
Global Charter-Agenda for Human Rights in the City

Submission by Davinder Lamba, Expert Group member

Mazingira Institute (Kenya), mazinst@mitsuminet.com

In my submission, I bring into play the sources of international human rights, make the distinction between ‘ordinary’ and ‘human rights’, spell out the domestic territorial and institutional applications of human rights, pose questions on the delegation of human rights and obligations of the State to municipal or local authorities, suggest a catalogue of human rights norms to deliberate on for the Charter-Agenda and comment on standards and indicators.

Sources of human rights

The Global Charter-Agenda is a declaration of ‘human rights in the city’. Therefore, it is essential that there is common understanding within the Expert Group on ‘human’ rights and the sources of human rights as they are now. This is important for the sake of legitimacy, consistency and coherence. The sources of international human rights is the set of instruments, which includes global, regional and subsidiary instruments.

Global instruments include: the UN Charter (UNCH), the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Regional instruments include: the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms (and protocols) and the European Social Charter, the American Convention on Human Rights and the African Charter of Human and Peoples’ Rights. The regional human rights system is strong in Europe, less so in the Americas, weak in Africa and non-existent in the Middle East and Asia.

Subsidiary instruments include: the conventions with respect to labour, refugees, racial discrimination, torture, women, children and migrant workers.

I have compiled a “Human Rights Instruments and States Obligations Matrix”, to serve as reference map of the complex territory of the sources. The Matrix is attached.

I shall confine myself to the global instruments with respect to the Charter-Agenda.

‘Ordinary’ and ‘human’ rights

Rights whether ‘ordinary’ or ‘human’ have correlated duties. Human rights are inherent in human beings. “They are what Hart (*reference omitted*) describes as ‘general’ rights rather than ‘special’ rights since they are universal to all humanity...declarations and conventions of human rights do not ‘create’ and give ‘rights’ to human beings. They simply announce the rights that human beings have.”¹

This distinction between ‘ordinary’ and ‘human’ rights is important for the Charter-Agenda to be clear about, as the functions of the duty-holder vary in relation to them. “The function of the national government in relation to ‘human’ rights is different from its function in relation to ‘ordinary’ rights. For the latter, the government’s only concerns are to provide an adequate framework of domestic laws to define who has what rights, against whom, and in what circumstances...By contrast, ‘human rights are primarily claims against the public authorities of the State itself— either to remain free from interference with them, or to require them to act in some specific fashion. For any human right, the correlative duty falls in the first instance on the authorities of the State itself, not on other members of the community.”²

¹Jones, Peter. (1994): *Rights*. pp.81-82, (Palgrave)

² Sieghart, Paul. (1983): *The International Law of Human Rights*. pp. 20, (Clarendon Press: Oxford)

Territorial and institutional applications

In regard to the domestic territorial applications of the international human rights instruments, the provisions of their respective covenants extend to all parts within the jurisdiction of the State—whether unitary or federal (UDHR 2; ICCPR 50; ICESCR 10). Likewise, concerning the institutional application, the provisions extend to all public authorities of the State, which include municipal or local authorities.

Delegation of obligations

It is the obligation of the public authorities of the State to respect, ensure, protect and fulfil human rights. The delegation of obligations and the extent, to such parts of the States, as municipal or local authorities is a complex matter.

The Charter-Agenda is a global declaration of the United Cities Local Government Organizations (UCLG). The members are municipal or local authorities, that is, a category of public authorities of their respective States. They are directly or indirectly duty-holders. There is no exception or exemption.

Therefore, the questions the Charter-Agenda requires to resolve are:

- a) What are the human rights that ought to be delegated to municipal or local authorities?
- b) What is the extent of the obligations of the State that ought to be delegated to municipal or local authorities?
- c) How to reach agreement on the delegation of human rights and the extent of obligations to municipal and local authorities?
- d) What factors and difficulties might inhibit the municipal or local authorities to fulfil the obligations of the State, within their respective territories and communities?

The global scope of the Charter-Agenda requires thinking on how best to achieve its ‘global fit’, given the heterogeneity of the cities within and across the states, and their existence within national human rights systems, both strong and weak or nascent and institutionalized. For example, the Kenyan national human rights system is nascent, whereas the South African one is more institutionalized. Moreover, the Kenyan capital city of Nairobi has very limited autonomy and its legal authority is limited to enacting only by-laws and not laws. What would be an ‘appropriate fit’ between the Charter-Agenda and a city such as Nairobi, in comparison to Barcelona?

