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Professional Certificate in Human Rights Law and Journalism (United Kingdom)

## Introduction to Human Rights Law (United Kingdom)

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Human rights law in the United Kingdom is a complex and evolving area of legal practice that is crucial for safeguarding the fundamental rights and freedoms of individuals. This glossary provides key terms, concepts, and acronyms related to human rights law in the UK, offering a comprehensive overview for students pursuing the Professional Certificate in Human Rights Law and Journalism.

### 1. Human Rights

Human rights are fundamental rights and freedoms that every individual is entitled to, regardless of their nationality, ethnicity, gender, religion, or other characteristics. These rights are protected by international treaties and conventions, as well as national laws. Examples of human rights include the right to life, liberty, and security of person, the right to freedom of expression, and the right to a fair trial.

### 2. European Convention on Human Rights (ECHR)

The European Convention on Human Rights is an international treaty that was adopted in 1950 by the Council of Europe. The ECHR sets out a list of fundamental rights and freedoms that all signatory states must respect and protect. The UK is a signatory to the ECHR, and individuals can bring claims against the UK government for human rights violations under the convention.

### 3. Human Rights Act 1998

The Human Rights Act 1998 is a piece of legislation that incorporates the rights and freedoms protected by the European Convention on Human Rights into UK law. The act requires all public authorities in the UK to act in a way that is compatible with the ECHR and allows individuals to bring claims for human rights violations in domestic courts.

### 4. Equality Act 2010

The Equality Act 2010 is a UK law that prohibits discrimination on the grounds of protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The act aims to promote equality of opportunity and eliminate discrimination in various areas of life, including employment, education, and the provision of goods and

services.

#### 5. Judicial Review

Judicial review is a legal process through which individuals can challenge the lawfulness of decisions made by public authorities, including government departments, local councils, and other bodies. Judicial review allows the courts to review the legality of administrative actions and ensure that public authorities act within their powers and in accordance with the law.

#### 6. Positive Rights

Positive rights are rights that require the government to take active steps to ensure their realization. These rights may include the right to education, the right to housing, and the right to healthcare. Positive rights impose obligations on the state to provide certain goods and services to individuals, rather than simply refraining from interfering with their rights.

#### 7. Negative Rights

Negative rights are rights that require the government to refrain from interfering with certain freedoms and liberties of individuals. These rights may include the right to freedom of speech, the right to privacy, and the right to a fair trial. Negative rights focus on preventing government intrusion into the private lives and liberties of individuals.

#### 8. Proportionality

Proportionality is a legal principle that requires the government to balance its objectives against the impact on individual rights when making decisions that may restrict those rights. In human rights law, decisions that interfere with fundamental rights must be proportionate to the legitimate aim pursued and the least restrictive means of achieving that aim.

#### 9. Margin of Appreciation

The margin of appreciation is a concept developed by the European Court of Human Rights that allows national authorities a degree of discretion in interpreting and applying human rights standards. The court recognizes that different countries may have different cultural, social, and political contexts, and allows states some flexibility in implementing human rights obligations.

#### 10. Right to Privacy

The right to privacy is a fundamental human right that protects individuals from unwarranted intrusion into their personal lives and affairs. The right to privacy encompasses the right to control one's personal information, the right to confidentiality, and the right to be free from surveillance and interference in one's

private space.

#### 11. Freedom of Expression

Freedom of expression is a fundamental human right that allows individuals to express their opinions, ideas, and beliefs without interference or censorship. This right includes the freedom to seek, receive, and impart information and ideas through any media, regardless of frontiers. Freedom of expression is essential for a functioning democracy and the exchange of diverse viewpoints.

#### 12. Right to a Fair Trial

The right to a fair trial is a fundamental human right that guarantees individuals the right to a fair and impartial hearing before an independent and impartial tribunal or court. This right includes the right to legal representation, the right to be informed of the charges against you, and the right to examine witnesses and evidence presented against you.

#### 13. Freedom of Assembly and Association

Freedom of assembly and association is a fundamental human right that allows individuals to peacefully assemble and associate with others for a common purpose. This right includes the freedom to form and join trade unions, political parties, and other associations, as well as the right to protest and demonstrate peacefully in public spaces.

#### 14. Right to Non-Discrimination

The right to non-discrimination is a fundamental human right that prohibits discrimination on the basis of protected characteristics such as race, gender, religion, disability, and sexual orientation. This right requires states to treat all individuals equally and protect them from any form of discrimination or prejudice in all areas of life.

#### 15. State Responsibility

State responsibility is a legal principle that holds states accountable for human rights violations committed by state agents or entities. States have a duty to respect, protect, and fulfill human rights, and can be held responsible for failing to prevent, investigate, or remedy human rights abuses within their jurisdiction.

