

The International Bill of Human Rights



Australian
Human Rights
Commission

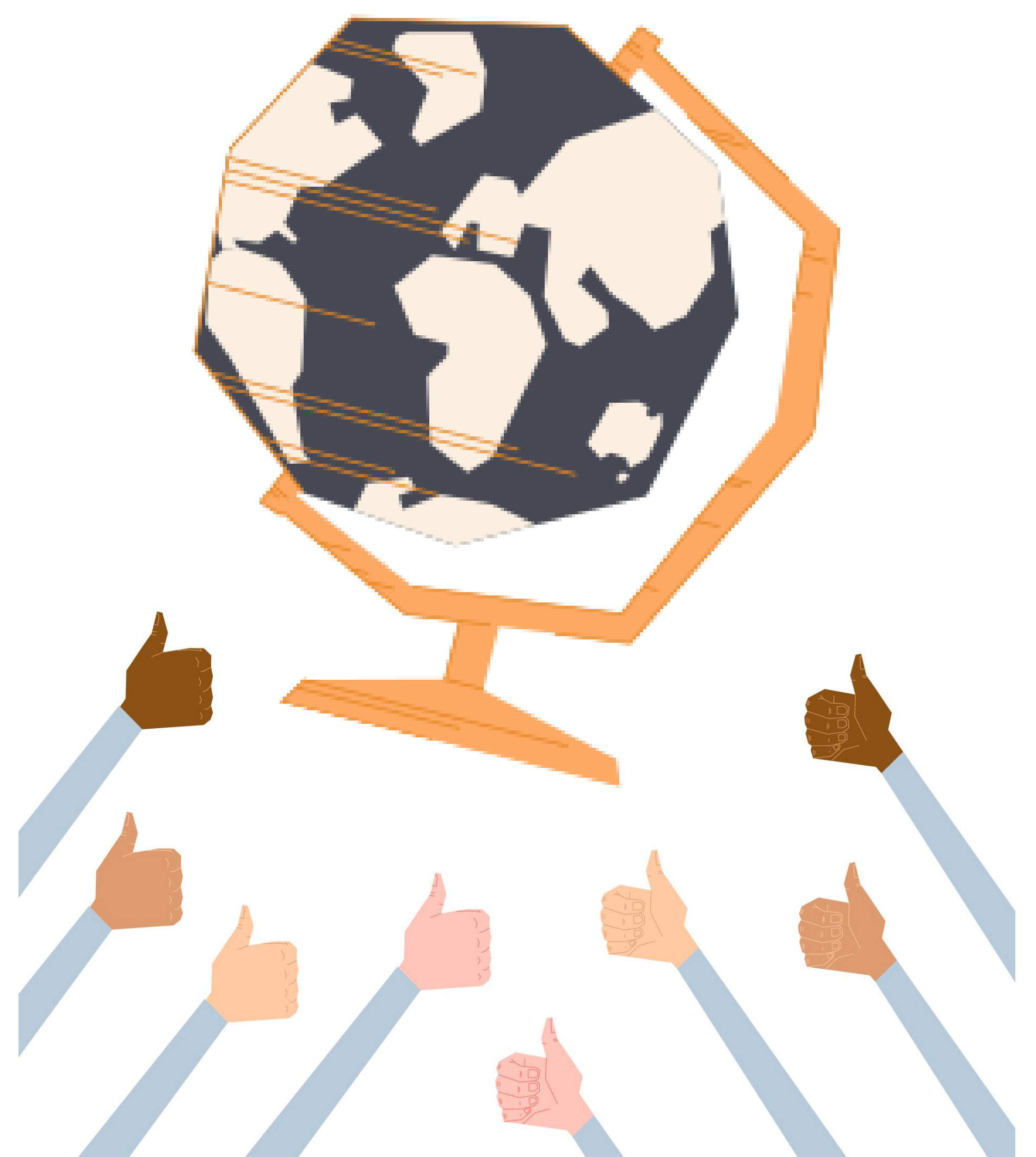
What is the International Bill of Human Rights?

After the first and second world wars, the international community recognised that the world needed an organisation to promote peace and unity in all countries. Founded in 1945, this new organisation, the United Nations (UN), immediately began writing several documents to protect human rights. They produced several different kinds of documents. A convention (sometimes called a covenant) is a binding treaty that comes into force upon ratification by a certain number of states. A declaration is not legally binding but carries moral weight because it is adopted by the international community.

The International Bill of Human Rights is made up of 5 core documents endorsed by the United Nations (UN) that together define and inform human rights. These are:

- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- First Optional Protocol to International Covenant on Civil and Political Rights
- Second Optional Protocol to International Covenant on Civil and Political Rights

The United Nations (UN) is an international organisation that seeks to develop relations among nations of the world. It fosters cooperation between nations in order to solve global economic, social and cultural problems and negotiates agreements concerning international peace and security.



everyone, everywhere, everyday

The Universal Declaration of Human Rights (UDHR)

UNIVERSAL DECLARATION OF HUMAN RIGHTS

For the first time the whole world recognised
that everyone had the right to enjoy

FREEDOM OF SPEECH

FREEDOM OF RELIGION

**FREEDOM FROM
FEAR & WANT**

The UDHR was adopted by the UN in 1948. It recognises that ‘the inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world’. It declares that human rights are universal – to be enjoyed by all people, no matter who they are or where they live. Australia was one of eight nations involved in drafting the UDHR.

