Chapter 5
Background Information on the Global Themes
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At a rough estimate, there are two thousand million children in the world today, 79 million in the European Union, and 25 million in the countries that are candidates to join the EU.

In 1989, the United Nations adopted the Convention on the Rights of the Child (CRC), which has been ratified by all the countries except the United States of America and Somalia. This convention is a landmark in the history of the rights of the children since it is the first compulsory international instrument adopted in this field.

**Why is the Convention on the Rights of the Child so important?**

The convention has brought a lot of changes in the field of the protection of the rights of children.

1. **It is the most widely ratified human rights instrument in the world.**
2. **The convention promotes the “3p’s”**: Firstly, it promotes the *participation* - according to their age condition and maturity - of children in matters that affect their destiny, such as judicial processes or processes of adoption, with regard to their families and to society as a whole. It also states rights for their *protection* against all forms of abuses, violence and practices that can violate their rights. Finally, similar to any other convention, it provides for rights which are meant as safeguards against potential violations.
3. **It considers the children as subject of law instead of object of law.** Traditionally, the vast majority of adults have been educated to perceive children as objects that have to obey adults unconditionally - teachers, priests, parents, doctors, etc. Instead, the convention promotes the idea of children as people with rights that have to be respected by adults, society and all the institutions that deal with children’s affairs. Children are entitled to be respected and treated with dignity simply because they are human, whatever their age.
4. **The best interests of the child should guide all decisions taken** - judicial, administrative, etc. - involving a child. It is a hard concept to define and there is a lot of controversy about its exact meaning. In practice, it implies that if, for example, a judge has to decide who will have the custody of a child, they have to examine several aspects of the child’s life and the adults concerned. In all cases, the best interests of the child are

> “Your children are not your children.
> They are the sons and daughters of Life’s longing for itself... You may house their bodies but not their souls, for their souls dwell in the house of tomorrow, which you cannot visit, not even in your dreams.”
> 
> Kahlil Gilbran

**Related activities**

- Act it out, page 86.
- Ashique’s story, page 91.
- Children’s Rights, page 103.
- Do we have alternatives?, page 111.
- Let every voice be heard, page 153.
- Our futures, page 182.
- Rights Bingo, page 206.
Child participation

1. "Participation is essential for bringing the UN Convention on the Rights of the Child into life;
2. [it] is a decisive factor for securing social cohesion and for living in a democracy
3. [it] is a necessary process in the development of the child…"

more important than the best interests of the adults concerned.

5. The content of the CRC refers to a wide range of fields - administrative, judicial, educational, legal, etc., where the rights of children have to be respected. For example, a child that has not been properly registered at birth does not exist in the eyes of the law. Thus they do not exist for the school authorities that refuse to accept them as a student and, as a result, they cannot attend school. This is a common problem affecting thousands of children in many countries. The refusal of the school authorities to accept the child as a student because they "do not exist administratively and legally" clearly violates the child’s right to education.

The convention has had a practical impact in many countries, which have been obliged, by ratifying the CRC, to amend and/or reform part of their existing legislation.

? Do you think children should always obey adults unconditionally for their own good?

The state of children: facts and figures

Even if the convention is a giant step in favour of the cause of children, the facts prove that the rights of children are being violated in most regions of the world.

Children in Europe...

- There is a striking increase in the number of women and children being trafficked. Estimates suggest that up to 120000 women and children being trafficked into western Europe from central and eastern European countries each year.
- In Bulgaria, there are reports that prostitution has become a principal source of income for a substantial number of 14- to 18-year-old girls and that very often they may be part of an organised network. What is also worrying is the growth in the numbers of young male prostitutes.
- In Estonia, prostitution involving very young girls has been noted in the wider context of a growing foreign market for sex tourism. In Latvia, very young girls have also been identified as prostitutes (as young as between 8 and 10 years old).
- In the UK, research indicates that there are many thousands of street children, primarily, though not exclusively, in the major cities and towns. The population of street children is split evenly between males and females. It is estimated that approximately 40000 children run away from home every year.
- In France, the phenomenon of street children began to constitute a significant problem in the 1980s. Some authorities consider that there might be as many as 10000 street children, although others estimate that the number is much lower.
- In general, there is a growing population of young people living homeless on the streets in eastern and central Europe. In Bucharest alone, there are an estimated 1500 children and young people living out on the streets.
- In Poland and Hungary over a third of children under the age of fifteen live in poverty. A recent study in Poland (UNDP, 1999) found that 60% of children suffer from some form of malnutrition with 10% permanently malnourished. In the Russian Federation, the prevalence of stunted growth among children under two years old increased from 9.4% in 1992 to 15.2% in 1994.

Who is a child?

As defined by Article 1 of the convention, "a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier."

This means that every person under 18 years old, including adolescents, is covered by the convention.
Child poverty rates in Europe

Children in the world...

- More than 10 million children under the age of five still die each year from preventable causes.
- More than 100 million children are still not in primary school, the majority being girls.
- There are an estimated 300000 children engaged in combat.
- 149 million children are malnourished, two thirds of them in Asia.
- Last year alone, some 31 million refugees and displaced persons, mostly women and children, were caught up in war conflicts and were forced to flee from their homes and become refugees.

European issues related to children and adolescents

There are specific issues related to the rights of the children that are particularly relevant to European institutions as well as to European governments. As a result, there is a clear will to promote measures aimed at protecting children against practices and phenomena that clearly violate their rights.

In the light of the statistics above cited on sexual trafficking, prostitution and pornography in Europe, the Council of Europe and its members have become increasingly concerned and, as a result, they have adopted several recommendations, including:

- Recommendation 1065 (1987) on the traffic in children and other forms of child exploitation;
- Recommendation No. R (91) 11 on sexual exploitation, pornography and prostitution of, and trafficking in, children and young adults;

Once these recommendations are adopted, states have to take practical measures to ensure their implementation. Examples of such measures are:

1. At the initiative of the Belgium Minister for the Interior, on 23 November 1992, a unit specialising in countering such traffic was set up within the Gendarmerie’s Central Office for Missing Persons. On 11 September 1995, the Minister for Justice ordered the creation of a Missing Children Unit within the same office. This unit is responsible for the co-ordination and provision of support and expertise relating to the disappearance of minors in circumstances giving cause for concern.

2. In Luxembourg, a special juvenile protection section has been formed in the police force. Police headquarters in Luxembourg City has a juvenile protection section in its research division. There is a telephone help-line for children (KannerJugendtelefon).

Why is it difficult to eradicate this kind of trafficking?

“"The soul is healed by being with children.”

Fyodor Dostoevsky

Key dates

- **4 June**
  International Day of Innocent Child Victims of Aggression

- **12 August**
  International Youth Day

- **20 November**
  Universal Children’s Day
The Internet and pornography

Children can be exposed to a wide range of risks when they use the Internet. Some of them are exposure to inappropriate material (violent pictures, racist and xenophobic propaganda, etc.), harassment and paedophile activity. There is growing evidence that there are networks dedicated to the exchange of information (names, pictures, etc) of child pornography. In recent years, individuals have been arrested in Europe and other continents for being implicated and/or promoting this kind of illegal and immoral activities.

Some suggested solutions for individuals involved with matters relating to children, such as social workers, teachers, psychologists, etc., and parents are:

- Taking individual actions such as reporting, complaining or asking when they become aware of a child being exposed to such risks or when they discover illegal or dangerous Internet material;
- Empowering children through informing them and discussing the matter with them;
- Empowering parents, who need to become aware of the dangers of the use of the Internet and to inform themselves about the issues.

The World Summit for Children

In September 1990, the World Summit for Children adopted the Declaration on the Survival, Protection and Development of Children and a Plan of Action for Implementing the Declaration. A series of goals was set up relating to child mortality, malnutrition, children’s access to basic education worldwide, etc. to be met by the year 2000.

