

WHAT THE BRAP?

Help me understand the Human Rights Act debate!

After WW2 the United Nations (UN) was established to learn the lessons of the war and the Holocaust and encourage co-operation between countries to prevent any more world wars



FIRST THERE WAS A DECLARATION...

After the Second World War people realised that basic rights and freedoms needed to be more formally acknowledged and protected to prevent anything like the Holocaust happening again. So the **Universal Declaration of Human Rights (UDHR)** was created and adopted by the UN. It was the first time that countries clearly set out a list of rights that people are entitled to just by being human



THEN A CONVENTION...

The Council of Europe passed the **European Convention on Human Rights (ECHR)**. This was a treaty drafted by lawyers from the member countries of the Council (UK lawyers played a particularly large role). It gives effect to the UDHR to protect the rights and freedoms in it. Countries then sign up to the ECHR (the UK was one of the first to do so). The ECHR started with just 10 countries signed up: now there are 47. The only European country not to subscribe to the ECHR is Belarus

The ECtHR can rule that UK laws or institutions have violated people's rights, but under our Human Rights Act the UK only need to consider these rulings as 'advisory'. The European Court can't dictate that we change our laws



THEN A COURT...

The ECHR established the **European Court of Human Rights (ECtHR)** to enforce the rights agreed in the Convention. It gives people a place to take a case to if they feel their rights have been infringed.

The UK allows individuals to apply to the court, meaning anyone in the UK can take a case to the ECtHR if they feel their rights have been violated

The Council of Europe (also new after the war), is an international organisation promoting co-operation between European countries. It is completely independent of the European Union



THEN AN ACT...

The **Human Rights Act (HRA)** was then written in the UK – it gives the same rights and protections as the European Convention, but applies them in the UK. This means you can defend your rights in British courts and public organisations in the UK (i.e. the government, police, councils, etc.) have to respect people's rights. The HRA 'brought home' the rights of the ECHR. The UK was one of the first countries to put the ECHR into their own law, and the HRA passed in Parliament with overwhelming cross-party support

AND NOW...?

The Government wants to scrap the Human Rights Act and replace it with a British Bill of Rights and Responsibilities.

We think this is a dangerous threat to our rights – have a look at [our blog on this proposal](#) to find out what we think is wrong with it.