The Human Rights Trends of the Last 60 Years

AI Index: ACT 30/025/2008
Date: 1st December 2008

Since the Universal Declaration of Human Rights (UDHR) was signed 60 years ago there has been much progress in human rights around the world. The cold war ended, apartheid was overthrown, and, in the sixtieth anniversary year of the Declaration, the first African American has been elected to the Presidency of the USA, a country where many black people did not even have the right to vote when the declaration was signed in 1948.

The signing of the UDHR, the world's most translated document, was a hugely significant moment in terms of world leaders recognizing the importance of human rights in a world that had just been torn apart by the turmoil of the Second World War. It took extraordinary vision and courage for leaders sixty years ago to adopt such a declaration and outline a set of complete rights from political to social and cultural, for all people across the world.

Yet hundreds of millions of people have been left behind and still do not have full enjoyment of their rights, living in a world where there is a huge disparity between government promises in 1948 and their subsequent performances. The hallmarks of the world today are still injustice, inequality and impunity, with many national and world leaders putting political self-interest and abuse of power before the interests of the people they represent.

Human rights protect everyone across the world and their values can be traced back to numerous cultures, with the UDHR itself drafted by individuals from all regions of the world. But the biggest threat to the future of human rights is the absence of a shared vision and collective leadership.

Many people still do not enjoy their full rights, trapped by conflict or poverty. But it is not the fault of the UDHR. It is governments who have failed to protect people's rights at home and abroad and it is governments who must put this right. In a divided and insecure world, the Declaration therefore remains as relevant today as it was then.

Progress has been made in many areas over the last sixty years but human rights abuses remain as pervasive in the world today as they did when the Declaration was signed by leaders from countries worldwide.

In the sixtieth anniversary year of the UDHR, human rights abuses continue in the world today, with deleted growing trends towards:

- Targeting of civilians by governments and armed groups with impunity;
- Pervasive violence against women;
- Promotion of torture and ill-treatment as acceptable modes of intelligence gathering;
- Suppression of dissent and attacks on journalists and activists;
- Lack of protection for refugees, asylum-seekers and migrants;
- Denial of economic and social rights; and
- Evasion of corporate accountability for human rights abuses.

The human rights crises around the world today – Myanmar, Gaza, Zimbabwe, Iraq, Afghanistan, Democratic Republic of Congo, Colombia – demand immediate action and reflect the need for collective leadership of established and emerging powers.

A Regional overview of Human Rights Trends:

AFRICA

Background
In 1948 there were only three representatives of Sub-Saharan Africa at the vote for the UDHR: Ethiopia, Liberia and South Africa. This was the year which saw South Africa introduce apartheid and was one of the few countries to abstain from the vote for the UDHR. Since then, the decolonization processes and the end of apartheid have been accompanied by institution-building on a national and regional level and increased respect for the rule of law and democratic principles across the continent.

Many sub-Saharan African countries now have active civil societies and diverse independent news media. However, durable and lasting solutions to Africa's conflicts have often proved elusive and the price has been paid in human rights abuses.

A number of protracted armed conflicts have been resolved, such as those in Angola, Liberia, Sierra Leone and Southern Sudan, but the human rights consequences of these conflicts endure, affecting the political arena, economics and social development.

Africa and the UDHR
The violent struggle for power, even in states that do not descend into armed conflict, still remains a component of political life in Africa and has resulted in many human rights violations. There has also been a lack of political will from governments and inter-governmental organizations to address the human rights violations that generally lie at the roots of political tensions and hostilities.

Internal armed conflicts continue in the continent with devastating impact in a number of countries, such as the Democratic Republic of Congo, Somalia, Sudan (Darfur) and Chad. Large scale human rights abuses are committed by all parties to these conflicts including sexual violence, recruitment of child soldiers and unlawful killings. Rest of paragraph deleted

Police and other law enforcement officers are rarely held accountable for human rights violations, including arbitrary arrests and detention, torture and other ill-treatment. Recent years have seen international justice mechanisms start contributing to ensuring accountability for crimes under international law, but not enough is being done.

In many African countries it continues to be dangerous to express critical or independent views. Political opposition groups, human rights defenders, independent journalists and wider civil society, all face state repression.

Progress has been seen with regards to the death penalty. African states are increasingly becoming abolitionist in practice or by law and even though the death penalty continues to be applied in various countries, the number of people executed is not large.

Despite increased economic growth in many African states over recent years, millions of people continue to live without access to the basic requirements of a dignified life, such as adequate housing, education or health care. Political instability, armed conflict, corruption, under-development and under-investment contribute to the failure to make economic, social and cultural rights a reality for all across the continent. Hundreds of thousands of people in Africa are on the move across borders in search of protection or an adequate standard of living, often at great risk to their lives.

So, despite significant progress, the human rights promised in the Universal Declaration are far from reality for all the people of Africa.