? None of the goals have been achieved, but does this mean that this summit was useless?

... Many NGOs are organising themselves through a network of concerned people who monitor and report websites containing illegal materials.

... The Council of Europe Convention on Cybercrime was adopted on 8 November 2001. When in force, this convention will be the first international treaty on crimes committed via the Internet and other computer networks, dealing particularly with computer- and Internet-related crimes including child pornography. Its main objective is to pursue a common criminal policy aimed at the protection of society against cybercrime, especially by adopting appropriate legislation and fostering international co-operation. Article 9 of the Convention is devoted to combating paedophilia and child pornography over the Internet.
Can we take measures to control the use of the Internet by children without violating their freedom to seek, receive and impart information and ideas of all kinds? (art.13, CRC)

The Ombudsman for Children

The word ‘ombudsman’ comes from the Scandinavian word “ombud”, which means ambassador, delegate or messenger. It has come to mean a person who deals with complaints from a defined group (in this case, children), who speaks on behalf of that group and who tries to improve conditions for individuals from that group as well as for the group as a whole.

The first ombudsman for children was established in Norway in 1981. The ombudsman is an independent, non-partisan agent, spokesperson, arbitrator or referee, ensuring that ministries and others fulfil their legislative duties by suggesting measures for improvements in issues related to children. The ombudsman protects the needs, rights and interests of minors, works for the application of the Convention on the Rights of the Child and supports its dissemination. The ombudsman has the power to investigate, criticise and publicise but not to reverse administrative action or revoke administrative decisions. The ombudsman intervenes separately from legal representatives, parents or guardians to represent the child’s rights in all sorts of civil or criminal cases where children are directly or indirectly involved.

In some countries, the ombudsman is responsible for adopting assessment methods, such as the “child impact assessment” in order to evaluate and identify all possible consequences on children of various legislative proposals, regulations and any other measures. According to the Swedish NGO Radda Barnen, twenty countries have so far set up ombudsman for Children.

International and regional instruments and children

2. The World Declaration on the Survival, Protection and Development of Children
3. The Plan of Action for Implementing the World Declaration, 1990
5. The Council of Europe Parliamentary Assembly Recommendation 1286, 1996, on a European Strategy for Children

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Final report of the study group on street children, Council of Europe, Strasbourg, April 1994.
Setting up a European Ombudsman for Children, doc.8352, Council of Europe Parliamentary Assembly, 1999.
“Trafficking in women, a comprehensive European strategy”, information sheets, European Commission.
Citizenship

The simple view…

Most people in the world are legal citizens of one or another nation state, and this entitles them to certain privileges or rights. Being a citizen also imposes certain duties in terms of what the state expects from individuals under its jurisdiction. Thus, citizens fulfil certain obligations to their state and in return they may expect protection of their vital interests. Or that is the way it should be.

The complications…

There are two main questions that complicate this simple equation:

1. Which rights are states obliged to guarantee their citizens and on what terms?
2. What happens to those citizens that do not, for one reason or another, have the protection of the country in which they are resident?

To answer the first of these questions, we need to have a clearer idea of what being a citizen or what citizenship really means, and we shall look at that below. To answer the second question, we would need to look at why some people in the world do not possess citizenship of the country where they are resident and what can be done about it. This debate is really just beginning and in this section we shall raise only some of the questions.

What is citizenship?

People have been discussing the idea of citizenship for thousands of years and even today there is no absolute agreement on exactly what it means. The concept of legal citizenship appears to be relatively simple: this is normally linked to a nation state and is defined in terms of the laws of that nation. This is perhaps why, for many people, the idea of citizenship has an immediate connection with the idea of patriotism: a "good citizen" is often thought to be a "good patriot".

However, the concept of citizenship has far more layers of meaning than mere patriotism, as we can see from the historical origins of the idea, set out in the next section. A helpful distinction to bear in mind is that between a citizen, on the one hand, and a subject, on the other.
Historical conceptions of citizenship

It is useful to look at some of the more important developments in the idea of citizenship, since this helps to bring out the various strands of meaning that are discussed today.

- The origin of citizenship can be traced back to Ancient Greece, when “citizens” were those who had a legal right to participate in the affairs of the state. But by no means everyone was a citizen: slaves and women, in particular, were mere subjects. For those who did have the privileged status of being citizens, the idea of “civic virtue” or being a “good” citizen was an important part of the concept. This tradition led to an emphasis on the duties that citizens were supposed to perform.
- The association of citizenship with national identity arose naturally from the fact that the legal status of a “citizen” was always tied to a nation state, hence the link between citizenship and patriotism.
- The liberal view of citizenship, which was developed in the nineteenth century, emphasised the importance of rights for all citizens. As the franchise began to be gradually extended, so justice and political rights became a reality for an increasing proportion of the population.
- In the twentieth century, the supporters of “social citizenship” went further, in recognising that civil and political rights are only part of what citizens ought to be able to expect from the state. The rise of the welfare state in the last century owed a great deal to thinkers who argued that rights of citizens ought to cover their own living and working conditions, rather than just their participation in “high” politics.
- The concept of “multiple citizenship” has been in existence for a while and allows that individuals may simultaneously be citizens of more than one state or organising body. For example, with the development of the European Union, citizens of the member states increasingly possess some rights from and duties to the Union as a whole, and not only to their own nation state.
- A final strand in the concept of citizenship, but one that is gaining increasing importance, involves the idea of education. If citizenship in the traditional sense involves enjoying rights and also performing duties, then there is a sense in which citizens may be said to be not born, but created. Loyalty and responsibility, for example, are qualities that need to be learned and cultivated. So, if these are qualities that are essential to being a citizen in the full meaning of the term, then “real” citizens need to be educated – in the broadest sense of the word.

Today, most people’s notion of citizenship will include elements of each of the six concepts outlined above, although in different proportions. Some people will emphasise the “duties” element, while others will give more importance to “rights” or “patriotism”, or to the qualities that should be possessed by “real” citizens.

The link with human rights

We can see that both rights and responsibilities have been an important part of the notion of citizenship from the earliest days: citizens are expected to possess certain fundamental rights, and they are also required to perform certain duties. It is these “duties”, or responsibilities, that people have in mind when they speak of what citizens ought to be like or how they ought to behave.
However, if such a notion strikes us as too directorial or as limiting too much the inherent freedom and dignity of every individual citizen, then it is important to remember that these limits arise as a direct consequence of human rights theory. It is only the desire to build societies which respect the human rights of all citizens that imposes responsibilities on us all as citizens.

There are two immediate links between the responsibilities of citizenship and human rights theory:

1. The fact that every individual possesses basic human rights does not give anyone licence to behave exactly as he or she wishes. It only gives them licence to do so in so far as this does not impinge upon the human rights of other individuals. So one thing we can certainly say about good citizenship is that it requires citizens to have respect for the human rights of others.

2. The second close link with human rights concerns the way in which the concept of citizenship is essentially tied in with membership of society. We do not speak, for example, of citizens of desert islands, because a citizen is much more than just an inhabitant of a particular country or region. A citizen is essentially a member of the society which inhabits that region; so, if we are concerned to build societies which respect human rights, then this imposes another restriction on the way that individuals inhabiting that society should behave.

Thus, another thing that we could say about good citizenship would be that it requires the type of behaviour that would lead society to be more respectful of human rights.

What should the citizen do when society is failing to respect the rights of certain sections of the community?

Problems with citizenship

Most of the debate today concerning citizenship is focused on the problem of increasing citizens’ involvement and participation in the processes of democratic society. It is being increasingly realised that periodic voting by citizens is insufficient, either in terms of making those who govern in the interim period fully accountable or in promoting feelings of empowerment among ordinary citizens. Furthermore, even voting patterns themselves indicate levels of political apathy among the population that seriously undermine the effective functioning of democracy. It is with problems such as these in mind that programmes like the Council of Europe’s Education for Democratic Citizenship have been initiated.

