Human rights are traditionally categorized in the following five types:
The idea of human rights did not begin with the establishment of the United Nations - its roots can be found in all world cultures and religions. However, the adoption of the Universal Declaration by the UN General Assembly in 1948 was a landmark achievement in world history as it was the first time that the international community set down formal standards of human rights and freedoms that should be enjoyed by everyone, everywhere. The Universal Declaration proclaims that respect for human rights "is the foundation of freedom, justice and peace in the world". Since agreeing on the Universal Declaration, the international community has pursued what is a continuing task, to make the Declaration’s ideals effective. The Universal Declaration is now available in over three hundred languages, which makes it the most translated document in the world.
Basic Documents on Human Rights

1948  Universal Declaration of Human Rights
1966  International Covenants on Human Rights
       International Covenant on CPR
       International Covenant on ESCR

a) Specific topics: Torture, Racial discrimination
b) Specific victim groups: Gender, Children

General Comments & Recommendations by all treaty bodies including:
General Comment 12, 1999
General Comment 15 on drinking water, 2002
Civil Rights
Political Rights
Economic Rights
Social Rights
Cultural Rights
Civil and Political Rights

Civil rights deal with standards of judiciary and penal systems. Political rights deal with specific components of participation in political power. These rights are often focused on when one talks about human rights.
ESCR - The neglected half of Human Rights

Economic Rights deal with the sphere of human beings working, producing and servicing. Social Rights deal with standard of living and quality of life for all persons, including those not participating in economic activities. Cultural Rights deal with the cultural sphere of life including ethnic culture, subcultures, arts and science.
<table>
<thead>
<tr>
<th>Civil and Political rights (CPR)</th>
<th>Economic, social, and cultural rights (ESCR)</th>
<th>Rationale for challenging the distinction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective is to ensure freedom</td>
<td>Objective is to ensure equality</td>
<td>Freedom requires both types of rights, and equality must be assured in both</td>
</tr>
<tr>
<td>Negative (freedom from=droit attribut)</td>
<td>Positive (right to=droit créance)</td>
<td>Obligation to respect, protect, and fulfill apply to all rights.</td>
</tr>
<tr>
<td>Cost-free (individual freedom)</td>
<td>Resources required (welfare)</td>
<td>Requirement of resources is dependent on the type of obligation not on the type of right.</td>
</tr>
<tr>
<td>Justiciable</td>
<td>Political or programmatic</td>
<td>All rights eventually become justiciable as better they are defined</td>
</tr>
<tr>
<td>Immediate implementation</td>
<td>Progressive implementation</td>
<td>Elements of immediate and progressive implementation apply to all rights in varying degrees</td>
</tr>
<tr>
<td>Absolute, immutable</td>
<td>Relative, responsive to changing conditions</td>
<td>All rights have a core of which the implementation is indispensable</td>
</tr>
</tbody>
</table>
Indivisibility of Human Rights

“All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.”

The Vienna Declaration and Program of Action (June 1993, Paragraph 5)
Human rights are indivisible and highly interrelated.
FRAMING OUR HUMAN RIGHTS QUESTIONS

- What are the historic and philosophical foundations for “human rights”?
- What are the underlying principles of the Universal Declaration of Human Rights?
- How does the Universal Declaration of Human Rights and our stories connect to Human Rights Education?
Story of the evolution of Human Rights

- How do we tell our story of the evolution of human rights and human rights education?

- We must recognize our ancestors and elders, whose shoulders we are standing upon!
Philosophical Visions:

Human Nature - A search for Common secular inquiry and human reason

400 B.C.E. est. - Mo Zi founded Mohist School of Moral Philosophy in China
   Importance of duty, self-sacrifice, and an all-embracing respect for others – “universally throughout the world”

300 B.C.E. est. – Chinese sage Mencious
   Wrote on the “human nature” – “humans are fundamentally good, but goodness needs to be nurtured”

300 B.C.E. est. – Hsun-tzu
   Asserted “to relieve anxiety and eradicate strife, nothing is as effective as the institution of corporate life based on a clear recognition of individual rights”

