

## **EVERY HUMAN HAS RIGHTS. THAT IS THE ESSENCE OF OUR HUMANITY**

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Every human has rights. That is the essence of our humanity. It places on each of us the duty to stand up, not just for our own rights but also for those of others.

THE COMMISSION ON HUMAN RIGHTS (CHR) BROADLY DEFINES HUMAN RIGHTS AS THOSE RIGHTS NECESSARY FOR PEOPLE TO LIVE AS HUMAN BEINGS. So it is really a necessity that we have to abide for this reason. Ang karapatan pang tao ay dapat isaalang –alang ayon sa batas na nararapat. It has been over 50 years since the United Nations (UN Universal Declaration of Human Rights was signed by most governments in the world and yet the abuses continue to grow).

Freedom of Speech and Human Rights are taken for granted in the west, but recent years have seen conditions deteriorate around the world. As early as 1997 for example, Human Rights conditions were reported to remain unchanged compared to previous years, or in some countries, actually worsen, around the world. In 1998 for example, the UN reported that even though over a hundred governments had agreed to help outlaw some of the worse violations of rights, torture was still on the increase.

Remember during the MARCOS REGIME.... human rights have been violated

One of the reasons why I am saying this ,because we have witnessed what happened to our country during martial law where almost all of us were so scared that in just one blink of an eye we might be put to jail for committing mistakes. There is no democracy. Not only in our country. Even in other countries like Ethiopia between the years 2006-2009 This is clear of their utter silence during the 2006-2009 .US sponsored Ethiopian troops have committed mass rape of women and girls. I just do not know if they were able to solve that problem.

As we all know, the Philippine is a state party to about 23 international human rights instruments under the UN system. Among these instruments are the following core human rights instruments:

1. Universal Declaration of Human Rights (UDHR)
2. International Covenant on Civil and Political Rights (ICCPR)
3. International Covenant on Economic, Social and Cultural Rights (ICESCR)

4. Convention on the Rights of the Child (CRC)
5. Convention Against Torture (CAT)
6. Convention on the Elimination of Discrimination Against Women (CEDAW)
7. Convention on the Elimination of Racial Discrimination (CERD)
8. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
9. UN Declaration on the Right to Development (RTD)

I believe that:

It is through the observance of these human rights standards that expanding choices and opportunities of the poor and vulnerable sectors of our society could be realized under the development process.

The realization of human rights is the goal of all development efforts. Governance manages development. This brings to the fore the importance of consciously and deliberately mainstreaming human rights standards in development and governance.

On the No Permit, No Rally Policy

This is in reference with ordinances passed by key cities and municipalities in Metro Manila pertaining to the "NO PERMIT, NO RALLY POLICY".

It is the stand of the Commission that such policy is a blatant violation of the Constitutional right of every citizen to peaceably assemble and to seek or air grievances which may be expressed through rallies.

This constitutes the fundamental and basic right of every citizen to air their insights to authorities and political leaders on matters involving public concern and interest for the protection of their civil, political and economic rights.

The right to assemble is guaranteed by the Bill of Rights and is not subject to prior restraint. Hence, it may not be conditioned upon the prior issuance of a permit or authorization from government authorities.

No less than the International Bill of Rights promotes respect for the rights to freedom of expression and freedom of peaceful assembly and association, to wit:

Many cases of human right violations have been documented. For example, Countless KILLINGS OF MEMBERS OF BAYAN MUNA, ANAKPAWIS, GABRIELLA and OTHER ALLIED ORGANIZATIONS.

No other right is most basic, most enshrined and most fought for in all of the international community, and at the same time most abused and exploited, than the “right to life, liberty and security of persons” (Article 3, Universal Declaration of Human Rights).

This right proceeds from the inherent right to human dignity of every person regardless of race, sex, nationality and any other kind of discrimination.

Under Article 6 of the International Convention on Civil and Political Rights,

“1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

The right to life is the supreme right from which no derogation is permitted even in time of public emergency which threatens the life of the nation ( Article 4, Ibid.).

The International Human Rights Committee considers that States parties should take measures not only to prevent and punish deprivation of life by criminal acts, but also to prevent arbitrary killing by their own security forces.