What forms of involvement or participation, other than voting in elections, are possible for the ordinary citizen?

A second set of issues which has possibly deserved less attention to date, but which is increasing in importance, concerns the question of those individuals who do not, for one reason or another, receive the full benefits of citizenship. One aspect of this is a result of continuing patterns of discrimination within societies: minority groups may very often have formal citizenship of the country in which they are living but may still be prevented from full participation in that society.

A second aspect of the problem is a consequence of increasing globalisation, including new patterns of work and migration, which leads to a significant number of people throughout the world being resident abroad but unable to apply for formal citizenship. Such people may include immigrant workers, refugees, temporary residents or even those who have decided to set up permanent residence in another country.
What should be the criteria for citizenship in an increasingly multicultural world? Should immigrant workers be entitled to some of the benefits of citizenship, if not to formal citizenship?

Education for democratic citizenship: the Council of Europe and youth

The Council of Europe’s programme under this name has attempted to provide a European framework for the strengthening of education for democratic citizenship. The Council calls on member states to include such programmes within their educational, training, cultural and youth policies and practices, and it has itself worked actively to identify new strategies and approaches and to disseminate these.

The Draft Declaration and Programme on Education For Democratic Citizenship (April 1999) identified the following essential characteristics:

- Education For Democratic Citizenship:
  - constitutes a lifelong learning experience and a participative process developed in various contexts;
  - equips men and women to play an active part in public life and to shape in a responsible way their own destiny and that of their society;
  - aims to instil a culture of human rights which will ensure full respect for those rights and understanding of responsibilities that flow from them;
  - prepares people to live in a multicultural society and to deal with difference knowledgeably, sensibly, tolerantly and morally;
  - strengthens social cohesion, mutual understanding and solidarity;
  - must be inclusive of all age groups and sectors of society.

One important aspect of the Programme on Education for Democratic Citizenship is that it is aimed at supporting various youth networks, partnerships, model initiatives, etc., in order to encourage young people to participate in civil society. Young people form an important part of the target population.

References

Education for Democratic Citizenship (Council of Europe) www.coe.int/T/E
Journal of Citizenship Studies, www.tandf.co.uk/journals/arf/3621025.html

“I am impressed by the high number of young human rights activists here. Their knowledge and experience gives me confidence to continue our human rights education programme with schools and develop more out-of-school activities on learning citizenship.”

Democracy describes a system of making rules for a group of people. It comes from the Greek words *demos* - meaning people - and *kratos* meaning power. Accordingly, democracy is often defined as “the rule of the people”; in other words, a system of making rules which is put together by the people who are to obey those rules.

Could such a system exist and could it possibly be a good way of making decisions? Why did such an idea originally arise and why is it today considered, at least by most people and most countries in the world, the only system that is worth our attention? Does it really make sense for everyone to rule?

### Why Democracy?

There are two fundamental principles that lie at the base of the idea of democracy and which help to explain its appeal:

1. **the principle of individual autonomy**: that no one should be subject to rules that have been imposed by others.
2. **the principle of equality**: that everyone should have the same opportunity to influence the decisions that affect people in society.

Both of these principles are intuitively appealing to everyone, and a democratic system of government is the only one that, at least in theory, accepts both as fundamental. Other systems, such as oligarchy, plutocracy or dictatorship, normally violate both principles: they give power to a certain (constant) sector of society and these people then take decisions on behalf of the rest of the population. Neither equality nor individual autonomy is respected in such cases.

The two principles above provide the moral justification for democracy, and we can see that both are in fact key human rights principles, but there are also pragmatic reasons that are often given as justification for a democratic system of government, rather than any other.

1. **It is often claimed that a democratic system provides for a more efficient form of government**, because the decisions that are taken are more likely to be respected by the people. People do not usually break their “own” rules.
2. Acceptance by the population is also more likely because decisions have been reached as a result of building a consensus among different factions; the rules would not be realistic if they were unacceptable to large sections of the population. Thus, there is a form of internal control on the type of laws that a democratically accepted government ought to consider.

3. A democratic system is also supposed to foster more initiative and therefore to be more responsive to changing conditions, on the “two heads are better than one” principle.

Do you feel any ‘ownership’ of the rules in your country? What might be the reasons for this?

A good theory...

In practice, it is not of course reasonable to expect everyone in society to contribute to the rule-making process and nor would everyone want to, so many countries use a system whereby citizens appoint representatives to make decisions on their behalf: representative rather than direct democracy. Every citizen, in theory, has an equal possibility to select the person they think will best represent their interests. In this way, the principle of equality is observed.

This was not always the case: at the birth of democracy, in Ancient Greece, women and slaves were not allowed to vote and neither, of course, were children. Today, in most countries of the world, women do have the vote but the struggle was won only relatively recently.

There are other sections of society, which commonly include immigrants, prisoners, children, who are not entitled to vote, even though they are obliged to obey the laws of the land.

Could excluding certain sectors of society from the democratic process ever be justifiable?

Control over the law-making process

If the principle of equality is more or less respected today, at least as far as voting is concerned, how does the first principle, of autonomy stand in the existing democracies? To what extent do individuals in these societies feel any “ownership” of the laws that are made by their representatives? The answer here is a great deal less encouraging. Indeed, most people, in most democracies of the world, would claim that the laws of the land are “imposed” on them by rulers who do not represent their interests. So has the first principle gone astray?

Is it possible, under a representative democracy, for people to have real power over those decisions that are made on their behalf?

There are a number of senses in which people can be said to have some control over the law-making process in a representative democracy. Again, we shall consider the ideal model, even if it does not seem to represent accurately the political situation in many countries. At least it assists us in identifying the problem areas and suggests ways in which these may be overcome.

1. Citizens influence the law-making process because they select the people who will make the laws: in theory, at elections, citizens choose between different possible representatives of their interests. Thus, they can choose the individual that offers the platform that is closest to their own interests.
2. Politicians have to stand for re-election. In the time period between elections, lawmakers will be aware that they will be judged at the next election on their performance and therefore should not be inclined to pass laws that will be obviously unacceptable to the populace. This is a form of tacit control.

3. There are, in principle, ample opportunities for citizens to indicate actively their displeasure with particular policies or laws, and thus to send a message back to their representatives that this is an area of concern.

4. There are also, in theory, opportunities for citizens to have a more positive influence on the legislative process by engaging in consultation with political representatives, either through NGOs, or other pressure groups and consultative bodies.

5. Ultimately, any individual is free to stand for election if they feel that none of the candidates is able to represent their interests.

**Free and fair elections – a means to an end**

Elections are a method of exerting control over the lawmakers, and they exert that control, in theory at least, through invoking a desire, or need, for politicians to take their electorate into account in everything they do. Such a method clearly requires the elections to be free and fair but it also requires something that is perhaps more fundamental: that politicians believe that they will be held to account by the electorate if they fail to represent their interests. No politician has any need to represent interests that are different from his or her own unless he or she fears the punishment of the electorate. The system depends on that belief to operate effectively; and it therefore depends, ultimately, on the electorate applying that sanction from time to time or at least appearing to be ready to do so.

Thus “elections” may be quite easily introduced into a political system without necessarily having the effect of making that system genuinely democratic. Structural elections only contribute to a democratic system where the electorate uses them to call its representatives to account. High voter apathy in most democratic countries at the beginning of the twenty-first century threatens the effectiveness of this system of control.

It also calls into question the legitimacy of so-called democratically elected governments, which are, in some cases, actually elected by a minority of the total electorate.