THE AMERICAS

Latin America

Although all Latin American countries signed up to the UDHR, military rule dominated much of the region from the 1960s to the mid-1980s. This was characterised by widespread and systematic human rights violations e.g. enforced disappearances, extrajudicial executions and torture of political opponents.

The end of military rule and the return to civilian, constitutionally elected governments have seen an end to this pattern of violations. However, the hopes that a new era of respect for human rights had arrived have in many cases proved unfounded as new patterns of abuse have emerged.

Those responsible for abuses of power and human rights violations frequently remain unpunished. Equal protection may exist in law, but it is often denied in practice, particularly for those in disadvantaged communities such as Afro-descendants and Indigenous Peoples.

Although many countries in the region were once ravaged by civil war and internal armed conflict, today only Colombia remains affected by a major conflict. Civilians continue to be the principal victims.

Most constitutions guarantee fundamental rights and most countries in the region have ratified key international human rights treaties, with the exception of the USA (not ratified the Convention on the Rights of the Child or the UN Women's Convention).

USA:

"War on terror"
The violations committed by US personnel in Iraq, Afghanistan, Guantánamo and elsewhere have been many and varied, and have included enforced disappearance, torture and other cruel, inhuman or degrading treatment (in some cases resulting in death in custody), prolonged incommunicado detention as well as other forms of arbitrary and indefinite detention, secret international transfers of detainees without due process ("rendition"), and flagrantly unfair trials. Accountability has been largely absent, as has remedy for the victims.
.
There are still more than 200 detainees held in indefinite military detention without charge or trial in the US Naval Base in Guantánamo Bay, in Cuba. Some face trial by military commissions under procedures that do not comply with international fair trial standards. The US government is intending to seek the death penalty against some detainees at such trials.

Amnesty International is calling on President-elect Obama, after taking office, to promptly announce a plan and a date to close the Guantánamo detention facility, to abandon military commissions deleted trials in favour of the ordinary US federal courts, to issue an executive order to ban torture and other ill-treatment as defined under international law, and to support the establishment of an independent commission of inquiry into abuses committed by the USA in its "war on terror".

The death penalty
Despite the UN's first-ever General Assembly resolution calling for a global moratorium of the use of the death penalty last year, the USA remains one of the top five executioners in the world.

Amnesty International will continue to campaign at local, state and federal level in the USA to seek and end to the death penalty.

ASIA

Many of the Asia-Pacific states that adopted the UDHR in 1948, including India and Burma (Myanmar), had recently achieved independence from colonial rule. For them, a global commitment to a world where all are "free and equal in dignity and rights" held special significance.

"Freedom from fear and want" were equally powerful aspirations for the citizens of the many Asia-Pacific nations that joined the UN thereafter, from Laos to Indonesia, Cambodia to Fiji. On the face of it, "freedom from want" appeared to find some vindication in Asia's subsequent, explosive emergence as a powerful economic force. Despite disparities between individual economies in the region, on the whole, Asia has seen its wealth increase faster than any other region in the world since 1960.

Recent History
Asia is home to the two most populous countries in the world - China with 1.3 billion people and India with 1.1 billion. These two states' economies are also among the fastest growing globally.

Not all citizens have benefitted equally from these economic giants, however. Economic growth has been accompanied by a widening gap between rich and poor, exacerbating entrenched patterns of discrimination. The challenge to match rapid economic expansion with an increase in civil, political, economic, social and cultural rights for the region's poor remains unmet.

Conflicts
Several ongoing conflicts and the violence perpetrated by armed groups have continued to generate grave abuses across the region, undermining the security of millions.

In addition to refugee populations denied a durable solution, hundreds of thousands remain internally displaced by conflict. Meanwhile in many countries security forces have enjoyed impunity for decades for human rights violations including extrajudicial executions, enforced disappearances, torture and other ill-treatment perpetrated in the name of "national security".

Political instability and the imposition of military authority - often via the imposition of states of emergency - have undermined institutions crucial for the protection of human rights, or stalled their reform, in several countries. In this anniversary year of the UDHR, the prospect of an effective remedy for victims of human rights violations in many countries remains illusory.

EUROPE AND CENTRAL ASIA

Post 1945 – Bringing Europe Together
The experience of the Second World War and the Cold War which followed had a deep influence on collective and individual responses to the need for common ground, as Europe sought to build prosperity, ensure security and embed the rule of law.

Within a decade, western Europe had laid the foundations of what would become a pan-European institution and transform what began as a localized coal and steel community into a union with global economic and political power.

In that time, the Council of Europe drew up the first international legal instrument to protect human rights, created the European Court of Human Rights to enforce it, and established a

Parliamentary Assembly.   Now comprising 47 member states, the Council's system has been augmented by a Commissioner for Human Rights and various monitoring bodies.

The economic communities established in the 1950s have evolved today into the European Union. The EU has expanded in range to embrace new member states from the former Communist bloc, and in vision to a "union of values", aspiring to place human rights at the centre of its internal and external policies.