Norms for the Charter-Agenda

The global human rights instruments by themselves enumerate a significant number of rights and freedoms, that is, the substantive and procedural norms. How can they be classified so that they have practical utility? A classification exists, which is “designed purely to be functional and to facilitate ease of reference” regardless of the instruments in which they appear or any of the sequence followed within these instruments.³

The main categories of the ‘Sieghurt classification’ include: Physical Integrity; Standard of Living; Health; Family; Work; Social Security; Assistance and Welfare; Education and Training; Property; Legal Integrity; Mental and Moral Integrity; Joint Activities; Politics and Democracy and Collective Rights. I suggest a catalogue of human rights norms for consideration for the Charter-Agenda, based on the above classification of categories (and sub-categories). It is for illustration purposes, a ‘human rights pool’ to draw on. I have confined myself to the provisions of the covenants of the global instruments. The catalogue is annexed. The question to resolve is: What categories and the provisions of the covenants of global instruments are to be included or excluded from the Charter-Agenda, and why?

For example, the connection of the human rights provisions for ‘torture and ill-treatment’ may not be obvious on the face of it. But when brutal, punitive and forced evictions occur in cities, in principle the provisions of UDHR (5) and ICCPR (7) are invoked. It is because such evictions cause “...inhuman or

³ *id* at 15

degrading treatment or punishment”. The correlative State obligation with respect to the referred covenant is absolute and immediate.

Standards and indicators

The committees of the covenants (ICCPR, CSECR) assume standard setting and indicators development work with respect to the provisions of the covenants. They issue General Comments, to define the normative content of the rights, State obligations and those of non-state actors, including violations. The Charter-Agenda should take advantage of these achievements, in addressing standards and indicators.

Annex: Catalogue of Human Rights Norms

It is for deliberation on the normative content of the Global Charter-Agenda of Human Rights in the City. It includes the provisions of UDHR, ICCPR and ICESCR.

Physical Integrity

1. Life

UDHR

3. Everyone has the right to life.

ICCPR

6 (1) Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

State Obligation: Absolute and immediate under ICCPR.

2. Liberty and security; arrest and detention

UDHR

3. Everyone has the right to...liberty and security of person.

9. No one shall subject to arbitrary arrest or detention.

ICCPR

9 (1) Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law.

State Obligation: Absolute and immediate under ICCPR.

3. Torture and ill-treatment

UDHR

5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

ICCPR

7. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

State Obligation: Absolute and immediate under ICCPR.

4. Freedom of movement

UDHR

13 (1) Everyone has the right to freedom of movement and residence within the borders of each state.

ICCPR

12 (1) Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

State Obligation: Absolute and immediate under ICCPR.

Standard of Living

UDHR

25 (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstance beyond his control.

ICESCR

11 (1) The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

State Obligation: Qualified and Progressive under ICESCR.

Health

UDHR

25 (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services.

ICESCR

12 (1) The State Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

(2) The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth-rate and of the infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

State Obligation: Qualified and progressive under ICESCR.

Family

1. Marriage and Family

UDHR

UDHR 16 (1) Men and women of full age, without any limitation due to the race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and its dissolution.

(3) The family is the natural fundamental group unit of society and is entitled to protection by society and the State.

ICESCR

10. The States Parties to the present Covenant recognizes that:

(1) The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.

State Obligation: Qualified and progressive under ICESCR

2. Mothers and Children

ICCPR

24 (1) Every child shall have, without any discrimination as to race, color, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

State Obligation: Absolute and immediate under ICCPR.

Work

1. The right to work

UDHR

23 (1) Everyone has the right to work, to free choice of employment...and to protection against unemployment.

ICESCR

6 (1) the State Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

State Obligation: Qualified and progressive under ICESCR.

2. Pay and Conditions of work

ICESCR

7. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of work, which ensure, in particular:

(a) Remuneration which provides all workers, as a minimum, with:

(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed condition of work not inferior to those enjoyed by men, with equal pay for equal work.

(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;

(b) Safe and healthy working conditions

State Obligation: Qualified and progressive under ICESCR.

3. Slavery, servitude, forced labour

UDHR

4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ICCPR

8 (1) No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

(2) No one shall be held in servitude.

(3)(a) No one shall be required to perform forced or compulsory labour.

State Obligation: Absolute and immediate under ICCPR.

Social Security, Assistance, and Welfare

UDHR

22. Everyone as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

25 (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control.