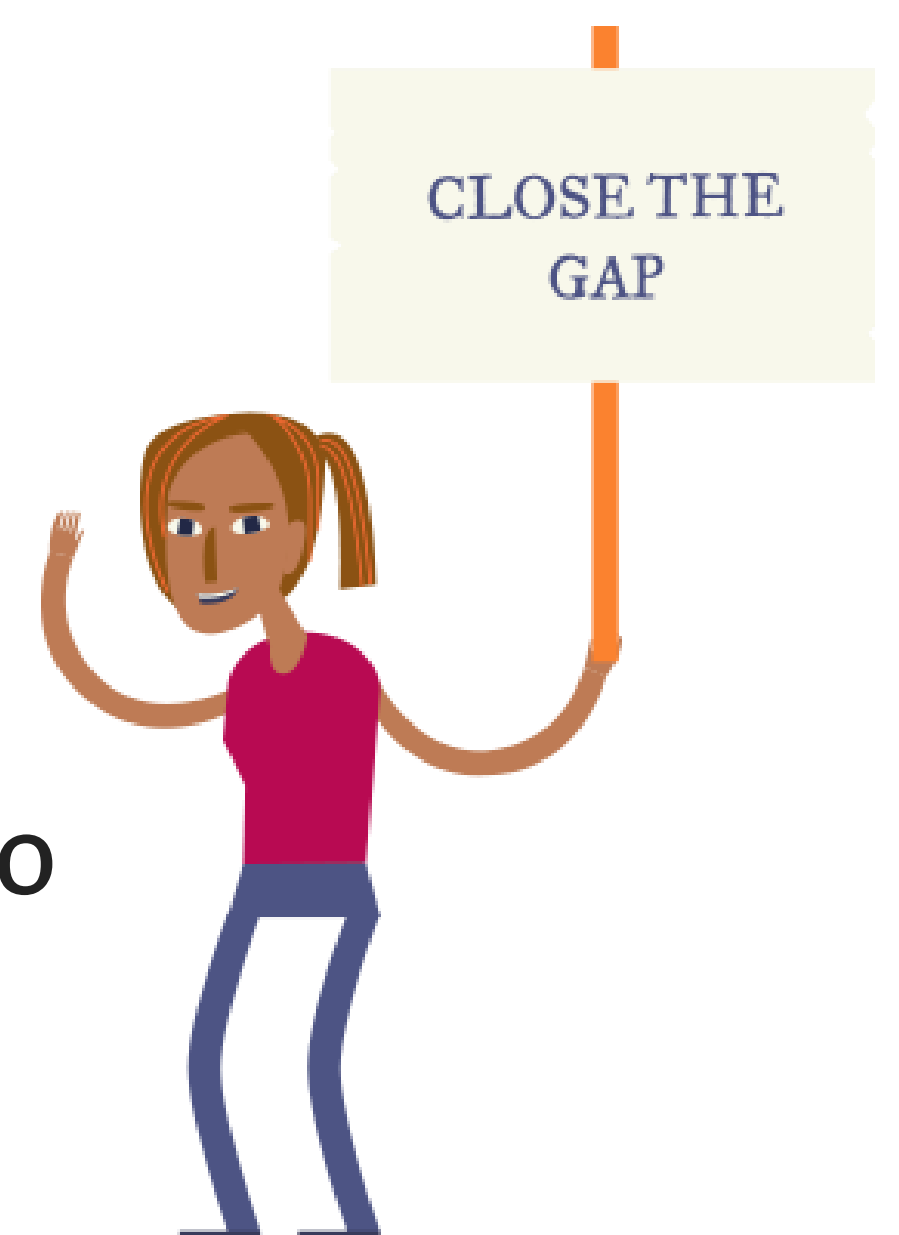
The UDHR is not a treaty, so it does not directly create legal obligations for countries. The UDHR has however, had a profound influence on the development of international human rights law.

The UDHR includes civil and political rights, like the right to life, liberty, free speech and privacy. It also includes economic, social and cultural rights, like the right to social security, health and education.

Governments and society have a responsibility to take progressive measures to ensure that human rights are universally recognised and observed.

The International Covenant on Economic, Social and Cultural Rights (ICESCR)

The ICESCR aims to promote and protect human rights in an individual’s economic, social and cultural life. This includes protecting the right to an adequate standard of living, the right to education, the right to fair wages and the right to safe working conditions.



The ICESCR requires states to take steps, including legislative measures, to achieve the ‘progressive realisation’ of ICESCR rights. This requires states to demonstrate in good faith the fulfilment of the rights over time, within their capacities. For example, it is assumed that where states have inadequate resources to ensure free education is provided, they will work towards achieving this goal. The UN also assists states to realise these rights through their work, including the Millennium Development Goals and the Sustainable Development Goals.

On 10 December 1975, Australia agreed to be bound by the ICESCR.

The International Covenant on Civil and Political Rights (ICCPR)



The ICCPR aims to promote and protect human rights in the civil and political space. Some of the civil and political rights in the ICCPR include the right to life, the right to freedom of conscience and religion, the right to be free from torture, and the right to a fair trial.

Most of these rights are not absolute. Instead they are subject to reasonable limitations which are created for a legitimate purpose. For example, it may be legitimate to limit a right in order to protect national security, public order or the general welfare of a democratic society.



Some rights, such as the right not to be held in slavery and the right to be free from torture are absolute. The ICCPR identifies absolute rights which cannot be infringed in any circumstances. Australia agreed to be bound by the ICCPR on 13 August 1980.

1st Optional Protocol, ICCPR

- established a complaints mechanism that allows individuals to seek justice if they believe their human rights have been denied.

2nd Optional Protocol, ICCPR

- seeks to abolish the death penalty.



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