#### 16. Remedies

Remedies are legal measures that can be sought by individuals who have had their human rights violated. Remedies may include compensation, restitution, injunctions, and declarations of rights. The aim of remedies is to provide redress for the harm caused by human rights violations and to ensure that individuals are able to enforce their rights effectively.

#### 17. Public Interest

The public interest is a legal concept that refers to the common good or welfare of the community as a whole. In human rights law, decisions made by public authorities must balance the interests of individuals against the interests of society as a whole. The public interest may justify certain restrictions on individual rights in order to protect the wider community.

#### 18. Derogation

Derogation is the temporary suspension or limitation of certain human rights in exceptional circumstances, such as during times of war, public emergency, or other serious threats to public safety. States may derogate from certain rights under international human rights treaties, but only to the extent strictly required by the situation and subject to certain conditions.

#### 19. Right to Life

The right to life is a fundamental human right that protects individuals from being arbitrarily deprived of their lives. This right includes the prohibition of the death penalty, extrajudicial killings, and other forms of unlawful taking of life. The right to life is considered one of the most fundamental and non-derogable rights in international human rights law.

#### 20. Freedom from Torture and Inhuman or Degrading Treatment

The freedom from torture and inhuman or degrading treatment is a fundamental human right that protects individuals from any form of physical or mental torture, cruel, inhuman, or degrading treatment or punishment. This right is absolute and non-derogable, meaning that states must never engage in or condone torture or other forms of ill-treatment under any circumstances.

#### 21. Right to Education

The right to education is a fundamental human right that guarantees individuals the right to access quality education without discrimination. This right includes the right to free and compulsory primary education, the right to access higher education on the basis of merit, and the right to lifelong learning opportunities for personal and professional development.

#### 22. Right to Health

The right to health is a fundamental human right that ensures individuals have access to healthcare services, facilities, and information necessary to achieve the highest attainable standard of physical and mental health. This right includes the right to preventive, curative, and palliative healthcare, as well as the right to essential medicines, clean water, and sanitation.

### 23. Right to Work

The right to work is a fundamental human right that guarantees individuals the right to freely choose their employment, to just and favorable conditions of work, and to protection against unemployment. This right includes the right to equal pay for equal work, the right to form and join trade unions, and the right to social security in case of unemployment.

### 24. Freedom of Religion and Belief

Freedom of religion and belief is a fundamental human right that protects individuals' rights to hold, practice, and manifest their religion or belief in private and in public. This right includes the freedom to worship, observe religious rituals, and express one's beliefs without discrimination or interference. Freedom of religion is essential for promoting tolerance and diversity in society.

### 25. Right to Property

The right to property is a fundamental human right that protects individuals' rights to own, use, and dispose of their property without arbitrary interference. This right includes the right to acquire, possess, and inherit property, as well as the right to due process and compensation in case of expropriation or deprivation of property by the state.

### 26. National Human Rights Institutions (NHRIs)

National Human Rights Institutions are independent bodies established by governments to promote and protect human rights at the national level. NHRIs play a crucial role in monitoring human rights compliance, investigating complaints of human rights violations, and raising awareness about human rights issues among the public and decision-makers.

### 27. European Court of Human Rights (ECtHR)

The European Court of Human Rights is an international court that adjudicates cases brought by individuals and states alleging violations of the European Convention on Human Rights. The court is based in Strasbourg, France, and plays a key role in interpreting human rights standards and ensuring that states comply with their human rights obligations under the convention.

### 28. Human Rights Journalism

Human rights journalism is a specialized form of reporting that focuses on human rights issues, abuses, and violations around the world. Human rights journalists investigate and expose human rights violations, amplify the voices of marginalized communities, and hold governments and other actors accountable for their actions. Human rights journalism plays a crucial role in raising awareness and promoting human rights protection.

### 29. Freedom of Information

Freedom of information is a fundamental human right that guarantees individuals the right to access information held by public authorities and to hold governments accountable for their actions. This right includes the right to request and receive information, the right to know how public funds are spent, and the right to transparency and openness in government decision-making.

### 30. Whistleblower Protection

Whistleblower protection is a legal framework that protects individuals who report wrongdoing, corruption, or human rights abuses within organizations or governments. Whistleblowers play a crucial role in exposing misconduct and promoting accountability, but often face retaliation and persecution for speaking out. Whistleblower protection laws aim to shield whistleblowers from reprisals and ensure their safety and security.

In conclusion, this glossary provides a comprehensive overview of key terms, concepts, and acronyms related to human rights law in the United Kingdom, offering a valuable resource for students studying the Professional Certificate in Human Rights Law and Journalism. By understanding these fundamental principles and mechanisms of human rights protection, individuals can effectively advocate for human rights, challenge human rights violations, and contribute to a more just and equitable society.