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| Liberty’s (very) Short Intro to Human Rights |
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| Human RightsA lot has been said about ‘human rights’ in recent times, both in politics and the media. Some it may seem reasonable, some may seem ridiculous, but what exactly are our human rights in this country, how do they work and how much of what is reported is based on fact and how much is simply misinformation or misunderstanding? |

Hopefully this very short introduction to human rights in the UK – what they are, what they do and what they mean to you – will answer a few of those questions and to separate some of the facts from fiction.

But if you would like more in-depth info on any of the issues raised, do visit the Liberty website [www.liberty-human-rights.org.uk](http://www.liberty-human-rights.org.uk) and find regular updates on all the latest human rights news via @libertyhq on twitter and facebook.

### So, what exactly are human rights?

**Human rights are the basic rights and freedoms that all humans should be guaranteed. They are universal, apply equally to all, and are founded on the principle of dignity for every human being.**

**Universal**

They apply to all people simply on the basis of being human. Human rights belong to every member of the human family regardless of sex, race, nationality, socio-economic group, political opinion, sexual orientation or any other status.

**Inalienable**

They cannot be taken away simply because we do not like the person seeking to exercise their rights. They can only be limited in certain tightly defined circumstances, and some rights, such as the prohibition on torture and slavery, can never be limited.

**Owed by the State to the people**

Public bodies must respect your human rights and the Government must ensure there are laws in place so that other people respect your human rights too.

### How are they protected in the UK?

**Once upon a time…**

In Britain the idea that human beings possess a set of inherent and inalienable rights has deep roots which can be traced back over 800 years.

From the Assize of Clarendon, passed by Henry II in 1166 (a precursor to a trial by jury) which paved the way for the abolition of trail by combat and trial by ordeal, to the Magna Carta in 1215, introducing the writ of habeas corpus, allowing people to appeal against imprisonment without trial and the Bill of Rights (1689), which put the notion of inalienable rights beyond doubt – a succession of treaties and Acts of Parliament over the centuries paved the way for what we recognise as human rights today. (There’s obviously a lot more to it than that… for those who want more, read Liberty’s full History of Human Rights, available on our website)

But, in 1948 as the world reeled from the horrors of the Second World War, there came an important realization that although fundamental rights should be respected as a matter of course, without formal protection human rights concepts are of little use to those facing persecution. The result was the Universal Declaration of Human Rights, one of the most important agreements in human rights history. This was quickly followed by the adoption two years later of the European Convention on Human Rights, created by the Council of Europe. British lawyers played an instrumental role in the development of the Convention, and the UK signed up in 1951.

However, until 1998 when the Human Rights Act was passed into UK law, making the human rights in the European Convention directly enforceable in the UK, people had to go to the European Court of Human Rights to have their rights upheld. The Human Rights Act gave people in the UK the power to have their rights protected by UK authorities and UK courts for the first time. It entered into force on 2 October 2000.

Unfortunately, despite having one of the most sophisticated and enviable human rights frameworks in the world, we didn’t all live happily ever after.

Ever since it came into force, the Human Rights Act (or HRA) has been a political football; blamed by politicians for everything from the 2011 riots in England to administrative blunders in the private sector.

### Know your HRA

**A lot is said about human rights, much of it is based on misunderstanding and some of it even deliberately misleading. We are campaigning to set the record straight and protect the Human Rights Act, but information is the most effective weapon, so we advise everyone knows their HRA!**

**Who can use the Human Rights Act?**

The Human Rights Act may be used by every person resident in the United Kingdom regardless of whether or not they are a British citizen or a foreign national, a child or an adult, a prisoner or a member of the public. It can even be used by companies and organisations (like Liberty).

**What does the Human Rights Act actually do?**

The human rights that are contained within the law are based on the articles of the European Convention on Human Rights. The Act ‘gives further effect’ to rights and freedoms guaranteed under the European Convention. What this actually means is that it does two things:

* Judges and others must read and give effect to legislation (other laws) in a way that is compatible with the Convention rights.
* It is unlawful for a public authority to act in a way which is incompatible with a Convention right.

What rights does the Human Rights Act protect?

* The right to life – protect your life, by law. The state is required to investigate suspicious deaths and deaths in custody.
* The prohibition of torture and inhuman treatment – you should never be tortured or treated in an inhuman or degrading way, no matter what situation. This includes not being forcibly removed to another country where you are at serious risk of such treatment.
* Protection against slavery and forced labour – you should not be held in servitude or subjected to forced labour.
* The right to liberty and freedom – you have the right to be free and the state can only imprison you with very good reason – for example, if you are convicted of a crime.
* The right to a fair trail and no punishment without law – you are innocent until proven guilty. If accused of a crime, you have the right to hear and test the evidence against you, in a court of law. Court proceedings should be open and fair.
* Respect for privacy and family life and the right to marry – protects against unnecessary surveillance or intrusion into your personal life, your family relationships should be respected, you have the right to marry.
* Freedom of thought, religion and belief – you can believe what you like and practice your religion or beliefs.
* Free speech and peaceful protest – you have a right to speak freely and join with others peacefully, to express your views.
* No discrimination – everyone’s rights are equal. You should not be treated unfairly – because, for example, of your gender, race, sexuality, religion or age.
* Protection of property, the right to an education and the right to free elections – protects against state interference with your possessions; means that no child can be denied an education and that elections must be free and fair.

What does that mean for me?

If you can show that a public authority has interfered with any of the rights recognised by the Convention you can take action in a number of different ways.

* You could simply write to the public authority concerned and remind them of their legal obligations under the Human Rights Act and ask them to rectify the situation.
* If you went to court the court may find that a particular action (or inaction) of a public authority is (or would be) unlawful. It can tell the public authority to stop interfering with your right or to take action to protect your right.
* If the court has satisfied that a provision of a law is incompatible with a Convention right, it may make a declaration of that incompatibility. This is just a formal legal statement that the particular law interferes with human rights. It does not have immediate effect but strongly encourages a Parliament to amend or repeal the law in question.

What about all that stuff I’ve heard about criminals and terrorists?

The lack of public education about the rights and freedoms contained in the Human Rights Act and the European Convention of Human Rights and how they protect us has enabled many myths and misunderstandings to be perpetuated about human rights law, including who it does and doesn’t protect and what values it contains.

Visit Liberty’s Truth and Illusion page to find out some of the most commonly cited myths just don’t stand up to scrutiny.

### Want more?

* For more information on any of the above, visit the About Human Rights section of our website
* Find out more about how Liberty works to promote and protect the values contained in the Human Rights Act by visiting the Common Values campaign page
* The NUS has signed the Common Values Pledge – find out how your local branch can also sign up
* Become a member of Liberty and join us in the fight to protect our rights – take advantage of our special £1 per month rate for students!