States parties should also take specific measures to prevent the disappearance of individuals, something which unfortunately has become all too frequent and leads too often to arbitrary The right to life includes the right of an individual to his body in its completeness, free from dismemberment and extend to the use of God-given faculties which make life enjoyable. (Justice Malcolm, Philippine Constitutional Law, pp. 320-321). The right to liberty, on the other hand, includes “the right to exist and the right to be free from arbitrary personal restraint or deprivation.”

The Commission on Human Rights, on complaints received and on its own, has conducted investigations relating to the systematic killings committed against unsuspecting victims including members of Bayan Muna, Anak Pawis, Gabriella and other allied organizations.

On the basis of the investigation reports (38 reported killings and harassment gathered from the CHR Regional Offices), most of the perpetrators are perceived to belong to the military and/or paramilitary arms of the government. Some of the investigations have been closed for monitoring due to various reasons such as, but not limited to, its consequent filing in court and lack of information due to refusal of witnesses and family members to shed light and furnish details on the incident for fear of their own lives, some have even gone to the extent of transferring residence in order to avoid whatever repercussions the incident may cause them deprivation of life.

Aside from the rights to life, liberty and security of persons, other rights violated are the freedom of expression and association which are foundations of democracy. The right against discrimination is likewise breached or neglected the law into their hands.

Since time immemorial, our country has always adhered to the principle that “ours is a government of laws and not of men.” This simply means that no one is above the law, “nemo est supra legis.” Not even those who possess power has been given the unbridled right to use (or abuse) it.

No amount of reason will justify the indiscriminate killings committed by any person, much more by the military, against the ordinary and helpless citizen. Not even membership to any group or organization is reason enough to justify this kind of summary execution. In fact, this runs counter to the constitutional guarantee of presumption of innocence unless proven guilty. These summary executions without due process of law has no place in a cultured world.

Bayan Muna is a duly registered political party and the killing of any person by reason of his membership to the same is illegal and inhuman. The Constitution itself guarantees this right to association. The only limitation is that its purposes must not be contrary to law. Bayan Muna’s registration with the COMELEC showed not only its regularity but also its legality.

Again, the military must be the protectors of the State and its citizens and not the oppressors and violators thereof. No one may take the law into their own hands. Otherwise, the justice system and the courts of law will serve no purpose. This is what separates the civilized world from the barbaric one.

“Juris praecepta sunt hec, honeste vivere, alterum non laedere, suum cuique tribuere.” The precepts of the law are these, live honestly, not to injure another and to give each one his due.

This maxim sums up the totality of every man’s duty and responsibility to society in general. Thus Article 19 of the Civil Code provides:

“Every person must in the exercise of his rights and in the performance of his duties, act with justice, give everyone his due, and observe honesty and good faith.”

A chapter on Human Relations was formulated in the New Civil Code, to present some basic principles that are to be observed for the rightful relationship between human beings and the stability of the social order. The lawmaker makes it imperative that everyone duly respect, the rights of others (Report of the Code Commission, p. 39). Indeed, the said Chapter is calculated “to indicate certain norms that spring from the fountain of good conscience. These guides for human conduct should run as golden threads through society, to the end that law may approach its supreme ideal, which is the sway and dominance of justice.” (Ibid.)

The Commission on Human Rights totally detests these inhuman practice of summary execution committed against our helpless brothers especially those who belong to Bayan Muna, Anak Pawis, Gabriella and other allied organizations.

If this arbitrary taking of precious lives would continue without being restrained by the government, worse if the killings were done by the government itself, it will not be long when the democracy fought for by our heroes slip our hands and we will be ruled by chaos and anarchy.

The conduct of an inquiry specifically relating to this issue could not be on a more better time. A stop must be placed on this series summary execution committed by those who think they are above the law. Violations of these kind deserves the most severe punishment to serve as deterrent against those who, in the future, may be tempted to agree with the the call on the government, especially the PNP, the DND and the AFP, to conduct the necessary investigations regarding these killings and to report violations covering the same. Further, we ask that these law enforcers furnish copies of the said investigations to the Commission on Human Rights.

Sadly, the reported offenders belong to their ranks. We remind them, however, that their primary duty under the 1986 Philippine Constitution is the “protection of the people and the State” (Section 3, Article II). While the Armed Forces may be tempted to feign and simulate the truth or to put the law into their own hands in order to protect and show loyalty to their ranks, we say again that their paramount duty is to the welfare of the citizens of the State and to the rule of law.

