

## **Enhancing Human Rights Protection: Challenges and Strategies**

**Challa Suneetha<sup>1</sup>**

<sup>1</sup> Research Scholar, Department of Law, P. K. University, Shivpuri, M.P., India.

**Dr. Pankaj Kumar Mishra<sup>2</sup>**

<sup>2</sup> Assistant Professor, Department of Law, P. K. University, Shivpuri, M.P., India.

### **ABSTRACT**

There are several obstacles to achieving the worldwide goal of strengthening human rights protection. It is difficult to build comprehensive frameworks for protecting rights due to political opposition, cultural relativism, and economic inequality. Educational programs and other long-term endeavors in this study, we dissect the knotty problem of how to better safeguard human rights throughout the world. Defending basic human rights is more difficult than ever before in this age of rapid technical development and profound social upheaval. Systemic discrimination, authoritarianism, technology invasions of privacy, and global disparities are just a few of the problems that need addressing. Two possible solutions are international cooperation and changes to the law. In order to promote equality and respect for human dignity on a global scale, this essay delves into the challenges of human rights agenda advancement and identifies important tactics in this regard.

**Keywords:** *Human Rights, Challenges, Law, Strategies, Government.*

### **I. INTRODUCTION**

Human rights are a set of basic liberties and protections that every individual has the inherent right to enjoy just because they are human. These rights are said to be applicable to every person without regard to their gender, race, religion, country, or any other distinction since they are universal, inalienable, and indivisible.

#### **Definition**

Human rights include a wide range of liberties and protections, often divided into rights to economic opportunity, social and cultural equality, and rights to form or join a group. Among the most typical instances are:

1. Civil and Political Rights: Some examples of these rights include the following: the right to be free from cruel and unusual punishment; the right to freely exercise one's religion, speech, and assembly; the right to be tried in a fair manner; and the right to be safe from physical and psychological abuse.

2. Economic, Social, and Cultural Rights: The right to work, fair and decent working conditions, social security, health, education, and cultural involvement are all part of these rights.
3. Collective or Group Rights: These rights protect groups or communities, such as indigenous peoples, minorities, or refugees, ensuring their cultural, religious, and linguistic rights are respected and upheld.

### **Meaning**

Dignity, equality, and non-discrimination are the cornerstones of human rights. To sustain a fair and equitable society in which people may live freely and with dignity, they are seen as essential. International legal instruments that uphold human rights include the 1948 United Nations General Assembly's Universal Declaration of Human Rights (UDHR) and other human rights treaties and conventions that have been established since.

### **Importance**

Justice, peace, and development can only be advanced on a global scale if people have a firm grasp of what human rights are and how they work. To ensure that institutions and governments respect, preserve, and fulfill people's rights, it lays forth a framework for accountability. To combat prejudice, injustice, and social inequality and to build a fairer and respectful global community, human rights activism is essential. The fundamental liberties and protections to which every individual is born are collectively known as human rights, and they constitute the bedrock of every fair and compassionate society.

## **II. SCENARIO OF HUMAN RIGHTS IN INDIAN CONTEXT**

Human rights in India are complicated and multidimensional, reflecting the ever-changing nature of the country's terrain as a whole. First, India is proud of its strong constitutional framework, which guarantees a wide range of human rights. Rights to equality, freedom of expression, life, personal liberty, and nondiscrimination are among the basic rights guaranteed by India's Constitution, which was established in 1950. These rights are protected by an impartial court and are fundamental to India's democratic ideology.

The ground reality, however, paints a more complex picture. The efficient execution and attainment of human rights for every individual continues to face obstacles, even in the face of legal protections. Millions of people are still affected by issues including religious conflicts, gender injustice, caste-based discrimination, and socioeconomic inequities. There are many obstacles to justice, education, healthcare, and job prospects for marginalized populations, such as women, religious minorities, and indigenous tribespeople, as well as Dalits and Adivasis.

Another reason to be worried about India's civil and political rights situation is the prevalence of problems like arbitrary arrests, limits on free speech, violent police, and extrajudicial murders. There are already a lot of obstacles to environmental preservation, forced relocation as a result of development initiatives, and the protection of minority groups' rights in conflict zones.

