CONCLUSION

"Human Rights" is the twentieth century designation of what have been traditionally known as natural rights or in a more exhilarating phrase, the rights of man. The enjoyment of fundamental freedoms by men, women and children all over the world now engages the attention of the world community as never before.

During the first twenty years of the U.N., the drive for freedom tended to be defined as a drive for national-independence. Now that freedom has been achieved and many new nations have emerged, we are still faced with the question, "What about freedom for individual, men, women and children; the individual human persons whose dignity and worth is reaffirmed on the opening page of the U.N. Charter?" The world today offers a very far from satisfactory answer to this question.

Human Rights are based on mankind's increasing demand for a decent, civilized life in which the inherent dignity of each human being should receive respect and protection. To deny human beings their rights is to set the stage for political and social unrest-hostility between groups within a nation, conflicts between nations and even a world war. Human rights, far from being an abstract subject for philosophers and lawyers, affect the daily lives of everyone-man, woman and child.
In the modern world, the U.N. is the organization best suited to perform functions of safeguarding these rights. When the founding fathers of the United Nations drew up the Organization's Charter at San Francisco in 1945, they established in the very first paragraph of the Preamble their fundamental objective: to save succeeding generations from the scourge of war. In the next paragraph of the Preamble they reaffirmed faith in fundamental human rights and in the dignity and worth of the human person.

These opening words of the United Nations Charter not only establish the priorities of purpose and of effort to which the peoples of the United Nations stand pledged; they also reflect the indissoluble link between respect for human rights and human survival itself.

The United Nations Charter had made seven definite references to the matter of human rights.

At its first session in February 1946, the Economic and Social Council established a commission on Human Rights. This Commission devoted itself mainly to preparing an international bill of rights. In the beginning there was much discussion of the form which the bill of rights should take. Some thought that a declaration of principle was most appropriate, while others favoured a convention. It was finally
decided that the international bill of rights should be in three parts: a "Declaration", a "Covenant or Covenants"; and "measures of implementation."

There are thirty articles in the Declaration. The Declaration itself states that it is a common standard of achievement for all peoples and all nations, and not a binding set of rules. Broadly speaking, two kinds of rights are recognized in the Universal Declaration. First, there is the traditional kind, civil and political rights, which gradually evolved over centuries during the long development of democratic society. Then there are Economic, Social and Cultural rights, which started to be recognized more recently when people realized that possession of certain political and civil rights would be valueless without the simultaneous enjoyment of certain rights of an Economic, Social and Cultural Character. Eighteen years later, the Declaration was given legal form in two covenants on Human Rights, which will be binding on states that have become parties to them and will come into force upon ratification by 35 states.

On measures of implementation, the commission on Human Rights decides that, for civil and political rights, a human rights committee should be established which would receive complaints by a state party that another state party was not giving effect to a particular provision of the covenant. This committee would act primarily as a fact-finding body, making
available its good offices to the states concerned with a view to reaching a friendly solution of the matter. It such a solution is not reached, either state may bring the case before the International Court of Justice.

For the implementation of the covenant on Economic, Social and Cultural rights, it was decided to establish a system of periodic reports to be submitted to the Economic and Social Council by State parties on the progress they had made in achieving the observance of the rights recognized in the covenant.

After the proclamation of the Universal Declaration of Human Rights in 1948, the United Nations immediately set out to adopt treaties on a number of specific rights. These deal with genocide, racial discrimination, refugees, stateless persons, the rights of women, slavery and freedom of information. These conventions are in effect between the states which have become parties to it.

The United Nations activities to expand human rights go beyond the preparation of legal instruments. The organization convenes conferences and seminars in various parts of the world, at which government officials and representatives of local organizations exchange information.

In 1968, the International year for Human Rights, commemorating the twentieth anniversary of the adoption of
the Universal Declaration of Human Rights, the first worldwide conference on human rights, held by the U.N. took place in Teheran. Despite the violations of human rights including gross like Apartheid, racism, in colonialism, the observance of the International year for human rights stimulated both national and international efforts in the field of human rights.

At the recent sessions of the commission on Human Rights, a study of the question of the realization of economic and social rights with particular reference to the special problems of developing countries was initiated. The practice of investigation of the situations which reveal a consistent pattern of violations of human rights is being expanded. In addition to the investigation of gross and flagrant violations of human rights in South Africa, the Ad-Hoc group of experts, established by the Commission on Human Rights, is entrusted with the task of investigating allegations concerning Israel's violations of the Geneva Convention on the protection of Civilian persons in time of war, in the Arab territories occupied in 1967.

The Commission on the status of women recently discussed among other things the question of the protection of women and children during the wartime. On January 4, 1969, the International Convention on the Elimination of All Forms of Racial Discrimination entered into force and thereby a
concrete contribution to the solution of one of the most vital problems of our time was made.