The post-war political configuration of Europe was also behind the formation of the Organization for Security and Co-operation in Europe (OSCE). This is the world's largest regional security organization, with 56 participating states including those of Central Asia.

Conflicts and Change
The path to this point has not been smooth, however. The intervening 60 years have seen military dictatorships in Greece, Portugal, Spain, Turkey, and repressive states of the Soviet bloc.

Armed groups have sought to advance the cause of a particular minority or ideology by force. Savage conflicts have convulsed parts of the former Soviet Union and Yugoslavia as they fell apart. New states emerged, but so did entities with unresolved status still unrecognized by the international community.

Human Rights Challenges
Major challenges remain. Much of the region is stable, but impunity endures for crimes committed in recent conflicts, with hundreds of thousands of people still displaced and with little prospect of imminent return.

Much of the region has grown in prosperity, but not for those excluded from fundamental economic and social rights, either through racism or other forms of discrimination. Europe remains a magnet for those seeking to escape persecution, violence or poverty, but still fails them with repressive approaches to irregular migration.

Security is of paramount concern to states across the region, yet it is consistently undermined by those who see it as conflicting with - and more important than - human rights.

It is also true that this region, which regards itself as a beacon of human rights, still embraces a yawning gap between rhetoric and reality, standards and application, principles and performance. States that entered voluntarily into the various commitments of the regional institutions, have equally voluntarily evaded their obligations – attacking and eroding human rights, and failing to find the political will needed to address key abuses.

MIDDLE EAST & NORTH AFRICA

Attitude to UDHR
Several Middle Eastern states were among those that adopted the Universal Declaration of Human Rights 60 years ago, but in the intervening six decades the realisation in practice of the rights has been impeded in the Middle East and North African (MENA) region by many factors.

Political and other impediments
The implementation of the UDHR has been impeded by the many political and military conflicts that have taken place across the region since the UDHR was signed. These include those which accompanied decolonisation of the North African states, the wars involving Iraq and the continuing conflict between Israelis and Palestinians, all compounded by deep-seated religious and cultural factors.

Political and social institutions have contributed to the subordination of women under the law and in practice and to discrimination against ethnic, religious and other minorities. Added to this, international involvement in the region has often worked against human rights by

propping up authoritarian governments or directly contributing to abuses, as with the US policy of unlawfully "rendering" prisoners to states notorious for their use of torture.

Most MENA states have become party to the international human rights treaties spawned by the Declaration [such as the ICCPR, ICESCR, CEDAW, Convention against Torture, etc] and most of their constitutions and national laws mirror many of the human rights set out in the Declaration. Yet, in practice, these provide only very limited safeguards due to the predominance of executive authorities and the relative weakness of the judiciary and legislative institutions.

It is therefore only now, at the 60th anniversary of the UDHR, that an Arab Charter on Human Rights, has come into effect. Four of the five North African states, however, have been party to the African Charter on Human and Peoples' Rights for many years.

The Israeli-Palestinian conflict
The creation of the state of Israel in 1948, coincidentally the year of the UDHR's adoption, as a Jewish state surrounded by Arab countries, introduced a state of tension between Israel and its Arab neighbours which still endures. In addition, it sparked a struggle between Israelis and Palestinians which, 60 years on, still continues and shows little sign of resolution. Thousands of Palestinians remain as refugees in Lebanon and other countries, and Israel continues to maintain its military occupation of the West Bank and Gaza Strip, imposing tight controls on the movement and other aspects of the lives of their Palestinian residents while continuing to expand Israeli settlements in breach of international law.

The international community's failure to end Israel's military occupation of the Palestinian Territories and to ensure a durable solution which recognizes and guarantees the fundamental rights of both Israelis and Palestinians, throws a dark shadow over the wider region, and remains a potential source of regional or global confrontation.

Human Rights Abuses
Grievous human rights abuses continue to be both widespread and firmly entrenched in the region. Despite talk of greater democracy, good governance and accountability, most power remains firmly in the grasp of small elites which are largely unaccountable to those they govern.

State power is maintained, and dissent and debate repressed, by over-powerful security and intelligence services. Those who speak out risk arbitrary arrest and detention without trial, torture and other ill-treatment by security police whose political masters allow them to abuse human rights with impunity.

Such victims all too often have no means of remedy or redress because courts lack independence and are subservient to the executive powers of the state.

"War on Terror"
The USA and other western states, In pursuit of the "war on terror", have made allies among the security and intelligence services of some of the most repressive regimes in the region.

They have secretly "rendered" suspects to states such as Egypt, Jordan and Syria, so they can be detained, interrogated and tortured, or they have deported them to Algeria or Tunisia despite such risk. In doing so, they have not only breached international law, but helped entrench the abusive methods of the region's security apparatus.

The Future
Today, hope for reform lies primarily with the growing generation of young people in the region, who increasingly ask why they cannot access or enjoy their inalienable human rights.

The assumptions of the region's ruling elites are being called into question and there is a pressure to adapt, and to become more accountable to the populations they represent.

ENDS