Finally, under the same Article II, specifically under Section 11 of our Constitution, it is stated that,

“The State values the dignity of every human person and guarantees full respect for human rights.”

With this in mind, no justification will rationalize these indiscriminate killings against members of Bayan Muna, Anakpawis, Gabriella and other allied organizations whose groups are considered legitimate under Philippine Laws. THIS IS AN ARTICLE TAKEN FROM THE NEWS REPORT ON HUMAN RIGHTS VIOLATIONS COMMITTED BY THE CAFGU AND OTHER PARA-MILITARY GROUPS AGAINST INDIGENOUS PEOPLES

The number of human rights violations committed by the military and paramilitary groups specifically against our Indigenous Peoples, as recorded in the Regional Offices of the Commission on Human Rights, has rapidly increased in the past years. This deserves our utmost attention.

In Mindanao ,Region XII, the most pressing human rights issue is the armed conflict between the government forces and the Moro Islamic Liberation Front (MILF) in Liguasan March Area, known as the Buliok Complex situated in the Municipalities of Pikit and Pagalungan, province of North Cotabatao and Maguindanao. The sectors affected are the children, women, youth, internally displaced people and Muslims. It was gathered that there was displacement of about 6,583 families or 39,498 persons. Some stayed in the government centers and others sought shelter among their relatives who are not affected by the armed conflict. Some houses were burned in Barangay Galigayanan, Pikit, Cotabato in the course of the intense fighting between government troops and the MILF. The people lost their livelihood and others lost their livestocks, working animals and harvest. The school children in the affected areas

stopped going to school. Women, children and the elderly suffered poor health condition. Water supply was almost not available and food rations from the concerned government line agencies were non-accessible.

The areas particularly affected are that of Sultan Kudarat, Maguindanao and Sarangani Provinces. Among the problems identified are the exploitation of the IPs ancestral domain perpetrated by some unscrupulous individuals/groups. One case is that in Datalbao, Columbio, Sultan Kudarat. The B'laan natives of Sition Lam-alis were reportedly harassed, illegally arrested and detained by the military soldiers. Their properties were looted after their houses were forcibly entered into. The natives were accused of being NPA guerillas. Allegedly, the IPs built a bunkhouse for the rebels. Some of the natives were forced to admit that they were NPAs for fear of death. The villagers admitted though that once a month, the NPA guerillas pass by their village but only to rest under the trees for a couple of minutes after which they leave again. Sometimes they asked for food, and if there is nothing, they just leave. The instant case was already referred to the Office of the Military Ombudsman, recommending immediate indictment of the responsible elements of the military, should prima facie case exist. Aside from investigating and providing legal assistance, the Region also conducted dialogues among the concerned parties and some awareness activities on the rights of Indigenous Peoples. The B'laan village in the said area has already been declared as "Zone of Peace."

In Region IX, the continuing internal armed conflict hostilities resulted in wanton and indiscriminate killings, ambushes, unlawful seizures and searches, unlawful arrest, social unrest and economic instability. The victims of these atrocities were the most vulnerable sectors of society – women and children, the peasants, the fisher folks and the elderlies. In the areas of armed conflict, economic empowerment was limited. There was inadequate delivery of basic health services and protection, and education of the children and youth was disrupted. It also resulted in child labor due to the need to augment the family income for subsistence.

In the Cordillera Administrative Region (CAR), a delegation of 40 persons from Barangays Mainit, Dalican and Guinaang, Bontoc and Belwang and Betwagan in Sadanag, all in Mt. Province, complained to their mayor that three of their rice granaries have been forcibly entered and ransacked by the Philippine Army Units operating in the area. They also complained that old men pasturing their livestock were fired upon, illegally detained and interrogated and their belongings searched on the suspicion that they were NPA supporters. During the dialogue, the complainants said that their carabaos died due to bombings and more of their cows and carabaos are missing. The peanuts, beans and rice have been left unharvested and rotting in their fields. For over a month, residents were forced to stay at home, resulting in the delay of their agricultural calendar.

Reports from the Cordillera Peoples' Alliance (CPA) claim that operations of the 54 th IB and the Reconnaissance Group harmed civilians in Bontoc and Sadangan towns wherein, multiple incidents of harassment and illegal arrest have terrorized the residents of the town.