Notwithstanding these obstacles, media outlets, human rights groups, and civil society organizations continue to fight for reforms, accountability, and justice. Public discourse and examination are enabled by India's robust democracy, which aids in the continuous endeavors to fortify safeguards for human rights and tackle structural problems.

Finally, it is crucial to address the gap between legal guarantees and their effective implementation in India. This will guarantee that everyone can enjoy their rights without discrimination, even though the country has made great progress in recognizing and protecting human rights through its constitutional and legal framework.

### **III. CHALLENGES OF HUMAN RIGHTS**

Concerning the strategy's execution, the following are the primary obstacles to strengthening Egypt's protection of human rights and basic freedoms:

#### **The Need to Enhance Human Rights Culture**

Weak human rights culture and specific wrong cultural legacies that go against human rights principles and ideals are to blame for many activities that constitute human rights breaches. Also, developing national capabilities in many areas related to human rights is an ongoing need. In actuality, this would make people more likely to follow the rules set down by the law and the constitution.

#### **Improving Citizen Engagement in Government**

Addressing the reasons behind low participation in public affairs is of utmost importance. These reasons include political parties not being present effectively in society, youth not wanting to get involved as much as they would want, and the need to improve institutional channels for consultation with civil society organizations, which are a key partner in human rights promotion and protection. Furthermore, tackling poverty and expanding involvement at the local level are necessary for the efficient enjoyment of civil and political rights, which in turn would increase participation in public affairs. There is no doubt that the 2019 legislation governing the practice of civic activity and its executive rules provide a golden chance to establish a solid and long-lasting alliance with civil society groups based in constitutional and legal principles. Regular presidential and parliamentary elections, such as the most recent House of Representatives and Senate elections, as well as preparations for conducting elections for local councils, have further strengthened Egypt's democracy. As a result, the State would have more ammunition to fight for the right to engage in public affairs, an essential condition for the freedoms of speech, assembly, and association.

#### **Problems in Accomplishing Specific Economic Growth Goals**

Macroeconomic imbalances worsened as a result of Egypt's political instability before 2014 and the regional disorder that has persisted since 2011. There is still room for improvement in the realization of economic, social, and cultural rights, even though macroeconomic indicators have recently improved in Egypt, thanks to the government's reform policies and procedures aimed at sustainable social and economic development. Additional steps are needed to improve the attainment

of social justice, notwithstanding significant attempts to mitigate the effects of inflation on the poorest. Societal and economic disparities are widened by the rising cost of living, which encompasses housing, food, education, and health. In addition, border regions and other areas with high poverty rates, including as parts of Upper Egypt, Sinai, Matrouh, and Nuba, must continue to receive investments in order to close the gap in achieving geographically balanced development. In this respect, the completion of the National Project for the Development of Egyptian Villages is crucial.

An important barrier to providing the resources needed to guarantee that all Egyptians have access to a decent living standard and to alleviate poverty is the continual rise in the population; the country's population is now above 100 million. Terrorist attacks and other crises have a detrimental effect on investment, tourism, and the economy as a whole. Economic development and the enjoyment of many rights are both impacted by the COVID-19 pandemic, which occurs at the same time as the introduction of the plan. The ongoing decrease in Egypt's per capita yearly share of water, as well as the difficulties related to water security, should also be carefully considered. In particular, the latter endangers development efforts and makes it harder for people to enjoy basic human rights including the right to life, water purification, and adequate nutrition. To tackle all these issues and make sure that the positive economic indicators transfer into a decent level of life for everyone, meeting their fundamental necessities, a lot of money is needed.

#### **IV. PRATICAL STEPS FOR PROTECTION OF HUMAN RIGHTS**

There has to be a mix of legislative frameworks, institutional processes, advocacy, and grassroots actions to protect human rights. In order to safeguard and advance human rights, the following concrete measures may be implemented:

##### **1. Legal and Policy Frameworks**

- **Enact and Strengthen Laws:** Ensure comprehensive legislation that protects human rights in line with international standards. This includes laws against discrimination, torture, arbitrary detention, and laws promoting gender equality, labor rights, and environmental protections.
- **Ratify International Treaties:** Ratify and implement international human rights treaties and conventions to reinforce domestic protections and commitments.
- **Constitutional Guarantees:** Strengthen constitutional provisions that protect fundamental rights and ensure their enforceability through judicial review.