**Elections and apathy**

“Stockholm, May 17 (IPS) - Apathy among voters muted celebrations after the first-ever elections to a national parliament for Sweden’s indigenous reindeer-herding people, the Saami … the turnout in Sunday’s inaugural election was low, with less than 50% of 12000 eligible voters going to the polls.” *InterPress Third World News Agency (IPS), 1993*

“The Vladivostok City Duma’s elections set for December 17 are already facing major setbacks when 12 candidates withdrew their nominations over the absence of voters in previous elections.” *Vladivostok Daily*, 29 November 2000

“Although the election results represent a swing to the left, what is more indicative of the political atmosphere in Romania is the number of voters who failed to vote. Turnout was registered at an all-time low with a mere 44.5% participating in the election as compared to 56.4% in 1996.” *Central Europe Review*, 12 June 2000

“Turnout at the general election in the UK dropped to an 80-year low with around 60% of the electorate bothering to cast their vote. Among the lowest was Liverpool Riverside where it stood at 34.1% of the electorate. Across the country 18-25 year olds were most apathetic, poll evidence suggests.” *BBC*, 9 June 2001

“While turnout in the 1994 Slovak parliamentary elections was more than 70% overall, it is estimated that turnout among voters aged 18-25 was as low as 20%.” *Rock volieb*, 1998

“The 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.”

Article 21, paragraph iii, UDHR.
Democracy in the real world

There are as many different forms of democracy as there are democratic nations in the world. No two systems are exactly the same and no one system can be taken as a “model” of democracy. There are presidential and parliamentary democracies; democracies that are federal or confederal or unitary in nature; democracies that make constant use of referenda; ones that involve more consultation, or less, with outside organisations; democracies that use a proportional voting system, and ones that use a majoritarian system – or combinations of the two; and so on.

Each of these systems can lay some claim to being “democratic” in virtue of the fact that they are, nominally at least, based on the two principles above: equality of all citizens, and the right of every individual to some degree of personal autonomy. It is clearly not realistic to regard “autonomy” as meaning that every individual can do what he or she likes, but at the least the system, in allocating equal votes to all citizens, recognises that each individual is capable of independent choice and is entitled to have that choice taken into account. After that, a great deal depends on the individual citizens.

Nevertheless, despite the claims of almost every nation in the world to be “democratic”, there is no doubt that every democratic system currently in existence is quite capable of being more democratic than it is at present, something that each of them is arguably in need of.

Problems with democracy

There is fairly universal concern about the status of democracy at the beginning of the twenty-first century. Much of this is based on the low levels of citizen participation at elections, which appear to indicate a lack of interest and involvement on the part of citizens and which undermine the democratic process in some of the ways that have been discussed.

Although this is undoubtedly a problem, there are other studies which indicate that participation in different forms is actually on the increase – for example, pressure groups, civic initiatives, consultative organs, and so on. These forms of participation are just as essential to the effective functioning of democracy as voter turnout at elections, if not more so. Elections, after all, are a crude way of ensuring that people’s interests are accurately represented, and four or five years, which is the normal gap between elections, is a long time to wait to hold the government to account. People have short memories!

There are two further problems that are more intricately connected to the notion of representative democracy, and these concern minority interests. The first problem is that minority interests are often not represented through the electoral system: this may happen if their numbers are too few to reach the minimum level necessary for any representation, or it may more commonly happen because electoral systems often use a “winner-takes-all” system. The second problem is that even if their numbers are represented in the legislative body, they will have a minority of representatives and these may not therefore be able to summon up the necessary votes to defeat the majority representatives. For these reasons, democracy is often referred to as “rule of the majority”.

Democracy itself cannot be relied upon to solve the second of these issues. It is perfectly conceivable - and has happened innumerable times - that the majority authorise decisions that are detrimental to the minority. That it is the “will of the people” is no justification for such decisions. The basic interests of minorities as well as majorities can only be safeguarded through adherence to human rights principles, reinforced by an effective legal mechanism – whatever the will of the majority may be.

Key date

10 December
Human Rights Day

“In Northern Ireland we are discussing a new Bill of Rights. I want to link the rights in this bill to the lives of the youngsters in our youth club.”


“Democracy is the theory that the common people know what they want and deserve to get it good and hard.”

H.L. Mencken
We fight for:

**freedom and human rights**, so that every individual, woman and man, can have full political rights without being discriminated against on the basis of class, caste, gender, religion or race.

**equality**, and against any form of discrimination among individuals; for social justice; for equality between the genders; for equal opportunities and equal access to knowledge.

**democracy**, based on the principles of freedom and equality, and against authoritarianism, populism and dictatorship; for the right to self-determination, to liberty and freedom of expression for all peoples.

**universal solidarity**, because we believe in the possibility of collective action for the liberation of individuals.

**political solutions** to problems, because we believe in the ability of human beings to change the world.

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What is discrimination?

Neither the Universal Declaration of Human Rights nor other international agreements have a generic definition of “discrimination”, although they refer to it several times. International and regional human rights instruments dealing with specific forms of discrimination differ in their definitions depending on the type of discrimination involved.

“Racial discrimination” is defined by the International Convention on the Elimination of All Forms of Racial Discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

“Discrimination against women” is defined by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

We can identify the following elements in both definitions:

There is a cause based, for example, on “race”, on gender or on ethnic origin – she is black, she is a woman, he is Roma - of the person or group discriminated against. The person or groups that discriminate perceive the above-mentioned characteristics as a problem. There are actions that are qualified as discrimination; these can be rejection (not wanting to have a black person as a friend), restriction (prohibiting the entrance of gay people to a discotheque),

“Civilisation should be judged by its treatment of minorities”
Mahatma Gandhi

Related activities
- Access to medicaments, page 80.
- Act it out, page 86.
- All equal, all different, page 88.
- Can I come in?, page 98.
- Different wages, page 107.
- Do we have alternatives?, page 111.
- Heroines and heroes, page 142.
- Let’s talk about sex, page 156.
- Path to Equality-land, page 185.
- Picture games, page 188.
- Responding to racism, page 201.
- See the ability, page 209.
- Sport for all, page 214.
- Take a step forward, page 217.
- The language barrier, page 228.
- Who are we?, page 257.
exclusion of a person or a group of people (not hiring women), etc. There are consequences that can also be the purpose of the discriminatory action. All of these can prevent the victim from exercising and/or enjoying their human rights and fundamental freedoms.

Discrimination may be practiced in a direct or indirect way. Direct discrimination is characterised by the intent to discriminate against a person or a group, such as an employment office which rejects a Roma job applicant or a housing company which does not let flats to immigrants. “Direct discrimination shall be taken to occur where one person is treated less favourably than another is, has been or would be treated in a comparable situation on grounds of racial or ethnic origin.”

Indirect discrimination focuses on the effect of a policy or measure. It occurs when an apparently neutral provision, criterion or practice puts de facto a person or persons of a particular minority at a disadvantage compared with others. Examples may range from a minimum height criterion for firefighters (which may exclude many more female than male applicants), to the department store which does not hire persons with long skirts, or the government office or school regulation which prohibits entry or attendance by persons with covered heads. These rules, apparently neutral with regard to ethnicity or religion, may de facto disproportionately disadvantage members of certain minority or religious groups who wear long skirts or headscarves.

Have you ever felt unfairly discriminated against?

Discrimination against persons and groups on the grounds of race, religion, sex, ethnic origin, descent, nationality or sexual orientation is forbidden by many international human rights instruments and by most national legislations.

However, minorities are traditionally discriminated against, regardless of whether they are national, religious, cultural, ethnic or social minorities.

Discrimination at work

“A staff member of the French branch of Ikea, a furniture company, has been sentenced to a 4,572 Euro fine for providing guidelines to the managers of the company not to hire “coloured people”. The convicted woman, as well as Ikea France, will have to pay compensation of a total of 15,240 Euros following the complaint presented by four trade unions together with "SOS Racisme" and the "Mouvement contre le Racisme et pour l’Amitié entre les Peuples." The employee had written and sent out an e-mail which recommended not hiring “coloured people” for the work of supervising the correct distribution of the advertisement catalogues.” EFE Press release, April 2001

The negative consequences of widespread forms of overt or covert discrimination have led some societies to adopt practices of positive discrimination. Positive discrimination, also known as affirmative action, deliberately favours or gives preference to a certain group or groups such as women, disabled people or specific ethnic groups. The main purpose of such policies is to overcome structural forms of discrimination which otherwise would prevail against specific social groups, usually minorities, and to redress balances in representation.