In Region IV, a specific area in Southern Tagalog, has been a hotbed of insurgency and of social unrest. This is not because there are mountain ranges where the NPA rebels take refuge from attacks by the military. To counter the insurgency, four (4) battalions of the AFP were

deployed in the area, not to mention the paramilitary units called the CAFGU Active Agents (CAAs). Charges of militarization have been hurled against the military such as the celebrated case of the killing of Eden Marcellana and Eddie Gumanoy where the suspected killers were alleged members of the military. On the other hand, the military blames the NPA of killing farmers and rebel returnees.

In the Caraga Region, a member of the Indigenous Peoples group who is also a barangay captain of Lanuza, Surigao del Sur, lodged a complaint for harassment and grave threats against the Battalion Commander of the 62 nd IBPA. Unfortunately, the unit is now based in Catbalogan, Samar . CHR is still in the process of completing its investigation but through its intervention, this office was informed that the Battalion Commander was already relieved.

The militarization of some areas contributes to the increase in number of human rights violation. Military men are deployed in the following areas: Aurora Province ; Nabuclod, Floridablanca and Porac, Pampanga; and Doña Remedios Trinidad, Bulacan.

The Indigenous Peoples in the provinces of Bukidnon and Lanao del Norte are situated no differently. Issues such as war conflicts between the lawless armed elements and the government armed forces prevail.

Thus, because of these reasons, rural dwellers migrate. The Report stated that:

“These activities (economic development activities such as but not limited to quarrying and mining) are often carried out without their prior, free and informed consent, as the law stipulates. Communities resist development projects that destroy their traditional economy, community structures and cultural values, a process described as “development aggression.” Indigenous resistance and protest are frequently countered by military force involving numerous human rights abuses, such as arbitrary detention, persecution, killings of community representatives, coercion, torture, demolition of houses, destruction of property, rape, and forced recruitment by the armed forces, the police or the so-called paramilitaries, such as Civilian Armed Forces Geographical Units (CAFGUs). The militarization of indigenous area is a grave human rights problem, as members of indigenous communities are sometimes accused of rebellion or engaging in “terrorist” activity. In the context of the armed conflict that still prevails in the countryside, indigenous communities and organizations are often victimized and their human rights abused.

When indigenous peoples were involved in counter-insurgency operations they suffered indiscriminate firing, dispossession and destruction of their property, food blockades, illegal detentions, physical assaults, harassment, torture and threats. Such incidents have been reported in various parts of the country.

Special mention must be made of CAFGUs set up by the army in numerous indigenous municipalities, whose semi-military activities often tend to divide local communities and set one group against another. The Under-Secretary of National Defense informed the Special Rapporteur that these units should be considered as reserve units of the armed forces, which occasionally carry out military activities when the need arises. However, indigenous peoples

reported that these are not regularly trained military units and that their objective was to control the political and social life of local communities, in disregard of the latter's traditional customs. They reported that divisions among indigenous peoples were created by a tactic whereby the military actually chooses the community leaders (Datu) in order to manipulate and control the community. They asked that CAFGU's be removed from their communities because they do not carry out any beneficial activity.

” Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

The basic human rights issues involved are the right to life, liberty, dignity, security, food, water housing, health and education. The Report stated that:

“ON THE PROTECTION OF HUMAN RIGHTS AND THE DECLARATION OF THE STATE OF NATIONAL EMERGENCY”

On Friday, 24 February 2006 President Gloria Macapagal Arroyo issued Proclamation No. 1017 Declaring a State of National Emergency.

The Proclamation cited unrestrained political opposition “engaged in a concerted and systematic conspiracy, over a broad front, to bring down the duly-constituted Government elected in May 2004,” and invokes Article 2, Section 4 of the Constitution which provides that “the defense and preservation of the democratic institutions and the State is the primary duty of Government.”

The 1987 Constitution created an independent Commission on Human Rights with the mandate to ensure that the state indeed “values the dignity of every human person and guarantees full respect of human rights.” (Article II, Section 11, 1987 Philippine Constitution)

The Commission, in the exercise of this mandate, issues this advisory to remind the Government and the general public of the pertinent provisions of human rights treaties to which the Philippines is a state party. In particular, the Philippines ratified on 23 January 1987 the International Covenant on Civil and Political Rights.

