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EQUALITY AND NON-DISCRIMINATION IN HUMAN RIGHTS

Palak Jain¹

Equality and non-discrimination in human rights, International human rights legislation place a strong emphasis on equality and non-discrimination, and all UN members are required by law to advance these values. Despite being generally incorporated into the law, there are significant regional variations in how the rights to equality and non-discrimination are interpreted and how they relate to one another. Although the human rights treaties at the international level have distinct clauses on equality and non-discrimination, legal academics frequently interpret the two ideas as one. In order to analyse how the International Bill of Human Rights provisions on equality and non-discrimination may be used to combat social and economic inequality, this article analyses such provisions¹.

The idea that these concepts are intimately connected to the idea that equality and non-discrimination are essential human rights that apply to everyone. Everyone has the right to all the freedoms and rights guaranteed in this declaration, without distinction of any kind, including that of race, colour, sex, language, religion, political opinion, or other affiliation, national or social origin, property, birth, or another status, according to Article 2 of the UDHR. Therefore, regardless of their ability to exercise such rights, everyone is born with the same set of basic human rights.

In the context of human rights, equality does not always imply treating everyone equally. Instead, in order to enjoy the same rights as males, women could want different treatment. For instance, women may need assistance with child care and/or acknowledgement for the work they

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often provide at home in order to enjoy the right to work. In order to promote fairness and change the disparity in power between men and women in a community, equality must be active pursued²

"All are absolutely equal and are entitled to equal protection of the law without any discrimination, reads another line in Article 7 of the UDHR."

In other words, no one should be excluded from the protection of their human rights due to their gender, skin colour, political views, or any other characteristic. All people have the right to a life of dignity and freedom, according to the fundamental principle of non-discrimination. Therefore, discrimination on the basis of a handicap, sexual orientation, place of residence, or any other status is likewise against the law.

Human rights treaties have expanded on a few of the anti-discrimination issues mentioned in the Universal Declaration of Human Rights. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), for instance, goes into detail about sex-based discrimination. The Convention on the Elimination of All Forms of Racial Discrimination deals with the racism that many groups of people endure on the basis of "*race*" or colour³

Despite these core ideas of equality, universality, and non-discrimination, our capacity to exercise our human rights is sometimes determined by our unique situations. Therefore, one's colour, sexual orientation, class, sex, place of residence, or culture frequently impact both how one perceives and experiences the violation of their human rights. The essay suggests a legal framework that distinguishes between positive equality and non-discrimination based on status. In conclusion, it claims that both of these⁴.

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