Non-discrimination in the ECHR.

In June 2000, the adoption by the Committee of Ministers of the Council of Europe of Protocol No. 12 to the European Convention on Human Rights broadens the scope of the Convention...
regarding discrimination. At present, non-discrimination is addressed in article 14, which prohibits discrimination only in the enjoyment of the rights already enshrined in the Convention. Protocol 12 marks a significant development since it provides opportunities for enhanced action in the field of racism and discrimination as a general non-discrimination clause. This Protocol will enter into force only after ten states have ratified it.

**Xenophobia**

The Oxford English Dictionary definition of xenophobia is “a morbid fear of foreigners or foreign countries”. In other words, it means an aversion to strangers or foreigners.

Xenophobia is a feeling or a perception based on socially constructed images and ideas and not on rational or objective facts.

A xenophobic perception of the world reduces complex social and cultural phenomena to simplistic good and bad scenarios.

“We” (the locals) = the model, the good and normal ones, the reference who everyone should look, feel, think like – versus “Them” (the strangers) = the delinquents, the threat, the disturbance, the vagrants, the invasive ones, etc. “We” (the locals) are the good ones versus “Them” (the others), the bad ones. It is obvious that we attach value to the perceptions we have of others and ourselves, such as

“We” = positive and “They” = negative.

To build our identities as individuals and members of a group, an ethnic group, a nation, etc., implies becoming aware of the diversity in society and one’s difference from others, which is not negative in itself as long as diversity is not perceived as threatening and the recognition of these differences is not used for political manipulation. The other should be perceived first of all as a brother or sister, as a fellow human, not as a foreigner, enemy or rival.

It should be noted that while in eastern Europe the main targets of xenophobia are likely to be members of minority groups, in many Western countries the targets tend to be immigrants and refugees, including those coming from Eastern European countries.

**Can you think of recent examples of xenophobia in your country?**

Even though the fear of foreigners – xenophobia - is considered morally unacceptable and goes against what would constitute a culture of human rights, it is not illegal and thus it cannot be legally punished as such. Consequently, it is only the manifestations of xenophobia, (which can derive from xenophobic perceptions and which can take attitudinal or physically violent forms, such as acts of racist attacks, discrimination at work, verbal attacks or abuse, ethnic cleansing, genocide, etc.) that are subject to sanction in so far as there are laws qualifying these actions as crimes.

**Racism**

Racism can be defined in many ways. One definition considers racism as a conscious or unconscious belief in the inherent superiority of one race over another. The implication of this definition is that, in the first place, the “superior” race has the right to exercise power over and dominate those that are considered “inferior”; and that, in the second place, racism conditions both the attitudes and behaviour of individuals and groups. However, there is a problem in that the term ‘racism’ presupposes the existence of different “races”. In recent
years, it has been established that “race” is, in fact, a social construct and that it is impossible to classify people according to any other category than that of “human being”. Therefore, racism exists even though “race” does not.

Europe has a long history of racism. Historically, the existence of “superior” and “inferior” races has been argued on the grounds of biological differences. Darwinian theories of evolution were applied to human beings in order to classify them according to “race”. Colonialism, when European nations subjugated others to their exploitation, was possible due to the widespread acceptance of social Darwinism and other similarly “racist” theories. The “white man’s burden” implied the “duty” of colonial Europeans to “civilize” other peoples. Slavery, another common practice among European entrepreneurs and governments until the 19th century, was also based on the belief that slaves belonged to “inferior races”.

Nowadays, racists put emphasis on cultural differences rather than on biological inferiority. Cultural racism is based on the belief that there is a hierarchy of cultures or that certain cultures, traditions, customs, and histories are incompatible. The exclusion and discrimination of foreigners or minorities is justified in the name of allegedly “incompatible cultures”, religions or “civilisations”.

Power and its use and misuse are heavily bound up with racism. Racism is at one and the same time defined by those who have power and it defines power relations between perpetrators and victims. The victims of racism find themselves in a powerless position. Prejudice, or the negative judgement of other persons or groups (without significant knowledge or experience of those persons or groups), is also bound up with racism. Hence, racism can be understood as the practical translation of prejudices into actions or forms of treatment of others by those who hold power and who are therefore in a position to carry those actions out.

Racism can exist at different levels:

- a personal level: this refers to personal attitudes, values and beliefs about the superiority of one’s “race” and the inferiority of other “races”.
- an interpersonal level: this refers to behaviour towards others that reflects the belief of the superiority of one’s “race”.
- an institutional level: this refers to the established laws, customs, traditions and practices which systematically result in racial inequalities and discrimination in a society, organisations or institutions.
- a cultural level: this refers to the values and norms of social conduct that promote one’s native cultural practices as the norm and the measuring standard and judge other cultural practices to be inferior.

The different levels at which racism manifests itself are highly interdependent and actively feed each other. Racism also manifests itself in overt and covert ways. In its subtlest and most covert forms, racism is as damaging as in its overt forms.

The consequences of racism, both historically and contemporarily, are devastating for both the victims and the societies where this injustice has been perpetrated. Racism has been at the origin of mass extermination, genocide and oppression. It has ensured the subjugation of majorities to the whims of tiny minorities who have a stranglehold on both wealth and power. While much progress has been made to remedy these injustices, today hidden and less hidden forms of isolation, discrimination and segregation still exist and continue to be practised. Those perceived as “different” or “foreign” face restrictions in their freedom of movement, outright aggression, humiliation or social exclusion.
Racism and youth violence

Youth violence motivated by racial hatred is a reality in most European countries. There are numerous reported cases of young people and/or adults being attacked, beaten up, threatened and, in the most extreme cases, killed, because of their nationality, appearance, religion, the colour of their skin, their hair or even their beard.

Racist violence has other subtle, but more diffuse, means of expression. It includes multiple forms of scapegoating, segregation and discrimination. Being singled out for police controls and checks because one looks different – darker skinned or darker haired – is also a form of oppression.

The United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR)

The third WCAR was held in Durban, South Africa between the 31 August and 7 September 2001. This conference generated a very important international movement and many expectations. Nearly 160 states and more than 1500 NGO participants took part. The conference was dominated by two issues: the plight of Palestinians (including attempts to re-label Zionism as a racist practice) and recognition of slavery as a crime against humanity and the right for compensation. The final text ended up recognising the two issues with a wording that was acceptable to most:

“We are concerned about the plight of the Palestinian people under foreign occupation. We recognise the inalienable right of the Palestinian people to self-determination and to the establishment of an independent state. We also recognise the right to security for all states in the region, including Israel, and call upon all states to support the peace process and bring it to an early conclusion.”

An apology for slavery was also inserted although the text did not go as far as to offer any compensation. The recognition of the slave trade and of slavery as crimes against humanity was, for many, a historical moment in the restoration of dignity to a large part of humanity.

Do you think that the governments from countries who benefited from slavery in the past should now pay for compensation?

In addition to the official conference, an NGO forum and an international youth forum were held in the days preceding the WCAR. Youth organisations, representatives and youth delegates on government delegations were invited to participate. Some 200 young adults representing all geographical regions gathered to discuss key issues related to the struggle against racism and xenophobia.

Why should racist propaganda on the Internet be controlled or forbidden?