1750 B.C.E. – King Hammurabi in Babylon
   Necessary to honor broad codes of justice among people. Created one of the earliest legal codes to govern behavior – “let the oppressed man come under my statue” to seek equal justice in law

Ancient Egypt
   Explicit social justice – “comfort the afflicted...refrain from unjust punishment. Kill not...make no distinction between the son of a man of importance and one of humble origin”

Early Sanskrit writings in Indian
   Responsibility of rulers for the welfare of people. “None should be allowed to suffer... either because of poverty or of any deliberate actions on the part of others”
Philosophical Visions:
Human Nature - A search for Common secular inquiry and human reason

300 B.C.E. – Ashoka of India
- Freedom of worship and other rights of his subjects. Other leaders from this area impartial justice and social equality and no castes should exist since all are from one tree

16th century - Hindu philosopher Chaitanya
- "There is only one caste – humanity"

Sikh leader Guru Gobind Singh
- Proclaimed “recognize all the human race as one”

10th Century - Al-Farabi, an Islamic Philosopher
- Wrote *The Outlook of the People of the City of Virtue*, a vision of moral society in which all individual were endowed with rights and lived in love and charity with their neighbors.

Greek Philosophers
- Equal respect for all citizens (insotimia). Equality before the law (isonomia). Equality in political power (isokratia) and Suffrage (isopsephia).

Marcus Tillius Cicero
- “Universal justice and law guided human nature to act justly and be of service to others” – This natural law “binds all human society” together, applies to every member of “the whole human race” without distinction and unique dignity of each person.

French philosopher Jean-Jacques Rousseau (1762)
- “Man is born free, but everywhere he is in chains"
Precursors to 20th Century Human Rights Documents

- 1750 B.C.E.
  Code of Hammurabi, Babylonia
- 1200 - 300 B.C.E.
  - Old Testament
- 551 - 479 B.C.E.
  Analects of Confucius
- 40 - 100 C.E.
  New Testament
- 644 - 656 C.E.
  Koran
- 1215
  Magna Carta, England
- 1400
  Code of Nezahualcoyotl, Aztec

1648
  Treaty of Westphalia, Europe
1689
  English Bill of Rights, England
1776
  Declaration of Independence, United States
1787
  United States Constitution
1789
  French Declaration on the Rights of Man and the Citizen, France
1791 - United States Bill of Rights
19th and 20th Century Human Rights based on Natural Rights

- 1863: Emancipation Proclamation, United States
- 1864 & 1949: Geneva Conventions, International Red Cross
- 1920: Women gain the right to vote in the U.S.
- 1926: Slavery Convention
- 1947: Mohandas Gandhi uses non-violent protests leading India to independence.
What are the Human Rights Principles?

The rights that someone has simply because he or she is a human being & born into this world.

CORE PRINCIPLES:
- Human Dignity
- Equality
- Non-discrimination
- Universality
- Interdependency
- Indivisibility
- Inalienability
- Responsibilities
What are the Common Myths about Human Rights

- Human Rights = civil rights.
- Economic, Social, and Cultural Rights (i.e., healthcare, housing) are privileges.
- Human Rights applies only in poor, foreign countries.
- Human Rights are only concerned with violations.
- Only lawyers can understand the significance of Human Rights.
The Universal Declaration of Human Rights (UDHR) was drafted by the UN Commission on Human Rights chaired by, then first lady, Eleanor Roosevelt. The UDHR was adopted by the 56 member nations of the UN General Assembly on December 10, 1948.

December 10th is celebrated around the world as International Human Rights Day. The 192 member states in the U.N., upon membership, agreed to educate their citizens about the principles of the UDHR. Most of these countries have incorporated the principles of the UDHR into their constitutions.

