

## THE EUROPEAN CONVENTION ON HUMAN RIGHTS

If you have heard about the Council of Europe before, then it was probably on the subject of human rights. The Council has a range of instruments for protecting our rights and freedoms. The Universal Declaration of **HUMAN RIGHTS 1**, adopted by the United Nations General Assembly in 1948, was used as a basis for the **European Convention 2 on Human Rights**, opened for signature by the member states of the Council in 1950. This was important for three main reasons. (see diagram below)

➔ [www.coe.int/judice](http://www.coe.int/judice)

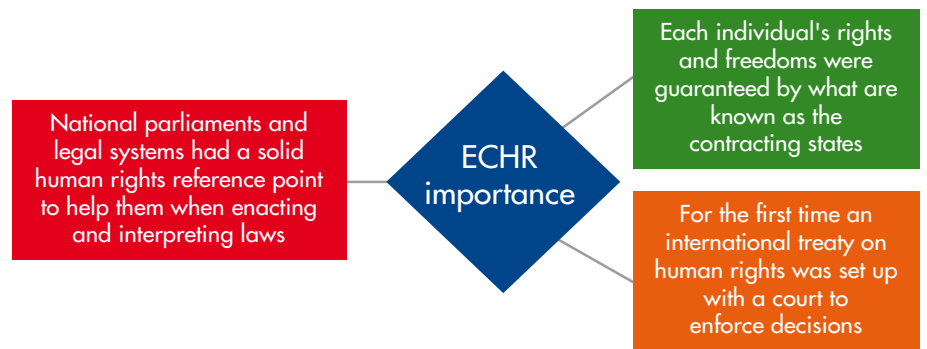
## A SINGLE COURT OF HUMAN RIGHTS

Following certain changes to the European Convention on Human Rights in 1998, a single permanent European Court of Human Rights was set up to replace the Convention's two previous institutions. The European Court of Human Rights is directly accessible to the individual and its legal power is compulsory for all people involved. The Court, which is based in Strasbourg, is made up of the same number of judges as contracting states

to the Convention. Judges are elected by the Parliamentary Assembly of the Council of Europe. They are completely independent when performing their duties and do not represent the states which nominated them.

## PREVENTING VIOLATIONS OF HUMAN RIGHTS

The Council of Europe's efforts to safeguard human rights lay increasing emphasis on preventing violations of human rights happening in the first place. The **European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**, created in 1987, is designed to prevent ill-treatment of people who have had their liberty taken away from them. A special committee of independent experts (the CPT) visits places of detention, such as prisons, police stations, army barracks and psychiatric hospitals, and makes recommendations for improvements. Under the Convention, CPT delegations have unlimited access to places of detention and complete freedom of movement within them. They interview detainees without witnesses and can meet anyone who can provide information. Their recommendations, if any, are included in a report, which is used as a basis for dialogue with the state concerned.



➔ "This is a threat to the independence and worth of the human personality, a threat to the meaning of human life."

Andrei Sakharov





### A FREE AGENT FOR HUMAN RIGHTS

The Commissioner for Human Rights has played an increasingly active role in putting the Council of Europe's human rights standards into practice since this independent institution was created in 1999. The Commissioner uses open dialogue with member states, issues reports on thematic areas, co-operates with other international organisations and has the freedom to move and speak where others sometimes fear to tread. The Commissioner has been active in helping others to define what actions are justified in the combat against terrorism.

### SOCIAL RIGHTS

The way we think about human rights has changed over time. Civil and political rights such as the right to life, freedom from torture, the right to asylum and freedom of expression form the basis of the European Convention on Human Rights. But what about economic and social rights?

This is where the **European Social Charter** comes in. It provides three main categories of rights:

- Protection of employment, including the right to work and the right to belong to a trade union;
- Social protection for the whole population, including the right to protection of health and the right to social security;
- Special protection outside the work environment, including rights for children and young people, mothers and migrant workers.

Although member states cannot be forced to keep to the charter by law, a supervisory system is in place and the Committee of Ministers makes recommendations to states which do not fully act as they should.

### HUMAN RIGHTS EDUCATION

There would be little point in having all these possibilities of protecting human rights if nobody knew what they were or how they worked. Training programmes have been developed for those in the front line of human rights protection, such as judges, police, prison officers, doctors, social workers and non-governmental organisations. Educational and information materials are produced in order to raise awareness amongst the general public and especially young people. There are increased efforts to reach vulnerable groups such as **REFUGEES** <sup>3</sup> and asylum seekers whose human rights are most under threat.