ICESCR

9. The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

State Obligation: Qualified and progressive under ICESCR.

Education and Training

UDHR

26 (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

(14) Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory

primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years to be fixed in the plan, of the principle of compulsory education free of charge to all.

ICCPR

18 (4) The State Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

State Obligation: Absolute and immediate under ICCPR.

13 (1) The States Parties to the present Covenant recognize the right of everyone to education, They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further activities of the United Nations for the maintenance of peace.

(2) The States Parties to the present Convention recognize that, with a view to achieving the full realization of this right:

- a) Primary education shall be compulsory and available free to all.
- b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education.
- c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education.
- d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education.
- e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

(3) The State Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, to choose for their children schools, other than those established by he public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

(4) No part of this Article shall be construed so an to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this Article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Property

UDHR

17 (1) Everyone has the right to property alone as well as in the association with others.

(2) No one shall be arbitrarily deprived of his property.

Legal Integrity

1. Recognition before the law

UDHR

6. Everyone has the right to recognition everywhere as a person before the law.

ICCPR

16. Everyone shall have the right to recognition everywhere as a person before the law.

State Obligation: Absolute and immediate under ICCPR.

2. Equality before the law

UDHR

7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

ICCPR

14 (1) All persons shall be equal before the courts and tribunals.

State Obligation: Absolute and immediate under ICCPR.

3. Fair Trial

UDHR

10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunals, in the determination of his rights and obligations and of any criminal charge against him..

4. Retroactive penal laws

UDHR

11 (1) Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

ICCPR

14 (2) Everyone charged with a criminal offense shall have the right to be presumed innocent until proven guilty according to law.

14 (3) In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees in full equality

State Obligation: Absolute and immediate under ICCPR.

Mental and Moral Integrity

1. Dignity, personality, and name

UDHR

1. All human beings born free and equal in dignity and rights that are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

29 (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

ICCPR

24 (2) Every child shall be registered immediately after birth and shall have a name.

State Obligation: Absolute and immediate under ICCPR.

2. Privacy, honor and reputation

UDHR

12. No one shall be subjected to arbitrary interferences with his privacy, family, home or correspondence, nor to attack upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ICCPR

7 (1) No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation

(2) Everyone has the right to the protection of the law against such interference or attacks.

State Obligation: Absolute and immediate under ICCPR.

3. Thought, conscience, and religion

UDHR

18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in a community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

ICCPR

18 (1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief on his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

(4) The State Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own conviction.

State Obligation: Absolute and immediate under ICCPR.

4. Culture, arts, and science

UDHR

27(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

ICESCR

15 (1) The State Parties to the present Covenant recognize the right of everyone:

(a) to take part in cultural life;

(b) To enjoy the benefits of scientific progress and its applications;

(c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is an author.

(2) The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

State Obligation: Absolute and immediate under ICESCR.

Joint Activities

Assembly

UDHR

20 (1) Everyone has the right to freedom of peaceful assembly...

ICCPR

21. The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in democratic society in the interest of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

State Obligation: Absolute and immediate under ICCPR.

Politics and Democracy

UDHR

21 (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right to equal access to public service in his country.

(3) This will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ICCPR

25. Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without any unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal of the electors.

(c) To have access, on general terms of equality, to the public service in his country.

State Obligation: Absolute and immediate under ICCPR.

Collective Rights

1. International peace and security

UDHR

28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully released.

ICCPR

(2) Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

State Obligation: Absolute and immediate under ICCPR.

2. Minorities

ICCPR

27. In those States in which ethnic, religious, or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

State Obligation: Absolute and immediate under ICCPR.