Immigrants, refugees and asylum-seekers

In Europe today, many immigrants, asylum-seekers and refugees face very difficult situations and see their basic rights and dignity violated every day. Refugees and asylum-seekers have often been forced to leave their homes, countries and families to save themselves from war, persecution or a complete lack of security. Although the vast majority of refugees in the world do not seek asylum in Europe, some people and groups do. The growing or persisting feelings of nationalism and xenophobia, or simply the concerns of xenophobe politicians, have led many governments to adopt very strict measures towards asylum-seekers, aimed mostly at ensuring that they do not reach their territory.

In the city of Frankfurt-am-Oder, located on the Polish-German border, a group of young German skinheads frequently threaten and attack foreign students from the university and foreign workers. On the Polish side, in the suburbs of Frankfurt-am-Oder, there is a city called Slubice where another group of young neo-nazis hunt foreigners. An incident was reported stating how they had started to beat up a student but apologised to him when they realised he was Spanish. They had thought he was German.
Asylum-seekers and refugees form a particularly vulnerable target group, whose status is defined and protected by the Geneva Refugee Convention of 1951. Most European countries now have legislation that allows them to be detained at airports and border police stations, often without any consideration of their rights. Deportation of illegal immigrants or asylum-seekers who see their application rejected is a common practice and sometimes a form of degrading treatment.

What happens if a refugee seeks asylum in your country? Do you know what they have to do?

The Schengen agreements (1990) provide for free movement and unrestricted travel to persons across all borders of 14 of the European Union member states. However, while abolishing the former existing borders, the EU has built a larger “border” to protect the European area.

The development of a common European policy towards refugees and migrants has often been described as a “fortress Europe” policy partly because of its emphasis on exclusion and the deflection of refugees, and partly because it is an example of how the fear of economic migration can block out consideration for the reality and needs of asylum-seekers.

Where do refugees in your country come from? Why are they refugees?

The very restrictive and xenophobic policies held by many European countries force many immigrants to turn to illegal methods of getting into Europe. They often fall prey to organised traffickers. Most never reach Europe, while some die on the way: on the sea and coasts of Spain, in abandoned ships and boats in the Mediterranean or in trains and trucks where they suffocate to death.

Illegal immigration also means cheap labour for many industries and entrepreneurs. Poverty in countries like Moldova and Ukraine has resulted in many men seeking work in western European countries. Because they are “illegal”, they are forced to work in very bad conditions and for very low salaries. They are often blackmailed by having their passports retained or they are threatened with denunciation to the police. Young women often face similar situations of human trafficking for domestic work and forced prostitution.

In most countries, there is a utilitarian view of the immigrant. The immigrant is not welcomed for their intrinsic value as a person who can contribute to the development of society, but rather they are welcomed and accepted only in so far as the labour potential that they represent is needed.

Do you think that only people with money should be allowed to enter your country?

Many young people from immigrant backgrounds or of immigrant descent, so-called second or third generation immigrants, experience different forms of discrimination on a daily basis, sometimes resulting in violence, social exclusion and criminalisation. One of the most common manifestations of covert racist discrimination is asking those young people to “make a choice” between so-to-say their parents’ “culture” and that of their “host” country. The same type of suspicion regarding identity, allegiance and patriotism is applied to other social and ethnic minorities.

Anti-Semitism and Romaphobia

All across Europe, the Jews and the Roma have historically been the two minorities that have suffered most from discrimination on grounds of their supposed “inferiority” and the subsequent negative stereotyping attached to this alleged status of inferiority.
Both minorities originated from outside Europe, the Jews from the area of what is now Israel and Palestine and from the southern shores of the Black Sea, and the Roma from India. Both migrated due to persecution, both have suffered down the ages at the hands of the majorities in Europe and both were considered inferior and many of both groups were exterminated by the nazis during the second world war. Both suffered under the communist regimes in Europe and both still experience discrimination, hatred and prejudice today, even though their social realities are very different.

What happened to Jewish people in your country during second world war?

**Anti-Semitism**

Anti-Semitism can be defined as “hostility towards Jews as a religious or minority group often accompanied by social, economic, and political discrimination”\(^1\), and this has been widespread in European history up to the present. Anti-Semites have fabricated stories about Jewish conspiracies, fuelling the anti-Semitic attitude of non-Jewish people against them, the most infamous being the “Protocols of the wise men of Zion” (a fictitious slanderous document inciting violence against Jews and which still circulates today in some European countries).

By the end of the nineteen century, Jewish communities in Russia regularly became victims of pogroms (a Russian word meaning devastation), which were organised systematic discriminatory acts of violence against Jewish communities by the local population, often with the passive consent or active participation of the police, encouraged by the anti-Semitic policies of the government. Attacks on Jewish communities were also common in other European countries including, for example, France and Austria.

The rise of fascism in the first part of the 20th century brought further hardship for many Jews in Europe, as anti-Semitism became part of the ideology in power. Fascist regimes and parties also collaborated directly or indirectly with the German nazi regime during the Holocaust.

During the Holocaust perpetrated by the nazi Germany and its allies during the second world war, known also as the Shoah (a Hebrew work meaning desolation), an estimated six million Jews were systematically exterminated for no other reason than that they were Jews. The Holocaust was the culmination of the racist and anti-Semitic policies that characterised Hitler’s government, whose savagery had commenced with the “Kristallnacht”, a massive pogrom throughout Germany on 9 November 1938.

With the success of the Bolshevik Revolution, pogroms ceased in the Soviet Union but anti-Semitism continued in different forms, including forced displacements, confiscation of property and show trials. Under communist regimes, anti-Semitism was often also disguised under official anti-Zionist policies.

Today, anti-Semitism is as alive as ever, even if in an often covert manner. Groups claiming their superiority desecrate Jewish cemeteries, networks of neo-nazi groups, often including young people, openly shout their anti-Semitism, and there are many Internet websites and literature circulating and glorifying nazi propaganda.

**Romaphobia**

Roma people (wrongly named as Gypsies, including the Sinti), have always been viewed as different by other Europeans. For much of history, they have been nomads, moving from one place to another as tinkers, craftsmen, musicians and traders. Throughout their history they have been submitted to forced assimilation; the Roma language has been prohibited in some countries and their children have been forcibly taken away from the parents. Roma people...
were slaves in many countries, the last having been Romania, where their slavery was abolished in 1856. The Roma have never had a state and they have never fought wars against other people. Throughout the twentieth century they continued to be considered as \textit{vagrants} and in many countries laws were passed to force them to settle down.

Today, Roma communities continue to be directly and indirectly discriminated, persecuted and unwanted across all European countries.

\textbf{What is the size of the Roma community in your country?}

\textit{Porajmos} refers to the Genocide of European Roma and Sinti perpetrated by German nazis and their allies between 1933 and 1945. The estimated number of victims varies according to different sources between 500000 and 2000000. As the result of Porajmos, Roma in Europe lost up to 70\% of their pre-war population.

The communist regimes of eastern Europe, under the banner of “emancipating the Roma”, broke the Roma traditional way of life. The Roma family disintegrated even further with the advent of capitalism – the Roma are generally not qualified for high-tech work and they are thus condemned to manual labour, unemployment and social exclusion.

Today, the Roma population in Europe totals an estimated eight to twelve million people, across literally all European states. The vast majority are sedentary but in some Western countries nomadism is still practised, fully or partially. While Roma in Spain and Portugal have practically lost Romany as a language (because it was forbidden and repressed) in most other countries’ Roma communities, the Romany language is still a unifying cultural factor.

Romaphobia, discrimination and hostility towards Roma people, is a widespread common reality all over Europe. The Roma are among the first to suffer in armed conflict, as in the wars in the former Yugoslavia where the plight of Roma, caught in the crossfire, was mostly ignored. Other recent examples, include Roma families being de facto illegally stripped of their right to property on the grounds of “fighting crime” (Portugal); discrimination regarding access to education for Roma children and provision of basic community services (in the United Kingdom and France, for example, for travelling communities) or simply having their recognised rights respected. In many countries, Roma have been victims of violent fascist and racist groups, resulting in murders; Roma children are sometimes put together in the same school as mentally handicapped children. Roma villages are often segregated and isolated.

