

Who is Responsible for Upholding Human Rights?

Under human rights treaties, governments have the primary responsibility for protecting and promoting human rights. However, governments are not solely responsible for ensuring human rights. The UDHR states:

“Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”

This provision means that not only the government, but also businesses, civil society, and individuals are responsible for promoting and respecting human rights.

When a government ratifies a human rights treaty, it assumes a legal obligation to respect, protect, and fulfill the rights contained in the treaty. Governments are obligated to make sure that human rights are protected by both preventing human rights violations against people within their territories and providing effective remedies for those whose rights are violated. Government parties to a

treaty must do the following:

Respect:

Governments must not deprive people of a right or interfere with persons exercising their rights. For example, governments can:

Create constitutional guarantees of human rights.

Provide ways for people who have suffered human rights violations by the government to seek legal remedies from domestic and international courts.

Sign international human rights treaties.

Protect

Governments must prevent private actors from violating the human rights of others.

For example, governments can:

Prosecute perpetrators of human rights abuses, such as crimes of domestic violence.

Educate people about human rights and the importance of respecting the human rights of others.

Cooperate with the international community in preventing and prosecuting crimes against humanity and other violations.

Fullfill

Governments must take positive action to facilitate the enjoyment of basic human rights.

For example, governments can:

Provide free, high-quality public education.

Create a public defender system so that everyone has access to a lawyer.

Ensure everyone has access to food by funding public assistance programs.

Fund a public education campaign on the right to vote.