



The West Bengal National University of Judicial Sciences
Report on Human Rights Litigation and Public Policy

The Legal Aid Society WBNUJS organised a successful event on Human Rights Litigation and Public Policy with 98 participants, various facets of the topic was discussed along with the following :-

Human rights litigation and public policy are interconnected areas that play a crucial role in shaping and protecting human rights within a society. Each of these concepts and their relationship discussed as:

Human Rights Litigation: Definition: Human rights litigation involves taking legal action to address violations of fundamental rights and freedoms guaranteed by international, national, or regional laws and treaties.

Process: Individuals, groups, or organizations may file lawsuits or petitions in courts to seek remedies for human rights abuses. This can involve issues such as discrimination, torture, freedom of expression, right to privacy, and more.

International and Domestic Forums: Litigation can take place at various levels, including domestic courts, regional human rights bodies, and international courts such as the International Criminal Court (ICC) or the European Court of Human Rights.

Public Policy and Human Rights: Definition: Public policy refers to the principles and guidelines adopted by governments to address societal issues. Human rights should be integral to public policy, ensuring that laws and regulations respect and protect fundamental human rights.

Legislation and Regulation: Governments develop and implement laws and regulations that impact human rights. Policies related to education, healthcare, criminal justice, and social welfare can significantly influence the realization of human rights.

Government Actions: Public policy decisions can either advance or undermine human rights. For example, policies addressing discrimination, poverty, or access to justice can directly impact the enjoyment of human rights by individuals and communities.

Interconnection: Legal Framework: Human rights litigation often relies on existing legal frameworks and precedents, which are shaped by public policies. A robust legal framework with strong human rights protections enhances the effectiveness of litigation.

Litigation as a Tool for Policy Change: Successful human rights litigation can influence public policy by setting legal precedents and prompting legislative or regulatory changes. Court decisions may lead to reforms that better align with human rights standards.

Advocacy and Awareness: Human rights litigation can also serve as a catalyst for public awareness and advocacy, encouraging discussions that can, in turn, influence public opinion and, ultimately, public policy.

Further it was discussed that human rights litigation and public policy are interconnected as they both contribute to the protection and promotion of human rights. Effective human rights litigation can shape and influence public policy, ensuring that laws and regulations align with international human rights standards and that government actions promote the well-being and dignity of all individuals within a society.