

ACADEMY OF HUMAN RIGHTS

Introduction to Human Rights Issues

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INTRODUCTION

- Human rights are basic rights for all people.
- They apply to everyone regardless of background.
- Include rights like life, freedom of speech, and education.

- Became especially important after World War II.
- Universal Declaration of Human Rights (1948) set global standards.

- Still debated across cultures and societies.
- Protected and promoted by international organizations like the UN.

History of Human Rights

- Human rights ideas existed in ancient times (equality, justice, freedom).
- Key early examples:
 - Code of Hammurabi (1750 BC)
 - Cyrus Cylinder (539 BC)
 - Confucius (~500 BC)
 - Charter of Mandem (1222 AD)
- Enlightenment:
 - Virginia Bill of Rights (1776)
 - French Declaration (1789)
- 19th century: civil rights in constitutions (e.g. Poland 1791; Switzerland 1848)
- 20th century:
 - WWII & Holocaust → need for protection
 - Universal Declaration of Human Rights (1948)
 - Global standard of rights

Human Rights Treaties

- 1966: Two key UN treaties:
 - ICCPR (Civil & Political Rights)
 - ICESCR (Economic, Social & Cultural Rights)
- Other major human rights instruments:
 - Genocide Convention (1948/1951)
 - CERD (1966/1969)
 - CEDAW (1981)
 - CAT (1984)
 - CRC (1989)
 - ICRMW (1990)
 - Rome Statute (ICC, 2002)
- Core of international human rights law

International Protection of Human Rights

- UN = main global body protecting human rights
- Key institutions:
 - Human Rights Council (47 members, Geneva)
 - High Commissioner for Human Rights
 - Treaty bodies (expert committees)
- Treaty bodies:
 - Monitor states, review reports, recommend
 - Focus: women, children, torture, migrants, etc.
- Challenges:
 - Weak enforcement
 - Different interpretations
 - Limited legal force

International Courts & Human Rights

- **International Court of Justice (ICJ):**

- Main UN court (global jurisdiction)
- Settles disputes between states
- No jurisdiction over individuals

- **International Criminal Court (ICC):**

- Prosecutes war crimes & crimes against humanity
- Created in 2002 (Rome Statute)
- Limited jurisdiction (not all states participate)

- **Principle of complementarity:**

- National courts have primary responsibility
- International courts act when states cannot
- Used only after local remedies are exhausted

Regional Human Rights Systems

- **National Human Rights Institutions (NHRIs):**
 - Exist in 110+ countries (Paris Principles)
- **Africa:**
 - African Union (55 states)
 - Commission + Court on Human & Peoples' Rights
- **Americas:**
 - OAS (35 states)
 - Inter-American Commission & Court
- **Asia:**
 - No unified strong system
 - ASEAN (2009 body, 2012 declaration)
- **Europe:**
 - Council of Europe (ECHR)
 - European Court of Human Rights