“The UDHR specifies minimal conditions of a dignified life.”
Human Rights Instruments

Organizations / agreements working for protecting, promoting human Rights
International Bill of Human Rights

Universal Declaration of Human Rights
(UDHR)
December 10, 1948

Int'l Covenant on Civil and Political Rights
(ICCPR)
Adopted by UN General Assembly in 1966
Entered into Force in 1976

Int'l Covenant on Economic, Social and Cultural Rights
(ICESC)
Adopted by the UN General Assembly in 1966
Entered into Force in 1976

2 Optional Protocols to the ICCPR
(Member nations permit individuals or groups to report personal human rights violations to the UN Human Rights Committee)
General Assembly

- Secretariat
- Economic & Social Council
- Security Council
- Trusteeship Council

International Court of World Justice

Commission on Human Rights
International Labour Organization (ILO)
United Nations Children’s Fund (UNICEF)
United Nations Development Fund for Women
United Nations Educational, Scientific & Cultural Organization (UNESCO)
World Health Organization (WHO)
Human Rights Instruments
The UN General Assembly

- The United Nations currently comprises 185 member states, all of which belong to the General Assembly. The General Assembly controls the UN’s finances, makes non-binding recommendations, and oversees and elects members of other UN organs. It is the General Assembly that ultimately votes to adopt human rights declarations and conventions, which are also called treaties or covenants. For example, in 1948 when the UN Commission on Human Rights had completed its draft of the Universal Declaration of Human Rights, the General Assembly voted to adopt the document.
The UN Commission on Human Rights

Although human rights are fundamental to all functions of the UN, human rights issues mainly fall under the Economic and Social Council (ECOSOC). Made up of fifty-three member states elected by ECOSOC, the UN Commission on Human Rights initiates studies and fact-finding missions and discusses specific human rights issues. It has responsibility for initiating and drafting human rights declarations and conventions. ECOSOC also supervises intergovernmental organizations (IGOs), which are specialized agencies that function independently with their own charter, budget, and staff but are affiliated with the UN by special agreements. IGOs report to the ECOSOC and may be asked to review reports from certain UN bodies that are relevant to their area of focus.

Some intergovernmental organizations that work to protect human rights include:

- **International Labor Organization (ILO)** – Develops international labor standards and provides technical assistance training to governments.
- **United Nations Children’s Fund (UNICEF)** – Works with other UN bodies, governments, and nongovernmental organizations to provide community-based services in primary healthcare, basic education, and safe water and sanitation for children in developing countries. Human rights are fundamental to its programming.
- **United Nations Development Fund for Women (UNIFEM)** – Promotes economic and political empowerment of women in developing countries, working to ensure their participation in development planning and practices, as well as their human rights.
- **United Nations Educational, Scientific, and Cultural Organization (UNESCO)** – Pursues intellectual cooperation in education, science, culture, and communications and promotes development through social, cultural, and economic projects.
- **World Health Organization (WHO)** – Conducts immunization campaigns, promotes and coordinates research, and provides technical assistance to countries that are improving their health systems.
- **Other UN Bodies and Human Rights**
- The UN Security Council, comprising fifteen member states, is responsible
Human Rights Instruments

- International Bill of Human Rights
  - Human Rights Defenders
  - Right of self-determination
  - Prevention of discrimination
  - Rights of women
  - Rights of the child
  - Slavery, servitude, forced labour and similar institutions and practices
  - Human rights in the administration of justice