Addressing the Teheran Conference on Human Rights, the former Secretary General U Thant said: "The ultimate objective of U.N. efforts must obviously be the implementation of the standards of the levels where they can be enjoyed and exercised by the people concerned."

In spite of all these efforts made by the United Nations in the field of human rights, the violations of human rights are writ large almost all over the globe. An example of the most flagrant and glaring violation of human rights is the practice of "Apartheid." Apartheid is the official name given by the Government of South Africa to its racial policies. The United Nations has repeatedly expressed grave concern at what the General Assembly has described as "the aggravation of the explosive situation in the Republic of South Africa as a result of the continued implementation of the policies of 'Apartheid' by the government of South Africa."

The former Secretary-General of the United Nations, U Thant, stated in the introduction to his 1968 Annual Report to the General Assembly that the situation arising from the unresolved policies of "Apartheid" had become more serious than ever. The Government of South Africa "has not only continued to enforce its policies with more determination in
South Africa but has also been attempting to consolidate and extend the influence of its racial philosophy in neighbouring territories, notably Namibia and Southern Rhodesia.

The basis aim of the policies of "Apartheid" was formulated by the former Prime Minister of South Africa, Dr. H. F. Verwoerd, in a speech in Parliament on 26 January 1963. He stated:

"Reduced to its simplest form the problem is nothing else than this: We want to keep, South Africa White...... 'Keeping it white' can only mean one thing, namely, white domination, not 'leadership', not 'guidance', but 'control', 'supremacy'. If we are agreed that it is the desire of the people that the White man should be able to continue to protect himself by retaining white domination....... we say that it can be achieved by separate development."

The moral isolation of the South African Government is reflected in the condemnation of its racial policies by the overwhelming majority of Member States of the United Nations and its specialized agencies and by numerous non-governmental organizations representing great segments of humanity. The Secretary-General summed up the attitude of the United Nations towards the policies of apartheid in a message issued on 21 March 1967:
"....The United Nations family firmly believes that racial discrimination and Apartheid are a denial of human rights, of fundamental freedoms, and of justice, and that they are an affront to human dignity. We feel that racial discrimination and apartheid, wherever they are practised, constitute a serious impediment to economic and social development and are obstacles to international co-operation and peace."

Up to now, the South African Government has resisted the United Nations pressure, claiming that its policies benefit both blacks and whites in South Africa and that, in any case, the matter is a domestic one in which the United Nations should not intervene.

The most recent and unmistakable violation of human rights took place in East Pakistan, which has now been recognised as the People's Republic of Bangla Desh. Sheikh Mujibur Rahman said on January 10, "there was not a single person out of the 75 million people in Bangla Desh who had not suffered in one way or the other at the hands of the occupation forces." The Sheikh said that "atrocities committed by the Pakistani army and its collaborators was unparalleled in history."

1. The Hindustan Times (New Delhi) January 11.
The Sheikh told the crowd in Dacca that, nowhere had he seen "such cowardly barbarism as that unleashed by Yahya Khan in Bangla Desh." The Sheikh said "......We asked for our right to live and we were given bullets, our men, women and children were slaughtered ......... very few countries have paid such a heavy price ........ nearly 10 Lakh people have been killed and a crore were forced to leave their homes to seek shelter in India."

The Banga Bandhu also demanded an inquiry by an international tribunal into the atrocities committed by the Pakistani forces in Bangla Desh so that the whole world could know the real facts. Bangla Desh intellectuals have launched a mass signature campaign demanding the trial of Lt.-General, A.A.K.Niazi and Maj.-General Rao Farman Ali of the Pakistan Army, as war criminals for committing genocide and inhuman atrocities.

The U.N. is not the only international body which is interested in the protection of Human Rights. Another body, the Council of Europe has already achieved something more, it has even brought into being some of those instruments for enforcement which the U.N. has contemplated.

1. The Hindustan Times (New Delhi) January 16.
U Thant has said that "in a very real sense, the promotion and protection of human rights form the very essence, and provide the deepest meaning and motivation, of the United Nations as an international and inter-governmental Organization. For, in the last analysis, a recognition of the 'dignity and worth of the human person', in the words of the Charter, is a symbol of all the other activities and purposes entrusted to and pursued by the world organization: peace, the security of future generations from the scourge of war and the promotion of social progress and better standards of life in larger freedom. The establishment of human rights provide the foundation upon which rests the political structure of human freedom; the achievement of human freedom generates the will as well as the capacity for economic and social progress; the attainment of economic and social progress provides the basis for true peace."

Almost every activity of the United Nations is involved in one way or another with human rights, for the simple reason that almost all of our daily activity is related somehow to the exercise of human rights. But a great deal of work concerning human rights and fundamental freedoms is yet to be done. This stupendous task is not that of the United Nations alone. The promotion and protection of human rights must be viewed as a national, in fact, as an international one. Both national and
international action in many forms is necessary in order to realize and preserve these rights throughout the world. And above all, we must ourselves practise tolerance and respect the rights and freedoms of others.