Common Myths about Human Rights

- Human Rights = civil rights.
- Human Rights violations occur only in poor, foreign countries.
- Human Rights are only concerned with violations.
- Only adults and lawyers can understand the significance of Human Rights.
Human Rights Are:

- the rights that someone has simply because he or she is a human being.
- Inalienable/
  Universal
- Interconnected
- Indivisible
- Both Rights and Responsibilities
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 Documents and Foundations

- 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.
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 now celebrated around the world as International Human Rights Day. There are now 188 member states in the United Nations that, 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.
Five Primary Categories of Human Rights:

- Civil Rights
- Political Rights
- Economic Rights
- Social Rights
- Cultural 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

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

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

- **Declaration**
  - Document stating agreed upon standards or principles, but which is not legally binding

- **Ratification**
  - Formal process by which the legislative body of a state confirms a government’s action in signing a treaty

- **Covenant/Convention/Treaty**
  - Legally binding agreement between states

- **Reservation**
  - The exceptions that states parties make to a treaty (e.g., provisions within the treaty that the member does not accept)
<table>
<thead>
<tr>
<th>Convention</th>
<th>Date</th>
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<tr>
<td>Convention Relating to the Status of Refugees, 1951</td>
<td>Slavery Convention of 1926, Amended by Protocol, 1953</td>
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<tr>
<td>International Convention on the Elimination of all forms of Racial Discrimination, 1966</td>
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<tr>
<td>*Convention on the Elimination of all Forms of Discrimination against Women, 1979</td>
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Selected Human Rights Conventions

- Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, 1984


- *Convention on the Rights of Migrant Workers and the Members of their Families, 1990

* = Not ratified by US

Note: Date refers to the year the UN General Assembly adopted the convention; more than 25 Conventions have now entered into force.
From Declaration to Convention

**Declaration**
Working group drafts principles

**Convention**
Drafting process
Articles
Adopted by UN General Assembly

**Member States Ratify Convention**
Entered into force
Chart of the United Nations

 Structures as they pertain to Indigenous Peoples

- General Assembly
- Economic and Social Council
- Commission on Human Rights (CHR)
- Sub Commission on the Promotion and Protection of Human Rights
- Permanent Forum on Indigenous Issues (_est. 2000)
- Working Group on the Draft Declaration on the Rights of Indigenous Peoples
- Working Group on Indigenous Populations (WGIP) (est. 1982)
Draft Declaration on the Rights of Indigenous Peoples

Collective Rights & Individual Rights
Overview of Indigenous Peoples at the United Nations

- The Indigenous Peoples & United Nations enter into Nation to Nation relationship

- International Indian Treaty Council - consultative status 1977
  - the first Indigenous Peoples organization to receive this status

- Working Group on Indigenous Peoples, established in 1982
Overview of Indigenous Peoples at the United Nations

- Draft Declaration on the Rights of Indigenous Peoples
  - Consistent text, approved by all Indigenous Peoples (Working Group on Draft Declaration)

- International Decade of the World’s Indigenous Peoples 1994 – 2004

- Permanent Forum for Indigenous Peoples (Populations)

- Rapporteur on Indigenous Peoples
Draft Declaration on the Rights of Indigenous Peoples

- Part I: Fundamental Rights
- Part II: Life and Security
- Part III: Culture, Religion, and Language
- Part IV: Education, Media, and Employment
- Part V: Participation and Development
- Part VI: Land and Resources
- Part VII: Self Government and Indigenous Laws
- Part VIII: Implementation
- Part IX: Minimum Standards