

Essay on Human Rights Violation

"It is the obligation of the State to ensure everyone the right to adequate food, education, and enjoyment of highest attainable standards of physical and mental health. These rights have to be respected and made available to the citizens by the State".

—Justice Anand Chairperson Human Rights Commission

Human rights violations have to come very commonly nowadays. The Newspapers and T.V. tell us that every day and at every moment, somewhere in the world, Human rights are being violated. Broadly speaking 'Human Right' means the right to life, liberty, equality, and the dignity of an individual irrespective of caste, creed, or sex. These human rights are natural rights, required to be protected for the peaceful existence of a person. Our Constitution safeguards human rights, but in spite of all such provisions, the violation of these rights is very frequently taking place. The protection and preservation of Human Rights is a great challenge to every country in the world. Cases of violence, murder, torture, rape, child abuse, death due to starvation, death due to dowry, sexual harassment, custodial death have become rampant in society.

The National Human Rights Commission (NHRC) has been able to touch the tip of the iceberg of the problem of Human Rights violations. But NHRC can't be blamed, when the entire society is culpable in respect of Human Rights violations in one way or the other. It is not possible for NHRL to keep a vigil on every human being in the country.

The Chairperson of the National Human Rights Commission, Dr. Justice A.S. Anand has emphasized that it is the obligation of the State to

ensure everyone the right to adequate food, education, and enjoyment of the highest attainable standards of physical and mental health. These rights have to be respected and made available to the citizens by the State, said Justice Anand while inaugurating the two-day Capacity Building Workshop on “Economic, Social and Cultural Rights” jointly organized by the National Human Rights Commission and the Indian Institute of Public Administration.

Under the International Covenant on economic, social, and cultural rights a State party is obliged to use all steps to achieve the progressively full realization of the rights recognized in the covenant, Justice Anand said, these include the adoption of legislative means, to be exercised on a non-discriminatory basis.

“India being a signatory to Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights and other international instruments, is legally as well as morally committed to ensure basic human rights to all its citizens and enact laws accordingly”, he said.

With every passing year, the conviction has grown in the Commission that for the right to live with human dignity, it is essential to focus on equal measures on economic, social, and cultural rights and civil and political rights. The indivisibility and interrelated nature of these rights is a reality and there is a symbiosis between them. Those in the field must, therefore, ensure that the concern and anxiety, which they show for political and social rights, are also manifested in economic, social, and cultural rights as well he said.

The abject poverty prevailed in the country, denies basic Human Rights to millions of poor in our country. Poverty is the major cause of various Human Rights violations. Child labor, Bonded labor, and Illiteracy are various vulnerable points of Human Rights violation.

The Human Rights of women are violated from birth to death. Even the Rights of female to born is taken away by sex determination tests, with the termination of a female fetus. Female infanticide is common in many parts of the country even as on date. Sexual abuse of female children, dowry deaths, flourishing flesh trade, rape cases, pitiable conditions of widows living in Vrindavan and Varanasi are some flagrant examples of violations of the Rights of the fair sex. Ours is a male-dominated society, where women are being treated as their subordinates. Most of the women in real terms, do not enjoy any rights at all, they are just living first as per the wish of their parents and after marriage as per whims of their husband and in old age, as per the convenience of their sons and daughters-in-law.

The NHRC has tried to check the human rights violations in a wide range of spheres. The Commission has asked the States and Union Territories in April 2000, to compulsorily video film the post-mortem examination in all cases of custodial deaths. There have been more than 1000 custodial deaths during the last two years, with Bihar tops the list. The Commission has asked the State governments to sensitize the police and jail officials. The NHRC took up the cases of victimized women from all perspectives. It has also recommended that the maintenance allowance for divorced women be increased from Rs. 500 to per month. Cases of violation of children's rights, like trafficking in children, imprisonment of juveniles, child marriage, have also taken up by the NHRC. NHRC took up cases of rape, death, and detention without trials, vehemently. Recently the NHRC has taken up the case of Best Bakery in Gujrat and moved an application to Supreme Court. The Apex Court heard the matter and found that the State carried out the investigation and prosecution in a manner that ruled out the conviction.

The Founding Fathers of the Indian Constitution had a vision of the Indian society, which they wanted to realize through the

Constitution. That vision was primarily reflected in the Preamble, the chapters on Fundamental Rights and Directive Principles of State Policy. In a way, the Fundamental Rights and the Directive Principles of State Policy are the product of the human rights movement in the country. It is the duty of the State to guarantee what is said in the Constitution. But the shocking evidence that the State is itself the culprit, according to Mr. , the former

chairman of the NHRC. According to a statement made by him on , 2003, just a few days before his demitting the office: *"It is often the State which is a violator of Human Rights in maximum cases in the country. But the maximum responsibility to protect and safeguard the rights of its citizens also lies with the State"*.

The Chairperson of the National Human Rights Commission, Dr. Justice A.S. Anand stressed the need for making human rights the focal point of good governance. He called for a greater role for National Human Rights Commissions in the work of the United Nations, its treaty bodies, and specialized agencies, stressing the need to further develop cooperation between them.

He made these observations while delivering a Statement to the 60th Session of the Commission on Human Rights at Geneva on 14th April 2004. He emphasized that the protection of human rights not only requires vigilance by various agencies but also sustained cooperation at regional and international levels.

No Commission or no Police station can police every nook and corner of the country. No NGO, no other agency can be present everywhere to protect Human Rights. It is we people, it is the duty of every civilized person to rise to the occasion. This can be brought about only through general awakening which makes everyone understand the eternal values of life and dignity of an individual irrespective of

caste, creed, or sex. In the word of Swami Vivekanand that the “Self in you is the Self everywhere.”