The Philippine Government is legally obligated to comply with its provisions, as follows:

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (ICCPR Art 2, Sec. 1).

To ensure that any person whose rights or freedom as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity (ICCPR Art. 2, Sec. 3a). x x x”

Recognizing that there are indeed situations when a state is allowed to derogate from a part of its obligation to the ICCPR, Article 4 provides:

- In time of public emergency which threatens the life of the nation, and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion or social origin.

- No derogation from articles 6, 7, 8 (par. 1&2), 11, 15, 16 and 18 may be made under this provision.

- Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present covenant, through the intermediary of the Secretary General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made through the same intermediary on the date on which it terminates such derogation.

In plain language, the ICCPR proscribes (or prohibits) derogation from the following rights:

Article 6 The Right to life: No arbitrary deprivation of life, duty to investigate state killings, duty to punish offenders for state killings, duty to protect persons from killings by non-state actors, Death Penalty for the most serious of crimes, right to seek pardon, commutation, no imposition for death sentence for minors, no execution for pregnant women, no delay in abolition of the Death Penalty.

Article 7 Prohibition of torture or cruel, inhuman, degrading punishment or treatment: all persons deprived of their liberty must be treated with humanity and respect for dignity or human person, no medical or scientific experimentation without valid consent, no justification or extenuating circumstances may be invoked to excuse torture, cruel, inhuman, degrading treatment or punishment.

Article 8 Prohibition of slavery, slave trade, servitude, forced or compulsory labor: Slavery occurs where one human being owns another that the former can exploit latter with impunity, Servitude refers to other forms of egregious economic exploitation or dominance or ‘slavery – like practices, Force or Compulsory Labor defined as ‘all work or service which is extracted from any person under the menace of any penalty and for which he has not offered himself voluntarily.

Article 11 Prohibition of imprisonment because of inability to fulfill a contractual obligation: no imprisonment for private law civil obligations due to 'inability' which indicates incapability rather than unwillingness.

Article 15 The principle of legality in the field of criminal law: prohibition of retroactive criminal laws, no crime except in accordance with law or *nullum crimen sine lege*, no punishment except in accordance with law or *nulla poena sine lege*, no punishment under extremely vague laws.

Article 16 Recognition of everyone as a person before the law (a person's humanity must be legally recognized).

Article 18 Freedom of thought conscience and religion (freedom to adopt a religion or belief of his choice, freedom to manifest individually or in community with others in public or private, in worship, observance, practice and teaching, freedom to manifest one's religion or beliefs subject only to limitations prescribed by law and are necessary to protect public safety, order, health or morals or fundamental rights and freedoms of others).

The fundamental rights of the Filipino People cannot be overemphasized. These rights must be in the context of the Universal Declaration of Human Rights which provides:

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society (Art. 29, Sec. 2)."

This is of paramount importance for the system of protection for human rights under the ICCPR. While it allows the unilateral derogation from a part of its obligations thereto, the measure of derogation must be of an exceptional and temporary measure. Government must consider primordial, even in a state of emergency, the fundamental rights of the Filipino People. Thus, it must be subject to a specific regime of safeguards where the restoration of a state of normalcy must be the predominant objective.

The Commission on Human Rights urges the Philippine government to manifest its commitments by demonstrating its compliance to the obligations set forth in the said Covenant.

I read an article about poverty as human rights issue..

I quote:

Poverty is a human rights issue

Contrary to recent articles by Conor Foley and William Easterly, Amnesty International does believe that poverty is a human rights issue. To be clear – the basic human rights of the millions of people around the world who are living in poverty are being violated. Thousands of families forced to live in slum conditions in Kenya and Cambodia and facing the constant threat of imminent eviction by authorities who won't consult them; Palestinian children who are

prevented from going to school because of Israeli curfews and road closures; women who die in childbirth because they live in societies that condone early marriage and where a basic standard of maternal care is not provided – these people are all having their human rights violated. Just because a single individual neat violator can't always be sited does not mean that injustice is not being done.