**1 HUMAN RIGHTS** describe the things that each of us should have in order to lead a dignified life: for example, the right to life, the right to a fair trial, or the right to be free from torture. These rights are for each individual on the planet, regardless of gender, race, religion or cultural background. That means that the rights that apply to you also apply to others as well, so with rights come responsibilities.

**2 A CONVENTION** is a legal agreement between two or more states. States are invited to first sign a convention, showing that they want to follow what it says, then when they are sure that they are able to do so they can "ratify" it – this means they commit themselves to its values and instructions.

**3 A REFUGEE** is someone who leaves his/her country to find a safer place to live, because he/she either fears or has experienced persecution because of his/her race, religion, nationality or political opinions.

### ➤ MORE TO DISCOVER!

- ▄ [www.coe.int/justice](http://www.coe.int/justice)
- ▄ [www.echr.coe.int](http://www.echr.coe.int)
- ▄ [www.coe.int/t/commissioner](http://www.coe.int/t/commissioner)

# PROTECTING AND UNDERSTANDING HUMAN RIGHTS ACTIVITIES SHEET

It isn't necessary to be a lawyer or an expert in human rights before you can talk about human rights with your students; human rights belong to everyone and are based on principles that can be understood by everyone.

## WHAT ARE HUMAN RIGHTS?

Ask your pupils to produce examples of what they feel to be human rights trying to get them to be as specific as possible – the right to water, for example? Or a right to music? What about the right to say whatever you want?

It might be useful to draw their attention to the difference between "civil and political rights" (enshrined in the European Convention on Human Rights) and "economic, social and cultural rights" (see the European Social Charter of 1961).

## CONFLICTING RIGHTS

In pairs, invite the pupils to discuss situations in their everyday lives (at home, school, college, youth group or other situation) when their rights conflicted with another person's; e.g. when they wanted to have a party and the neighbours wanted to go to bed early or when they had an opinion which might offend someone else. How did they resolve the situation?

## RIGHTS AND RESPONSIBILITIES

Remember that rights carry with them responsibilities; each person who is entitled to a right has a duty which accompanies that entitlement. In groups, ask pupils to think about what responsibilities might come with specific rights – for example, if you have

the right to life, what responsibilities might that bring in return?

Understanding the dual nature of a right makes a considerable contribution towards avoiding a conflict of rights.

## A HUMAN RIGHTS CHARTER FOR YOUR CLASS OR SCHOOL

Once the pupils have a grasp of the subject, work with them to devise a Human Rights Charter for your class or school. List the individual and group responsibilities which result from the charter. Collect responses from pupils and teaching staff and, after six months, assess what effect it has had on people's behaviour.

## HUMAN RIGHTS TIMELINE

Every country has its own human rights history: in Hungary, for instance, there was a history of uprisings by slaves (1514/1710), culminating in 1848 in a law which outlawed serfdom and introduced freedom of the press. Working in groups, allocate the pupils research tasks to look at people, publications, events and movements which contributed to the development of human rights in their country. Organise a display for other pupils to visit.

When did your country sign and ratify the European Convention on Human Rights? What changes, if any, did this bring to your country?

Of course it is also possible to adapt this activity to themes, such as children's rights, or to other parts of the world.

## WHICH FIGURE IS BEHIND THIS QUOTE? →

*"This is a threat to the independence and worth of the human personality, a threat to the meaning of human life."*

Answer on the back \*





## THE IMPORTANCE OF NON-GOVERNMENTAL ORGANISATIONS (NGOS)

NGOs play a very important role in pressuring governments to respect human rights and in raising public awareness about human rights violations. Which ones are active in your region? What are their main projects at the moment? Groups of pupils could contact them and present their findings to their peers. It may also be possible to invite representatives to speak to your pupils.



First published in 2002, *Compass – a manual for Human Rights Education with young people* has quickly established itself as a formidable resource and support for the Human Rights Education Youth Programme of the Council of Europe. At least 16 language editions have been produced and more are planned. Based on experiential and non-formal education approaches, it puts the emphasis on young people's concerns and their environment. Prioritising fifteen themes – from “children” to “environment” to “xenophobia” – *Compass* outlines the main issues and provides sufficient background material for young people, youth workers and teachers to organise activities which lead to raised awareness and action. Currently available in Arabic, English, French and Russian, the *Compass* website ([www.coe.int/compass](http://www.coe.int/compass)) has been developed to include activities not available in the printed version and is inter-linked with other publications.

## SOURCES

- \* **Andrei Sakharov**: Extract from “*Progress, Coexistence, and Intellectual Freedom*”, Andrei Sakharov, Publisher W W Norton & Co. Inc, translated by New York Times (1968)