



Changing Paradigms of Human Rights

This article is based on [“Reinvigoration of human rights is imperative to emerge from COVID-19 crisis”](#) which was published in The Indian Express on 10/12/2020. It talks about the changing paradigm in the concept of Human Rights, especially in the context of Covid-19 crisis.

The world honours [Human Rights Day every year on December 10](#) to commemorate the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly in 1948.

The UDHR is a milestone document that proclaims the inalienable rights which everyone is entitled to as a human being - regardless of race, colour, religion, sex, language, political or another opinion, national or social origin, property, birth or another status.

In its remembrance also lies the recognition of the fundamental contribution of the UDHR, the codification of the inalienability and universality of human rights.

However, the idea and concept of human rights are still not fully realised, especially in many of the developing countries. Also, the [Covid-19 crisis](#) has deepened poverty, raised inequalities & structural discrimination and other gaps in human rights protection.

Thus, there is a need to look into what human rights should constitute today.

The Evolution Of Human Rights

▪ Civil And Political Rights (First Generation Rights)

- These rights began to emerge as a theory during the seventeenth and eighteenth centuries and were based mostly on political concerns.
- The two central ideas were those of personal liberty, and of protecting the individual against violations by the state.
- Civil and political rights today are set out in detail in the [International Covenant on Civil and Political Rights](#).

▪ Social, Economic And Cultural Rights (Second Generation Rights)

- These rights concern how people live and work together and the basic necessities of life.
- They are based on the ideas of equality and guaranteed access to essential social and economic goods, services, and opportunities.
- They became increasingly a subject of international recognition with the effects of early industrialisation and the rise of a working-class.
- These led to new demands and new ideas about the meaning of a life of dignity.
- Social, economic and cultural rights are outlined in the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#).

Third Generation Rights: Solidarity Rights

- **What is the Need:** Covid-19 pandemic has led to the consequence of a deeper understanding of the different types of obstacles that may stand in the way of realising the first and second-generation rights.
 - In much of the world, conditions such as extreme poverty, war, ecological and natural disasters have meant that there has been only very limited progress in respect of human rights.
 - For these reasons, the need for the recognition of a new category of human rights is necessary.
- **What are Solidarity Rights:** The idea at the basis of the third generation of rights is that of solidarity, and the rights embrace collective rights of society or peoples. The specific rights that are most commonly included within the category of third generation rights are:
 - The rights to development, to peace, to a healthy environment, to share in the exploitation of the common heritage of mankind, to communication and humanitarian assistance.

Issues Related To Solidarity Rights

- **Human Rights are Individually Oriented:** Some experts object to the idea of these rights because they are 'collective rights', in the sense of being held by communities or even whole states.
 - They argue that human rights can only be held by individuals.
- **Whose Accountability:** Since it is not the state but the international community that is meant to safeguard third generation rights, accountability is impossible to guarantee.

Way Forward

Human Rights must be at the centre of the post-Covid-19 world. In this context, human rights should evolve and expand to include:

- **Ending Discrimination of Any Kind:** Structural discrimination and racism have been fuelled by the Covid-19 crisis. Equality and non-discrimination are core requirements for a post-Covid world.
- **Addressing Inequalities:** In order to recover from the crisis, there is also a need to address the inequality pandemic. For that, countries should promote and protect broader economic, social, & cultural rights and bring them under the ambit of UDHR.
- **Encouraging Participation and Solidarity:** From individuals to governments, from civil society and grass-roots communities to the private sector, everyone has a role in building a post-COVID world that is better for present and future generations.
- **Promoting Sustainable Development:** Human Rights are driven by progress on all [Sustainable Development Goals \(SDGs\)](#), and the SDGs are driven by advancements on human rights.
 - Therefore, Human rights, the 2030 Agenda and the Paris Agreement should act as the cornerstone of a recovery that leaves no one behind.

Conclusion

The measures to close these gaps and advance human rights can ensure we fully recover and build back a world that is better, more resilient, just, and sustainable.

Drishti Mains Question

As the Covid-19 crisis has deepened social inequalities & structural discrimination, there is a need to relook into what human rights should constitute today. Discuss.

This editorial is based on [“The trouble with Russia”](#) which was published in The Hindustan Times on

December 9th, 2020. Now watch this on our Youtube channel.

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