The main problem however with Foley's critique of Amnesty's work is that he refers in the main to aid and aid policy, and he seems to think Amnesty is simply moving into this area too, as if that's all poverty was really about. Far from it. For us at Amnesty living in poverty is more than suffering material deprivation – it is being marginalized, being without power or influence over decisions that affect your life. Amnesty is currently campaigning to stop the forced eviction of more than 7,000 people from their homes in Nairobi, Kenya, where the local authority wants to sell the land to developers. "Deep Sea" residents have been forced from their homes in the middle of the night, which were then destroyed by bulldozers. The police stood by while it happened. This ongoing campaign is much more complex than "straightforward poverty" or the rights and wrongs of aid relationships. But it is without doubt a struggle for human rights.

Foley also seems to equivocate over whether the international community is obliged to provide protection for people affected by conflict or disasters, and development assistance in general. He rightly says that economic and social rights are supposed to be implemented progressively, but then balks at what follows — that all states must ensure these rights are realized, including, when they are in a position to do so, by providing international assistance. There may be a debate about how exactly this is to be done, but international law is clear that everyone is entitled to an adequate standard of living, to be free from hunger, to basic healthcare and to at least a free primary education. And in case there is any doubt about this these rights have been tested in law – they are written into the constitutions of India and South Africa and have for example been used to require governments and companies to make anti-retroviral drugs for people living with HIV/Aids available to them.

What is most disappointing about the piece is that we know he's one of the good guys. Governments, companies and international institutions rely on the very complexity of economic, social and cultural rights violations to make would-be advocates throw their hands up and not know where or whether to start. But that sense of the enormity of the task ahead was there after the world war II when the original human rights treaties were drawn up, and now decades later we have changed the discourse about rights and what governments know they can and cannot do.

In the real world many aid agencies, UN agencies and donor governments have already adopted a rights-based approach to development. Amnesty believes strongly that bringing human rights into the debate on poverty is one of the most powerful ways to make poverty alleviation accountable to those it is supposed to help. And exactly because we are not an aid agency, trying to work with a given government's acquiescence, we can be very bold in challenging governments to be accountable to all their citizens.

I agree with the previous definition as follows :

- 1) The right to live

2) The right to talk freely

3) The right to move

Poverty clearly denies these basic human rights to people. Talking about poverty as a human rights issue is not a matter of confusion. Poverty is a crucial parameter in defining how well various human rights are being exercised.

To deny someone the right to live, one need not murder. Artificial starvation of medicines or food is sufficient to murder people (Euthanasia). This is exactly what is being done all over the world, particularly during engineered financial crises as the current one. It is usually the poorest of the poor that suffer. Wouldn't this be an impingement on their fundamental human right to live?

The right to talk freely is debatable when people have no access to media. In most parts of the world, people cannot get access to telephones, newspapers or television. One need not physically imprison human beings and censor their conversation. Denying the very technology to communicate is equal to impinging on their human right of free speech. Poverty is a crucial parameter in this violation.

The right to move is impinged when artificial frontiers are created between nations and the country is engulfed in civil war. One need not imprison a human being in a prison-cell to deny this basic human right of movement. One can create fences and artificial barriers to deny the freedom of movement to people. Only the rich enjoy the complete freedom of movement : they can purchase plane-tickets or boat-tickets. The poor have no access to this. Again poverty is the crucial parameter which defines the impingement of human rights.

- There was even comments: Kudos to amnesty for showing the guts to speak on this crucial issue. The political leaders of the world should all hang their heads in shame. We humans are at such an advanced technological level that there is absolutely no need for any human being to engage himself/herself in menial, dangerous or repetitive labor. The only reason we have dirt poverty and miserable working conditions for humans is because we are slaves to existing economic and political systems. In this church of ignorance, the bankers and the politicians serve as priests

- (a) the right to live

Well there's free healthcare, and benefits, - not exactly luxurious but this should cover the basic items that are required to live a normal, healthy life (although a very dull one).

- b) the right to talk freely

Well we're here on a message board (even though CiF isn't exactly free) and JayReilly called Tony Blair a c\*nt and didn't suffer any particularly adverse consequences.

c) the right to move

We can go wherever we please, within reasonable limits.

In addition, there is a poor/rich paradox in this country. Only the rich and the poor can live where they please (through Housing Benefit which is assessed on the average rent of an area, you could set yourself up on the corner of Regents Park and get your full rent paid - honestly, I'm not joking); only the poor get completely free healthcare; and only the poor qualify for legal aid (or whatever it's now called).

