

## What are Human Rights?

'Human rights' are the basic rights and freedoms that belong to every person in the world. They are the fundamental things that human beings need in order to flourish and participate fully in society. Every human right is needed in order to 'be human'.

Different human rights reflect our basic needs across different areas of our lives. For example, civil and political rights include the right to liberty and freedom of expression, while economic, social and cultural rights include the protection of property and the right to education.

## Human Rights Values

Human rights are underpinned by a set of common values, including

- Fairness,
- Respect,
- Equality,
- Dignity and
- Autonomy.

## Key Characteristics of Human Rights:

- Human rights are universal - they belong to everybody in the world.
  - Human rights are inalienable - they cannot be taken away from people.
  - Human rights are indivisible and interdependent – all the different human rights are intertwined and vital for human beings to flourish and participate in society.
- Human rights belong to everyone, regardless of their circumstances. They cannot be given away or taken away by anybody – *although some rights can be limited or restricted in certain circumstances. For example, your right to liberty can be restricted if you are convicted of a crime.*

## Human Rights Act 1998?

The Human Rights Act 1998 is a law, which came into full force in October 2000. It gives further effect to the fundamental rights and freedoms in the European Convention on Human Rights.

## Human rights of people who use drugs.

The Human Rights Act 1998 has a real application for advocating for the rights of people who use drugs and in advocating for social policy change propagating an enabling environment for service delivery success. It can

be used to protect people who are being abused in care homes and rehabilitation centres and to ensure that drug users are provided with optimum treatment options including to protection from police violence. Incorporating Human Rights principles into policy helps to ensure that people who use drugs (PUD):

- Can have access to clean needles and syringes,
- Can express their own views and beliefs,
- Do not experience abuse in police custody,
- Are not forced to work slave labour without pay
- Can freely practice a religion of their choosing, and so much more...

## Human Rights in Practice

Human Rights **are supposed to** regulate the relationship between the state, law enforcement and individuals. They are responsible for ensuring rights are provided, upheld, exercised and protected, and perceives individuals as 'rights-bearers'. Likewise one individual must not violate or interfere with the rights of another.

Although every country has laws passed affecting every aspect of our lives. Sometimes it is difficult to know what ones basic rights really are.

The Human Rights Act means that we can safeguard our rights here and we can all be clearer about the basic values and standards of humanity that we share as human beings. National Governments generally respect the Human Rights Act. However if ones rights are ever infringed, or violated it may be a good idea to know that there is something you can do about it.

## Know Your Basic Human Rights

Human rights provide a framework for society to operate and to review decisions made by governing bodies about people's lives. Summary of key rights contained in the Human Rights Act 1998 are as follows:

- *Article 1 is introductory*
- *Right to life (Article 2)*
- *Prohibition of torture (Article 3)*
- *Prohibition of slavery and forced labour (Article 4)*
- *Right to liberty and security (Article 5)*
- *Right to a fair trial (Article 6)*
- *No punishment without law (Article 7)*
- *Right to respect for private and family life (Article 8)*
- *Freedom of thought, conscience and religion (Article 9)*
- *Freedom of expression (Article 10)*

- *Freedom of assembly and association (Article 11)*
- *Right to marry (Article 12)*
- *Prohibition of discrimination (Article 13)*
- *Protection of property (Article 1 of Protocol 1)*
- *Right to education (Article 2 of Protocol 2)*
- *Right to free elections (Article 3 of Protocol 1)*
- *Abolition of the death penalty (Article 1 of Protocol 6).*

## How are human rights protected?

Human rights declarations, conventions and laws are the starting point for making human rights real in people's lives.

There are three different levels of human rights laws, namely – international, regional and domestic. These are enforced and monitored in different ways and can be a basis for favourable policy change linked to positive social change.

Anyone who believes their rights have been breached by a public authority can bring a claim against that authority. This can be in the ordinary Courts, and through a range of other procedures including tribunals, hearings and complaints procedures. Anyone can bring a claim under the Human Rights Act 1998 – the Act is not limited to nationality.

## Who is responsible for protecting drug user's human rights?

The responsibility for upholding human rights lies with the state regardless of history of drug use. Human rights provide minimum standards below which states cannot go. States have the responsibility to ensure that everyone's rights are protected and fulfilled.

However, human rights are also about the relationships between all of us and when we all respect each other's rights, it helps everyone to get along and live together. If someone does not allow another person to exercise their human rights, they do not forfeit their own rights. For example, if a child is excluded from school because they have seriously hurt another child, they still have a right to an education.

- **Respect human rights:** States must refrain from interfering with our human rights or curtailing the enjoyment of human rights.
- **Protect human rights:** States must protect individuals and groups against human rights abuses.
- **Fulfil human rights:** States must take positive action to facilitate the enjoyment of basic human rights.

RECOVERING

NEPAL



*Recovering Nepal is a community of amazing group of individuals, organizations and thematic networks as the National Federation of Drug Service Organizations led by People who use Drugs (PUD) in Nepal. It was originally founded in 2001 by drug user activists and people who use drugs including PLHA to address HIV and Drug Use. It has 144 organizational members and excluding key individual members.*

*Legally registered in 2003, Recovering Nepal has reached out to drug users through various support groups helping in addressing stigma discrimination, raising voice to promote basic human and health rights, advocating for policy change and increasing quality access to affordable and comprehensive treatment and care for the PUDs who are living with HIV.*

*Recovering Nepal aims to influence the policies that improve the quality of lives of PUDs, reinstate their rights and create a supportive environment. The organization promotes provision of HIV and Harm Reduction services while advocating for the rights of PUDs, at the same time focusing on strengthening the capacity of PUDs and their organizations to respond to the HIV epidemic, especially at the grassroots level. It is an organization By PUDs and for PUDs seeking to increase Participation of PUDs in designing effective policies, programs and their implementation.*



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