##### **2. Institutional Mechanisms**

- **Independent Judiciary:** Ensure an impartial and independent judiciary that can enforce human rights laws and hold violators accountable.
- **Human Rights Commissions:** Establish or strengthen national human rights institutions with the mandate to monitor, investigate, and report on human rights violations.
- **Ombudsman Offices:** Set up ombudsman offices to handle complaints of human rights abuses and ensure redressal.

### **3. Capacity Building and Awareness**

- **Training Programs:** Conduct training programs for law enforcement officials, judicial personnel, and civil servants on human rights standards, principles, and procedures.
- **Public Awareness Campaigns:** Raise awareness among the general public about their rights and avenues for seeking redressal. Promote civic education and human rights education in schools and communities.

### **4. Promoting Civil Society and Media Engagement**

- **Support Civil Society Organizations (CSOs):** Provide resources and protection for human rights defenders and CSOs working on human rights issues.
- **Media Freedom:** Safeguard freedom of expression and ensure a free and independent media that can report on human rights abuses without fear of reprisal.

### **5. Addressing Structural Issues and Vulnerable Groups**

- **Poverty Alleviation:** Address socioeconomic disparities and poverty, which are often root causes of human rights violations.
- **Protecting Vulnerable Groups:** Implement targeted measures to protect the rights of marginalized and vulnerable groups such as women, children, minorities, persons with disabilities, and indigenous peoples.

### **6. International Cooperation and Diplomacy**

- **Regional and International Partnerships:** Collaborate with regional and international organizations, including the United Nations and regional human rights bodies, to strengthen human rights protections through shared expertise, resources, and advocacy.
- **Diplomatic Pressure:** Engage in diplomatic dialogue and pressure countries that violate human rights norms, both bilaterally and through multilateral forums.

### **7. Monitoring and Accountability**

- **Monitoring Mechanisms:** Establish effective monitoring mechanisms to regularly assess the human rights situation, including through human rights impact assessments and reporting.
- **Accountability Measures:** Ensure accountability for human rights violations through fair and transparent investigations, prosecutions of perpetrators, and reparations for victims.

By implementing these practical steps, governments, civil society, and international actors can work together to create an environment where human rights are respected, protected, and fulfilled for all individuals, fostering a more just and equitable society.

### **STRATEGIES BY INDIAN GOVERNMENT FOR HUMAN RIGHTS PROTECTION**

The Indian government employs several strategies to protect human rights across the country, addressing diverse challenges and contexts. Here are key strategies adopted by the Indian government for human rights protection:

## 1. Constitutional Safeguards

- **Fundamental Rights:** All people of India are guaranteed basic rights under the country's constitution. These rights include the following: the right to life and personal liberty; the right to speak one's mind; the right to be free from discrimination; and the right to equality. Human rights protection is strongly backed by these rights.

## 2. Legislative Measures

- **Human Rights Legislation:** In order to promote and safeguard human rights, India has passed legislation such as the Protection of Human Rights Act, 1993, which created the National Human Rights Commission (NHRC).
- **Laws Against Discrimination:** The goal of laws that safeguard women's and children's rights, as well as statutes like the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is to protect vulnerable populations from prejudice and abuse.

## 3. National Human Rights Institutions (NHRI)

- **National Human Rights Commission (NHRC):** The NHRC is an independent statutory body that investigates complaints of human rights violations, conducts inquiries, and recommends remedial actions to the government. It plays a crucial role in monitoring human rights situations across India.

## 4. Judicial Mechanisms

- **Supreme Court and High Courts:** The Indian judiciary, particularly the Supreme Court and High Courts, plays a pivotal role in interpreting and enforcing constitutional and human rights provisions. Landmark judgments have expanded the scope and protection of human rights in various spheres.