\textbf{What can you find in your local news about Roma?}

Many young Roma people and children grow up in hostile social environments where the only support and recognition they have is in their own community or family. They are denied many basic rights or have limited access to them, such as education or health.

A greater awareness and concern about the Roma is slowly emerging. At the international level, the International Romany Union is the most representative political Roma organisation, with consultative status at different United Nations bodies. The European Roma Rights Centre, based in Budapest, is the main international Roma human rights organisation, active in raising public awareness, monitoring and defence of Roma human rights.

\textbf{The disabled and handicapped}

Disability is defined as a condition that disables, as a result of an illness, injury or physical handicap; the expression is also used as a term of legal disqualification or incapacity.
The term “disability” encapsulates a great number of different functional limitations occurring in any population in any country of the world. People may be disabled by physical, intellectual or sensory impairment, medical conditions or mental illness. Such impairments, conditions or illnesses may be permanent or temporary in nature.

The term “handicap” means the loss or limitation of opportunities to take part in the life of the community on an equal level with others. It describes the encounter between the person with a disability and the environment. Both terms are indeed adequate, but the emphasis carried by each of them is slightly and significantly different.

How can people with disabilities participate in the activities of your organisation?

It has been estimated that, on average, 10% of the world population has a disability. For the nearly 800 million population of the 43 Council of Europe member states, that would mean some 80 million persons with disabilities. Despite the progress made in recent years in numerous areas, many people with disabilities in Europe today are still faced with barriers to equal opportunities and full participation in the life of the community, such as low levels of education and vocational training; high unemployment rates; low income; obstacles in the physical environment; social exclusion; intolerance, clichés and stereotypes; direct or indirect discrimination; violence, ill-treatment and abuse. According to a Eurobarometer survey in 2001, 97% of the people interviewed think that something should be done to ensure better integration of people with disabilities into society.

Within the European Union, most organisations active in promoting the rights of the disabled are part of the European Disability Forum (EDF). Within the Council of Europe, actions and policies are co-ordinated by the Directorate General of Social Affairs.

The European Union declared 2003 to be the European Year of the Disabled Citizen.

What do people with disabilities want?

“Nothing special, nothing unusual. We want to be able to attend our neighbourhood school, to use the public library, to go to the movies, to get on a bus to go shopping downtown or to visit friends and family across town or across the country. We want to be able to get into our neighbourhood polling station to vote with everyone else on election day. We want to be able to get married. We want to be able to work. We want to be able to provide for our children. We want high quality, affordable medical care. We want to be seen as real people, as a part of society, not something to be hidden away, pitied or given charity.”
Adrienne Rubin Barhydt, April 10, 1996.

Source: www.disrights.org

Homophobia or discrimination because of sexual orientation

Homophobia may be defined as aversion or hatred to gay or homosexual people or their lifestyle or culture, or generally of people with a different sexual orientation.

Key dates

10 October
World Mental Health Day

3 December
International Day of Disabled Persons

Discrimination and Xenophobia
In many parts of the world, individuals that have a different sexual orientation (different from the majority) are subjected to discrimination that ranges from being insulted to being murdered. In many countries, the practice of homosexuality is still a crime and in some of them it is punishable by the death penalty. Within Europe, although progress has been achieved, in changing legislation, many people still see homosexuality as a disease, a psychological disorder or unnatural behaviour.

Homosexuality means different things to different people. Some basic definitions:
- **Bisexual** refers to somebody attracted to person(s) of the same and the opposite gender.
- **Gay** is a term used for homosexual men. In some circles it also includes homosexual women (Lesbians).
- **Homosexual** refers to a person attracted to persons of the same gender only.
- **Heterosexual** refers to persons attracted to persons of the opposite gender only.
- **Lesbian** is used to refer to female homosexuals, i.e. women attracted to other women.
- **Transgender** is used to refer to a person who has a different gender from what their biological sex indicates (i.e. a man in a female body or the other way round).
- **LGBT** is an abbreviation of Lesbian, Gay, Bisexual and Transgender.

Living as an LGBT person in Europe today varies from being very easy (in the larger towns in western Europe, with a well-developed subculture, bars, clubs and organisations), to being relatively difficult (in small-town western Europe, and large parts of central Europe where views about homosexuality are slowly changing) all the way to being outright dangerous (harassment by the police as well as “normal” people as well as discriminatory laws and hate-crimes are the order of the day in some eastern European Countries such as, for example, Bulgaria, Albania, Romania and Moldova).

Lesbian and Gay couples across all of Europe are also victims of legal discrimination, in areas such as the right to marry, to constitute a family or to adopt children (in other words, they can not benefit from the same status as heterosexual couples).

Do you know any famous gay or lesbian person from your country?

The pink triangle

Tens of thousands of homosexuals died in the nazi concentration camps. The pink triangle and the pink colour are commonly associated with homosexual movements and culture, derived from the pink badge that homosexuals had to wear in the nazi concentration camps on the grounds of “sexual deviance”.

"In the case of gays, history and experience teach us that the scarring comes not from poverty or powerlessness, but from invisibility. It is the tainting of desire, it is the attribution of perversity and shame to spontaneous bodily affection, it is the prohibition of expression of love, it is the denial of full moral citizenship in society because you are what you are (…)"

Justice Albie Sachs,
Constitutional Court of South Africa, 1998.  

The biggest problems LGBT young people face are, on the one hand, discrimination by strangers, meaning violence, harassment and denial of services (getting kicked out of a restaurant is a common occurrence). On the other hand, there are often problems with family and friends once somebody comes out to them. For a lot of people, these are very serious problems, and a lot of LGBT young people postpone their coming-out for fear of rejection. At school, peer pressure can be very strong and make life difficult for LGBT students.

Should gay and lesbian couples be allowed to marry?

Young people are also particularly vulnerable targets of homophobic violence and discrimination. Often they have to cope with feelings of guilt and deep questions about their sexual identity.
and they fear rejection or being misunderstood. The negative “feedback” they receive puts them at odds with themselves and society. On top of this, violence and abuse force many into depression and sometimes leads to suicide.

**Religious discrimination**

Diversity within Europe is often most visible as religious diversity. The majority of Europeans are Christians, even if they don’t “practise” their religion, but this majority often “hides” a lot of diversity. Europe has been deeply torn by wars between Catholics and Protestants, as it was previously by wars between Catholics and Eastern Orthodox Christians. Within each denomination there are many branches with differences that are often indiscernible to the layperson but are crucial to those who believe in them.

Although Christian religious minorities exist across the whole of Europe, historically they have been (and in some countries are still) discriminated against. Their religion or church is not “recognised” or does not have the same status or rights (for example, in education) as the “official” or dominant church.

Partly due to the process of European integration and co-operation, differences between Christian denominations have become less important in socio-political terms. For some thinkers and politicians, Christianity should be a basis of European identity, a dangerous move that ignores the millions of Europeans who are not religious and, of course, also those who are not Christian.

? Which minority religions exist in your town or community? Where do they gather and worship?

Among non-Christian religions, Judaism is perhaps the one that, throughout history, has been the most widely discriminated against across the continent. After the expulsions from Spain and Portugal in the 15th century, for example, those who remained were converted by force or had to practise their religion secretly and at great risk to their lives. Prejudice and misconceptions about the Jewish faith has certainly contributed to fuelling anti-Semitic attitudes. It has also been historically used to justify discrimination and segregation against Jews and probably contributed to the passive tolerance of the Holocaust in some predominantly Christian societies.

Other important religious minority communities in Europe include Hindus, Buddhists, Baha’is, Rastafarians and Sikhs. Depending on the country, they may experience different forms of discrimination. In many cases, religious discrimination is combined with racism.