On top of this, being unemployed opens up more freedom of movement as you are not tied to your job and can make use of facilities (such as libraries; clinics, etc.) not always available to those tied to their jobs.

This is above and beyond what anyone could expect from a Human Rights Act that actually forced the government to protect people from poverty. How would you improve on this?

We humans are at such an advanced technological level that there is absolutely no need for any human being to engage himself/herself in menial, dangerous or repetitive labor. The only reason we have dirt poverty and miserable working conditions for humans is because we are slaves to existing economic and political systems. In this church of ignorance, the bankers and the politicians serve as priests. We Filipinos maybe, but our societies survive on the blood and backs of those very people and I can't see them being any less essential for our general quality of life anytime soon.

Ideology follows progress, just as slavery was outlawed following the industrial revolution, so living standards in the third world will only improve once all the people that rely on cheap labor take our foot off their backs. The only way to change this is may be for us to get back to doing the dirty work ourselves, but those exploited workers wouldn't get any money at all, would they?

The problem with the whole philosophy of human rights is that there is no universal law working for the greater good (ie. a god) and so we are left with the objectives of well-intentioned people rather than unassailable rights. In light of this, I can't see how Amnesty can run with their idea, seeing as, essentially, they are merely encroaching on the fantastic work of OxFam, Tear Fund, etc. to, I imagine, the detriment of the mission statement (sorry - i hate that phrase too) for which they have been heretofore known and respected.

There may be a debate about how exactly this is to be done, but international law is clear that everyone is entitled to an adequate standard of living, to be free from hunger, to basic healthcare and to at least a free primary education.

But if a nation such as Ethiopia is unable to grow enough food for its people or provide a free education to all kids does the law cause the food to appear or the teachers appear? Does it compel the UK to provide these for the Ethiopians?

Is there a law that truly can create enough food for everybody, or does it have to be grown.

The first issue, that virtually everyone has picked up on, is that Amnesty is not an aid organization and it cannot actually do anything about poverty.

The second issue is that it is moving into territory that it has not thought through properly as Kate's article shows. I quote:

She says that I am equivocating 'over whether the international community is obliged to provide protection for people affected by conflict or disasters' and that 'In the real world many aid agencies, UN agencies and donor governments have already adopted a rights-based approach to development' But she is confusing two separate issues - humanitarian relief and long-term development. We can debate either subject separately, but treating them as if they are the same thing is confusing, theoretically, and has been a disaster in practice (look at how Tony Blair tried to justify the invasion of Iraq).

: The logic of this argument is that 'the international community' (ie the UN and western governments) can override national sovereignty of poor countries. In fact he is arguing that they are 'obliged' to do so. Are you sure you agree with that so strongly?

I don't have any problem with the theory of rights-based development in states with strong national capacity. The problem with doing it in many conflict and post-conflict states - where national capacity is weaker - is that it is often used to undermine this further. It is often also used to push political agendas which are associated with the promotion of western values. I am surprised that you do not see any potential problems with this approach given some of our previous exchanges.

The reason I don't like the new direction that Amnesty is taking is because it widens the scope for bureaucratic and legal way by the organization which, in my view, will do very little to alleviate poverty and will soak up much of the money that has been donated to it for more specific, quantifiable gains such as the freeing of political prisoners or the prevention of cruelty.

Universal Declaration of Human Rights 60th anniversary was done last December 10, 2008

The UDHR declaration sets down the basic principles at the very heart of the human rights movement. It has enabled remarkable progress in human rights, inspiring international human rights standards, laws and institutions that have improved the lives of many around the world.

For each month of the anniversary year, Amnesty International has highlighted one aspect of its campaigning work.

The Price of Silence is a global musical mosaic that powerfully delivers on the message that human rights begin at home and that people world-wide are united in fighting for them.

Amnesty International has challenged world leaders to apologize for six decades of human rights failure and re-commit themselves to deliver concrete improvements.

Thousands of people around the world took part in actions to celebrate the 60th anniversary of the Universal Declaration of Human Rights on 10 December. From Bangladesh to Burkina Faso, Australia to Austria and Paraguay to the Philippines, thousands of people lit candles, fires or flames as part of a mass demonstration in support of human rights.