## 5. Law Enforcement and Accountability

- **Police Reforms:** Efforts are ongoing to reform law enforcement agencies to ensure they adhere to human rights standards. Training programs on human rights for police personnel aim to promote accountability and improve interactions with the public.
- **Accountability Mechanisms:** Mechanisms such as independent oversight bodies and judicial inquiries into cases of police brutality or misconduct are crucial for ensuring accountability.

## 6. Public Awareness and Education

- **Human Rights Education:** Initiatives to promote human rights education in schools, colleges, and communities aim to raise awareness about rights and responsibilities among citizens. This includes programs on gender equality, child rights, and environmental protection.

## 7. Social Welfare and Development Programs:

- **Poverty Alleviation:** Social welfare schemes and poverty alleviation programs aim to address socioeconomic inequalities, which are often linked to human rights violations. Programs like the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the National Food Security Act (NFS) focus on ensuring basic rights such as food security and employment.

## 8. International Engagement:

- **Participation in International Forums:** India engages actively in international human rights forums, submitting periodic reports on its human rights record and participating in reviews by bodies like the United Nations Human Rights Council (UNHRC). This engagement helps in sharing best practices and addressing global human rights concerns.

Despite these efforts, challenges remain, including issues related to the effective implementation of laws, addressing caste-based discrimination, protecting the rights of minorities and marginalized communities, and ensuring access to justice for all. Continuous efforts and collaborative approaches involving government institutions, civil society organizations, and international stakeholders are essential to strengthen human rights protections in India.

## V. CONCLUSION

Enhancing human rights protection is a complex endeavor fraught with challenges. Deep-seated cultural norms and political reluctance often impede progress, while resource limitations pose practical barriers. However, proactive measures such as promoting education on human rights, strengthening international partnerships, and implementing stringent legal frameworks offer promising pathways forward. By steadfastly advocating for inclusivity and accountability at both local and global levels, societies can foster a future where human rights are universally respected and upheld.

## REFERENCES

1. Barnhizer, David. (2001). *Effective Strategies For Protecting Human Rights: Prevention and Intervention, Trade, and Education.*
2. Bentley, Brown. (2023). *Protecting Human Rights: Challenges, Progress, and the Path Ahead.* Philosophical Review.
3. Ernada, Eko. (2005). *Challenges to The Modern Concept of Human Rights.* 6. 1-12.
4. Grote, Rainer. (2024). *Current Issues and Common Challenges for the Protection of Human Rights in Europe, the Americas, and Africa.* 10.1093/oso/9780197744161.003.0005.
5. Mutua, Makau & Howse, Robert. (2013). *Protecting Human Rights in a Global Economy: Challenges for the World Trade Organization.* Human Rights in Development Online. 6. 10.1163/221160800X00037.
6. Pariotti, Elena. (2018). *Regulating human enhancement: The role and challenges for human rights.* Notizie di Politeia. 34. 112-130.
7. Petryshyn, Oleksandr & Hyliaka, Oleh. (2021). *Human rights in the digital age: Challenges, threats and prospects.* Journal of the National Academy of Legal Sciences of Ukraine. 28. 15-23. 10.37635/jnalsu.28(1).2021.15-23.
8. RS, Iza & Muhtar, Mohamad Hidayat & Adelina, Amanda & Alhasni Bakung, Dolot & Junus, Nirwan. (2023). *Protection of Human Rights Against the Environment in the Indonesian Legal System.* Journal of Law and Sustainable Development. 11. e570. 10.55908/sdgs.v11i10.570.

9. Tapakova, Vilor & Abdrasulov, Ermek & Kulbaeva, Maya & Shaykhadenov, Renat & Zhumadilov, Aidos. (2023). *Ways to Improve Legal Mechanisms' Efficiency in Protecting Human Rights and Freedom*. Journal of Law and Sustainable Development. 11. e1698. 10.55908/sdgs.v11i9.1698.
10. Thangavel.V, Dr. (2023). *Protecting and Promoting Human Rights in World Scenarios: A Qualitative and Quantitative Research*. SSRN Electronic Journal. 10.2139/ssrn.4461002.
11. Wasiq, Mohammad Rasikh. (2023). *International Enforcement of Human Rights: Potency and Strategies*. 4. 2582-8878. 10.6084/m9.figshare.21988856.v1.