** in order to abolish the death penalty, and thereby join a worldwide trend.

**The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)** obliges states parties to prevent the torture of those under their jurisdiction and to make torture a punishable offence. The Convention provides for universal jurisdiction over alleged torturers, which means that every state party must arrest, prosecute or extradite to another state for trial, any alleged torturer found in the country, regardless of the nationality of the suspect or the victim or where in the world the torture occurred. It forbids the return of persons to countries where they would risk being tortured. It insists on the right to reparation and rehabilitation of victims of torture.

A declaration by a government under Article 21 of the CAT allows the Committee against Torture to receive and consider complaints from one state party against another state party for violations of the Convention.

A declaration by a government under Article 22 of the CAT allows the Committee against Torture to consider complaints from, or on behalf of, individuals subject to its jurisdiction who claim they have been victims of a violation of the Convention.

\* **Call on the government to become a party to and implement the CAT.** Becoming a party and implementing its provisions will be a positive indication of your gov-

ernment's commitment to prevent and abolish torture within its own jurisdiction and contribute to the worldwide eradication of torture.

- \* **Urge the government to make a declaration under Article 21**, in order to permit state complaints by or against your government.
- \* **Urge the government to make a declaration under Article 22**, in order to enable victims of torture and other cruel, inhuman or degrading treatment or punishment, or others on their behalf, to bring their case before the Committee.

**The Committee against Torture** is a group of 10 experts set up under the CAT to monitor the way states parties implement their obligations under the Convention. States parties must submit reports on the measures they have adopted to give effect to the rights guaranteed in the CAT. These reports should be provided on time, and contain full information, so that the Committee can decide whether the government is doing what is required by the CAT.

During the examination of the state reports, the Committee can formulate conclusions and recommendations on how the government should bring its laws and practice into line with the provisions of the CAT. The experts also make general comments on how states should interpret their obligations under the CAT.

**The International Convention on the Elimination of All Forms of Racial Discrimination** aims to eliminate racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial discrimination. It requires states parties to declare as an offence punishable by law racist propaganda and to prohibit organizations which promote and incite racial discrimination. States parties must guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law.

Amnesty International calls on governments to take the necessary steps to combat such violations which can be a contributory factor to human rights violations which are at the heart of its mandate, such as torture or extrajudicial executions. State authorities at all levels should demonstrate their total opposition to racism and make clear that racist behaviour will not be tolerated under any circumstances.

A declaration under article 14 of the Convention allows the Committee on the Elimination of Racial Discrimination (CERD) to consider complaints by individuals or groups within its jurisdiction against that state for violations of the Convention.

- \* **Urge the government, as a clear expression of its will to eradicate racial discrimination, to become a party to and implement the International Convention on the Elimination of All Forms of Racial Discrimination.**
- \* **Urge the government to make a declaration under Article 14 of the Convention**, in order to enable the CERD to receive and examine individual complaints.

The Committee on the Elimination of Racial Discrimination (CERD) is a group of 18 experts set up under the Convention to monitor the way states parties implement their obligations under the Convention. States parties must submit reports on the measures they have adopted to give effect to

the rights guaranteed in the Convention. These reports should be provided on time, and contain full information, so that the CERD can decide whether the government is doing what is required by the Convention. The CERD can receive complaints from one state party against another state party for violations of the Convention.

During the examination of the state reports the CERD can formulate conclusions and recommendations on how the government should bring its laws and practice into line with the provisions of the Convention. The experts also make general comments on how states should interpret their obligations under the Convention.

**The Convention on the Elimination of All Forms of Discrimination against Women** sets out the different measures that states parties should adopt to eliminate the discrimination on the basis of sex which prevents women from enjoying their human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. Indeed, discrimination against women undermines the principle of equal rights for men and women set out in the UN Charter, and respect for all human rights. States parties to this treaty are required to condemn discrimination against women, devise policies for its elimination and take steps to ensure the full development and advancement of women.

\* **Urge the government, as a sign of its will to eradicate all forms of discrimination against women, to become a party to and implement the Convention on the Elimination of All Forms of Discrimination against Women.**

**The Committee on the Elimination of Discrimination against Women (CEDAW)** is a group of 23 experts set up under the Convention to monitor the way states parties implement their obligations under the Convention. States parties must submit reports on the measures they have adopted to give effect to the rights guaranteed in the Convention. These reports should be provided on time, and contain full information, so that the CEDAW can decide whether the government is doing what is required by the Convention.

During the examination of the state reports the CEDAW can formulate conclusions and recommendations on how the government should bring its laws and practice into line with the provisions of the Convention. The experts also make general comments on how states should interpret their obligations under the Convention.

**The Convention on the Rights of the Child (CRC)** sets out standards for the protection and the care of children. It forbids all forms of discrimination or punishment on the basis of the child's parents, legal guardians or family members. The CRC also forbids the torture and execution of children and life imprisonment without the possibility of release, and states that every child deprived of liberty should be held separately from adults.

\* **Urge the government, as a sign of its political will to respect the rights of the child, to become a party to and implement the Convention on the Rights of the Child.**

**The Committee on the Rights of the Child** is a group of 10 experts set up under the CRC to monitor the way states parties implement their obligations under the Convention. States parties must submit reports on the measures they have adopted to give effect to the rights guaranteed in the Convention. These reports should be provided on time, and contain full information, so that the Committee can decide whether the government is doing what is required by the Convention.

During the examination of the state reports the Committee can formulate conclusions and recommendations on how the government should bring its laws and practice into line with the provisions of the Convention. The experts also make general comments on how states should interpret their obligations under the Convention.

Amnesty International believes that states should ratify or accede to international human rights treaties without **limiting reservations or interpretative statements**. These allow governments not to accept part of the provisions of a human rights treaty or to interpret them in a limiting sense. As such, they may seriously undermine the guarantees contained in the treaty and call into question the willingness of a state to comply fully with the obligations contained in the treaty. Ratification or accession without any limiting reservations is crucial for the full implementation of international standards.

- \* **Call on the government to ratify or accede to human rights treaties without making limiting reservations or interpretative statements, so that they can fully implement all the provisions of the treaty.**
- \* **Urge the government to examine, with a view to withdrawing them, any limiting reservations or interpretative statements made at the time of ratification or accession.**