- Freedom of information
  - Freedom of association
  - Employment
  - Marriage, Family and Youth
  - Social welfare, progress and development
  - Right to enjoy culture, international cultural development and co-operation
  - Nationality, statelessness, asylum and refugees
  - War crimes and crimes against humanity, including genocide
  - Humanitarian law
<table>
<thead>
<tr>
<th>A</th>
<th>Adequate housing / Administration of justice / AIDS / Arbitrary detention / Asylum</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Biotechnology (Human rights) / Business &amp; human rights</td>
</tr>
<tr>
<td>C</td>
<td>Capital punishment / Children's rights / Civil and political rights / Crimes against humanity</td>
</tr>
<tr>
<td>D</td>
<td>Death penalty (Capital Punishment) / Defenders (Human Rights) / Democracy Development (Human Rights) / Disability (Human Rights) Disappearances / Discrimination (other forms than racism and racial discrimination)</td>
</tr>
<tr>
<td>E</td>
<td>Economic, social and cultural rights / Education (Right to-) / Enhancing national capacities / Environment / Executions (extrajudicial, summary or arbitrary-) / Exploitation of the prostitution of others / Extreme poverty</td>
</tr>
<tr>
<td>F</td>
<td>Fair trial (right to a-) / Family rights / Food (Right to-) / Forced or bonded labour / Foreign debt (Human rights and-) / Freedom of association / Freedom of opinion and expression / Freedom of Religion and belief</td>
</tr>
<tr>
<td>G</td>
<td>Genocide Girl children / Globalization / Good Governance</td>
</tr>
<tr>
<td>H</td>
<td>Health / HIV/AIDS Human rights / Human rights education / Human rights institutions for the protection and promotion of human rights (National Institutions)</td>
</tr>
<tr>
<td>I</td>
<td>Income distribution / Independence of the judiciary / Indigenous people / populations / Internally displaced persons / International law and human rights</td>
</tr>
<tr>
<td>J</td>
<td>Justice (Administration of-)</td>
</tr>
<tr>
<td>L</td>
<td>Labor rights -Employment Law enforcement</td>
</tr>
<tr>
<td>M</td>
<td>Mercenaries / Migrants / Minorities</td>
</tr>
<tr>
<td>N</td>
<td>National human rights / institutions / Nationality &amp; statelessness</td>
</tr>
<tr>
<td>P</td>
<td>Poverty</td>
</tr>
<tr>
<td>R</td>
<td>Racism and racial discrimination / Refugees / Religious intolerance</td>
</tr>
<tr>
<td>S</td>
<td>Right to development / Right to education / Right to food</td>
</tr>
<tr>
<td>T</td>
<td>Self-determination / Slavery Social Forum / States of Emergency / Structural adjustment and foreign debt / Summary or arbitrary executions</td>
</tr>
<tr>
<td>W</td>
<td>Terrorism / Torture Toxic waste / Trade and Investment / Traditional practices / Traffic in persons / Transnational corporations</td>
</tr>
<tr>
<td>X</td>
<td>War crimes Water (Right to) / Xenophobia (Discrimination)</td>
</tr>
</tbody>
</table>
Human Rights USA
1997 Survey Results

- Only 8% of adults and 4% of young people are aware the Universal Declaration of Human Rights exists.
- After learning about the UDHR, a large majority, 83%, feel that the US should do more to live up to the principles of the UDHR.
- 2/3 of the people polled (63%) say that the poor are usually discriminated against in US. Others discriminated against: the disabled (61%), the elderly (54%), gays and lesbians (51%), Native Americans (50%), and African Americans (41%).
“Human Rights Education is a means towards social change; a tool to transform the theory and practical applications into everyday social practice.”

“In conflict situations and in peace building, HRE must be seen to benefit the target populations’ daily lives.”

“HRE focuses especially on social goals and ideals that emphasize the dignity of all human beings and the need for laws and institutions that enforce those standards. In so doing, HRE contributes directly to the process of building a society based on freedom, peace and Justice.”

Paul Martin, et al.
“Where, after all do universal rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”

Elenor Rooswelt
Formal state obligations for each human right

Three obligations of action:
- Respect
- Protect
- Fulfil

Four obligations of process:
- Non-discrimination
- Adequate progress
- Participation
- Effective remedy
# Formal state obligations for each human right

<table>
<thead>
<tr>
<th>Obligation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Respect</strong></td>
<td>The state <strong>must not interfere directly</strong> with people realising their rights</td>
</tr>
<tr>
<td><strong>Protect</strong></td>
<td>The state <strong>must stop others</strong> from interfering with people’s rights</td>
</tr>
<tr>
<td><strong>Fulfil</strong></td>
<td>The state <strong>must build</strong> the legislation, institutions, norms to realise the right</td>
</tr>
<tr>
<td><strong>Non discrimination</strong></td>
<td>The state must not discriminate in meeting its obligations</td>
</tr>
<tr>
<td><strong>Adequate progress</strong></td>
<td>Progress must occur at a rate that show commitment</td>
</tr>
<tr>
<td><strong>Participation</strong></td>
<td>People must be able to participate in realising their rights</td>
</tr>
<tr>
<td><strong>Effective remedy</strong></td>
<td>There must be a remedy for violations of obligations</td>
</tr>
</tbody>
</table>
## Identifying state obligations:

<table>
<thead>
<tr>
<th>Obligation</th>
<th>Right to Education</th>
<th>Right to a fair trial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respect</td>
<td>Don’t ban children from school</td>
<td>Don’t imprison without trial</td>
</tr>
<tr>
<td>Protect</td>
<td>Tackle household gender bias</td>
<td>Prevent bribery of judges</td>
</tr>
<tr>
<td>Fulfil</td>
<td>Build schools, train teachers</td>
<td>Build courts, train judges</td>
</tr>
<tr>
<td>Non-discrimination</td>
<td>No ethnic bias in education budgets</td>
<td>No racial bias in sentencing</td>
</tr>
<tr>
<td>Adequate progress</td>
<td>Raise enrolments by X% by 2005</td>
<td>Reduce case backlog by X% by 2006</td>
</tr>
<tr>
<td>Participation</td>
<td>Community role in local schools</td>
<td>Citizen jury and public access</td>
</tr>
<tr>
<td>Effective remedy</td>
<td>Make complaint procedure accessible</td>
<td>Right of appeal against mis-trial</td>
</tr>
</tbody>
</table>
Realising rights depends on more than the state

- Resources and capacity
- Culture, customs and norms
- The strength of civil society
- External impacts and pressures
- Other non state actors...
## Multi-actor responsibilities: Education in India

<table>
<thead>
<tr>
<th>Actor</th>
<th>Obligation</th>
<th>Indicator</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents</td>
<td>Must be willing to send children to school</td>
<td>% of parents who think education is important</td>
<td>% of enrolment - 89% for girls, 98% for boys</td>
</tr>
<tr>
<td>State</td>
<td>Must provide adequate facilities</td>
<td>% of schools with poor facilities</td>
<td>60% leaking roof</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>89% no working toilet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>59% no drinking water</td>
</tr>
<tr>
<td>Community</td>
<td>Must support school and teachers</td>
<td>% of schools with community meetings</td>
<td>In 49% of schools no meeting for over one year</td>
</tr>
<tr>
<td>Media</td>
<td>Must report neglect of basic education</td>
<td>% of newspaper articles on topic</td>
<td>In one year: 8,500 articles on foreign investment</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2,700 on defence</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>60 on rural education</td>
</tr>
</tbody>
</table>
What roles can CSO* play?

*Civil Society Organizations

<table>
<thead>
<tr>
<th>Obligation</th>
<th>Example</th>
<th>CSO role? Examples…</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respect</td>
<td>Don’t imprison without trial</td>
<td>- Monitor if there is access to lawyer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Raise awareness on rights of detained</td>
</tr>
<tr>
<td>Protect</td>
<td>Prevent bribery of judges</td>
<td>- Monitor salaries</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Research other pressures on judges</td>
</tr>
<tr>
<td>Fulfil</td>
<td>Build courts, train judges</td>
<td>- Set targets for training of judges</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Provide human rights training</td>
</tr>
<tr>
<td>Non discrimination</td>
<td>No racial bias in sentencing</td>
<td>- Indicators of ethnic/political bias in sentencing, highlight in media</td>
</tr>
<tr>
<td>Adequate progress</td>
<td>Reduce backlog of cases</td>
<td>- Monitor backlog,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Set targets for reduction</td>
</tr>
<tr>
<td>Participation</td>
<td>citizen jury and public access</td>
<td>- Gain respected voice in legal community, ensure CSOs consulted</td>
</tr>
<tr>
<td>Effective remedy</td>
<td>Right of appeal against mis-trial</td>
<td>- Monitor appeals, lobby cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Provide legal aid</td>
</tr>
</tbody>
</table>