Human Rights and State Obligations Matrix

STATE OBLIGATIONS	A human rights norm creates an "obligation" or a "duty" on the state to respect that right. Some human rights norms impose obligation of conduct or means, whereas others impose obligation of results/effects. Obligation of Conduct (Means): The nature of the state's legal obligation as requiring the state merely to act or not act in certain way. Obligation of Effect (Result): The nature of a state's legal obligation as requiring the state to achieve a particular result or effect in order to fulfill its duty under a treaty.			
HUMAN RIGHTS INSTRUMENTS	Duty to Respect Human Rights	Duty to Ensure Human Rights	Duty to Protect Human Rights	Duty to Fulfill Human Rights
<p>Global Instruments United Nations Charter Universal Declaration of Human Rights Covenants ICCPR Civil Human Rights Political Human Rights ICESCR Economic Human Rights Social Human Rights Cultural Human Rights (see summary descriptions below)</p> <p>Subsidiary Instruments Conventions Labour (several) Refugees (1951) Racial Discrimination (1965) Women (1979) Torture (1984) Children (1989) Migrant Workers (1990)</p> <p>Regional Instruments Council of Europe Convention... European Social Charter American Convention on Human Rights African Charter of Human and Peoples' Rights (None for Middle East & Asia)</p>	<p>The obligation to respect human rights means that states refrain from in any way interfering with individuals in the enjoyment of human rights. It is the conscious recognition of the human rights in individuals or groups, and conduct and treatment consistent with recognition of such rights. Usually this is an obligation of the state, that is, for the state to respect human rights and to refrain from interfering with these rights of those within its jurisdiction.</p>	<p>The obligation to ensure requires that states do all that states can to see that all other states, organizations and individuals act in a way as to allow full enjoyment of human rights.</p>	<p>The obligation to protect human rights means that states have an affirmative legal obligation to take steps necessary to prevent violations of human dignity by acts of third parties, such as private individuals or groups. Failure of the state to take such steps and to protect the individual in relations to other members of societies constitutes a violation of human rights by the state.</p>	<p>The obligation to fulfill is an obligation of states under human rights norms to take appropriate legislative, administrative, budgetary, judicial, and other measures toward the full realization of human rights. This obligation requires that states will take all necessary steps to ensure that individuals subject to their jurisdiction can fully enjoy their human rights substantively and procedurally in reality.</p>
<p>CIVIL HUMAN RIGHTS (CHR) Generally relating to or involving the general public, their activities and their needs or ways or civic affairs as distinguished from special (such as military or religious) affairs. A term describing a category of human rights that are rights held by individuals to enjoy freedom within a civil society and equality with others. Civil human rights are individual freedoms, such as freedom of privacy, expression, religion, and movement; nondiscrimination; due process of law; freedom from torture, and the right to life, liberty, and the security of the person. These are not the same as "Civil Rights," as utilized in the United States, even though some civil rights are also civil human rights. Examples of the former include racial equality and nondiscrimination.</p>	<p>POLITICAL HUMAN RIGHTS (PHR) Human rights that relate to an individual vis-a-vis the public society, the conduct of government, and how that individual can participate in and effect change in a society to his benefit. These are rights that assure to a member of society the opportunity for making-influencing/proposing/ administering governmental public policy, especially in matters affecting such members. Political human rights are a type of what were called "First Generation (Human) Rights" that protect a person's right to participate in the direction and development of a society, such as the right to vote and to run for government office. "Civil" and "political" human rights together made up the so-called "first generation" of human rights.</p>	<p>ECONOMIC HUMAN RIGHTS (EHR) A category of human rights whose purpose is to assure that human beings have the ability to obtain and maintain a minimum decent standard of living consistent with human dignity. The particular rights include the right to food, health care, social security, work, and leisure and the right to form trade unions. Economic rights are considered programmatic or progressive rights.</p>	<p>SOCIAL HUMAN RIGHTS (SHR) Human rights that relate to human society, the interpersonal interaction of the individual and the group, or the welfare of human beings as members of a family/society. Rights: Most particularly and most commonly, "Social (Human) Rights" describes one of the three categories (economic, social, and cultural) of human rights which together used to be called "Second-Generation (Human) Rights." These latter refer mainly to rights of individuals with regard to relationships in society in the narrow sense. Social human rights, narrowly speaking, include, inter alia, the right to marry, to found a family, to have special protection for children, or to form labor unions.</p>	<p>CULTURAL HUMAN RIGHTS (CHHR) A category of human rights that in general protects a human being's right to participate in the cultural life of a society; to share in scientific advancement; to protect his own moral and material interests in scientific, literary, or artistic productions; to obtain an education and to maintain his cultural identity, language, and customs. It assures a human being of his right to obtain information, training, and knowledge for the enjoyment of cultural values and cultural property. One of the major cultural rights is the right to education. See ICESCR article 13. There is no widely accepted definition of cultural human rights. They are part of what were formerly "Second Generation (Human) Rights" along with economic and social human rights.</p>

Description of Human Rights terms used in the matrix are taken from:
A Handbook of International Human Rights Terminology, H. Victor Conde. University of Nebraska Press, 2004.
 (Compiler of matrix takes responsibility for any misinterpretation of description of terms)

(Matrix compiled by: Davinder Lamba. Mazingira Institute (Kenya) mazins@mitsuminet.com June 2007)