On this significant anniversary, people will be gathering together in hundreds of places all over the globe, to light a candle, fire or flame as part of a mass demonstration

As global citizens, we should all consider what we are doing in our daily lives to make human rights a reality.

One of the oldest Western philosophies on human rights is that they are a product of a natural law, stemming from different philosophical or religious grounds.

Human rights include a variety of aspects, from civil and political rights, to socio-economic rights. (Interestingly, as the Human Development Report 2000 from the United Nations points out, during the Cold War, the rich western nations were arguing basically for civil and political rights, while the socialist countries, and some developing countries, were demanding more social and economic rights. Human rights then, was a propaganda tool with both sides using the same words, but for different reasons.)

There are so many abuses that it would take too long to mention here. However, a few that do come to mind that have even made it into the mainstream media (although not always accurately) include those that are presented on this site. The links to these can be seen below. Over time more will be added.

Other theories hold that human rights codify moral behavior which is a human social product developed by a process of biological and social evolution (associated with Hume). Human rights are also described as a sociological pattern of rule setting (as in the sociological theory of law and the work of Weber). These approaches include the notion that individuals in a society accept rules from legitimate authority in exchange for security and economic advantage (as in Rawls) – a social contract.

Natural law theories base human rights on a “natural” moral, religious or even biological order that is independent of transitory human laws or traditions.

Natural right (*dikaion physikon*, *δικαιον φυσικον*, Latin *ius naturale*). Of these, Aristotle is often said to be the father of natural law, although evidence for this is due largely to the interpretations of his work by Thomas Aquinas.

The development of this tradition of natural justice into one of natural law is usually attributed to the Stoics. Some of the early Church Fathers sought to incorporate the until then pagan concept of natural law into Christianity. Natural law theories have featured greatly in the

philosophies of Thomas Aquinas, Francisco Suárez, Richard Hooker, Thomas Hobbes, Hugo Grotius, Samuel von Pufendorf, and John Locke.

In the Seventeenth century Thomas Hobbes founded a contractualist theory of legal positivism \beginning from the principal that man in the state of nature, which is to say without a "commonwealth" (a state) is in a state of constant war one with the other and thus in fear of his life and possessions (there being no property nor right without a sovereign to define it). Hobbes asserted natural law as was how a rational human, seeking to survive and prosper, would act; the first principle of natural law being to seek peace, in which is self-preservation. Natural law (which Hobbes accepted was a misnomer, there being no law without a commonwealth) was discovered by considering humankind's natural interests, whereas previous philosophers had said that natural rights were discovered by considering the natural law. In Hobbes' opinion, the only way natural law could prevail was for men to agree to create a commonwealth by submitting to the command of a sovereign, whether a man or an assembly of men. In this lay the foundations of the theory of a social contract between the governed and the governor.

Hugo Grotius based his philosophy of international law on natural law. He wrote that "even the will of an omnipotent being cannot change or abrogate" natural law, which "would maintain its objective validity even if we should assume the impossible, that there is no God or that he does not care for human affairs." (*De iure belli ac pacis*, Prolegomeni XI). This is the famous argument *etiamsi daremus (non esse Deum)*, that made natural law no longer dependent on theology.

John Locke incorporated natural law into many of his theories and philosophy, especially in *Two Treatises of Government*. Locke turned Hobbes' prescription around, saying that if the ruler went against natural law and failed to protect "life, liberty, and property," people could justifiably overthrow the existing state and create a new one.

The Belgian philosopher of law Frank Van Dun is one among those who are elaborating a secular conception<sup>[63]</sup> of natural law in the liberal tradition. There are also emerging and secular forms of natural law theory that define human rights as derivative of the notion of universal human dignity.<sup>[64]</sup>

Term "human rights" has replaced the term "natural rights" in popularity, because the rights are less and less frequently seen as requiring natural law for their existence

The Golden Rule, or the ethic of reciprocity states that one must do unto others as one would be treated themselves; the principle being that reciprocal recognition and respect of rights ensures that one's own rights will be protected. This principle can be found in all the world's major religions in only slightly differing forms, and was enshrined in the "Declaration Toward a Global Ethic" by the Parliament of the world's Religions in 1993.

All human rights are universal, indivisible and interdependent and related. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. AS WHAT SIR BASH SAID LET PEACE REIGN!!!