**Islamophobia**

Among non-Christian religions, Islam is the most followed in Europe. It is the majority religion in some countries and regions in the Balkans and in the Caucasus and is the second largest religion in France, Germany and in many other countries, both western and eastern.

The spotlight that has been focused on Muslims across the world in the aftermath of the horrific attacks on the United States in 2001 show how fragile community relations and our sense of tolerance really are. Muslims living in the West were surprised that people whom they thought to be friends, neighbours and co-citizens could suddenly turn and blame them for the attack on the World Trade Centre and even carry out revenge attacks on innocent men, women and young children. Of particular concern is that fact that in the United States and across Europe a number of women who wear the headscarf have been attacked.

During second world war, Jehovah’s Witnesses were sent to concentration camps because they refused to serve in the German army.

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

*European Convention on Human Rights. article 9,1.*
What images do you have of Islam?

Islamophobia, literally meaning a fear of Islam, Muslims and matters pertaining to them, is not a new phenomenon. It is in fact an ancient form of prejudice that has recently become a topical issue due to the devastating effect it is having on the lives of Muslims, especially those Muslims who live in minority communities.

The present situation feeds on strong and deep-rooted prejudice in most European societies regarding Islam. Some of the most common forms are the lack of official recognition as a religion, the non-granting of permission to build mosques or the non-provision of facilities or support to Muslim religious groups or communities.

Ignorance about Islam is the main reason for Islamophobia. Islam is often associated only with terrorism and extremism. In fact, Islam is a religion that preaches tolerance, solidarity and love for each other, like many religions do.

What can be done in your organisation or school to increase knowledge and understanding of other religions?

One of the most common prejudices about Islam is its so-called “incompatibility” with human rights. This prejudice often stems from the reality of countries where Islam is the majority religion, mostly Arab countries. The absence of democracy and widespread violations of human rights are given as examples of this “incompatibility”. The prejudice lies in considering Islam as the only contributing factor for these situations, when in fact most of the regimes in question are simply undemocratic. Applied to Christian countries, this would be the equivalent of making Christian religions responsible for the previous dictatorships in Portugal, Spain or Greece, for example, and then to conclude that Christianity is incompatible with human rights and with democracy.

Young people are often harassed for displaying their allegiance to Islam. In some countries, Muslim girls have been forbidden to attend school wearing the veil on their head.

Legal framework

Numerous international and regional instruments either refer to discrimination generally speaking or deal with specific forms of discrimination. Some examples, at the level of the United Nations, include:

- The Universal Declaration of Human Rights (1948)
- The International Convention on the Elimination of All Forms of Racial Discrimination (1965)
- The Convention on the Elimination of All Forms of Discrimination against Women (1979)
- The Declaration on the Rights of Disabled Persons (1975)

Within the Council of Europe, in addition to the European Convention on Human Rights, important achievements have been made in recent years, especially through:

- The European Charter on Minority Languages (1992)
- The Convention on the Participation of Foreigners in Public Life at Local Level (1992)
Further information

On racism and discrimination

- The European Commission against Racism and Intolerance of the Council of Europe, www.ecri.coe.int
- La Ligue Internationale contre le Racisme et l’Antisémitisme (LICRA), France, www/licra.com
- SOS Racisme (France), www.sos-racisme.org
- UNITED for Intercultural Action - the European Network against nationalism, racism, fascism and in support of migrants and refugees, www.xs4all.nl/—united
- The European network against racism, www.enar-eu.org/
- The Internet Anti-racism Centre in Europe, www.icare.to/
- The European Monitoring Centre on Racism and Xenophobia (EUMC), www.eumc.eu.int
- Minorities of Europe (MoE), www.moe-online.com
- Young Women from Minorities (WFM), www.wfmonline.org

On Roma

- The European Roma Rights Centre (ERRC), www.errc.org
- The International Romani Union, www.romanunion.org
- Union Romani (Spain), www.unionromani.org

On People with Disabilities

- The World Institute on Disability (WID), www.wid.org
- The European Disability Forum, www.edf-feph.org

On Immigrants and Refugees

- The United Nations High Commissioner for Refugees: www.unhcr.org
- The portal for the promotion and protection of the rights of migrants, www.december18.net
- SOLIDAR, www.solidar.org
- The European Council on Refugees and Exiles, www.ecre.org

On religion

- The United Religions Initiative, www.uri.org
- Bahá’í Faith (site of Bahá’í World), www.bahai.org
- The Forum against Islamophobia and Racism (UK), www.fairuk.org
- The Sikhism home page, www.sikhs.org
- Hindu Resources on-line, www.hindu.org
- Catholic Church – The Holy See website, www.vatican.va
- Eastern Orthodox Churches, www.orthodoxinfo.com
- Russian Orthodox Church, www.russian-orthodox-church.org.ru
Discrimination and Xenophobia

- Shamash: Jewish Network information and discussion on the Internet, http://shamash.org/about.shtml

On anti-Semitism
- Antisemitism and Xenophobia Today, www.axt.org.uk
- The Anti-Defamation League, www.adl.org
- The World Jewish Congress: www.wjc.org.il

On Gay and Lesbian issues
- The International Lesbian and Gay Association, www.ilga.org
- The Institute for Lesbian and Gay Strategic Studies, www.iglss.org
- The International Lesbian and Gay Youth Organisation (IGLYO), www.iglyo.org

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Patrin Web Journal (www.geocities.com/Paris/5121/).
The right to education as a human right

In a case from the European Court of Human Rights, the right to education was defined as “a right of access to educational institutions ‘existing at a given time’ and the right to draw benefit from the education received, which means the right to obtain official recognition of the studies completed”\(^{16}\).

Education

“...is both a human right in itself and an indispensable means of realising other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalised adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment and controlling population growth. Increasingly, education is recognised as one of the best financial investments States can make. But the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence\(^{17}\).”

The right to education is referred to in the following human rights instruments:

- The Universal Declaration on Human Rights (art. 26)
- The European Convention on Human Rights and Fundamental Freedoms (art. 2 of Protocol No.1)
- The Convention on the Elimination of All Forms of Discrimination against Women (art. 10)
- The Convention on the Rights of the Child (arts. 28 and 29)
- The African Charter on Human Rights and Peoples’ Rights (art. 17)
- The Protocol of San Salvador to the American Convention on Human Rights (art. 13).
- The International Covenant on Economic, Social and Cultural Rights (arts. 13 and 14). It is interesting to note that Article 13 is the longest provision in the Covenant and the most wide-ranging and comprehensive article on the right to education in international human rights law.

Related activities

- A glossary of globalisation, page 69.
- Children’s rights, page 103.
- Education for all, page 122.
- Let every voice be heard, page 133.
- Path to Equality-land, page 185.
- Responding to racism, page 201.
- The language barrier, page 228.

“Education is not merely a means for earning a living or an instrument for the acquisition of wealth. It is an initiation into a life of spirit, a training of the human soul in the pursuit of truth and the practice of virtue.”

Vijaya Lakshmi Pandit
What are the present educational challenges?

In 1996, a Unesco commission provided an outline of the seven main tensions facing the world and affecting education:

1. The tension between the global and the local;
2. The tension between the universal and the individual;
3. The tension between tradition and modernity;
4. The tension between the spiritual and the material;
5. The tension between long-term and short-term considerations;
6. The tension between competition and equality of opportunity;
7. The tension between the extraordinary expansion of knowledge and the capacity of human beings to assimilate it.

Unesco has highlighted what they have called the four ‘pillars’ of learning, as a strategy that could help face and deal with these challenges:

1. Learning to live together: Specifically, this means that education should strengthen in students the skills and abilities necessary for them to accept their interdependence with other people; to manage conflict; to work and plan with others common objectives and a common future; to respect pluralism and diversity (for example in gender, ethnicity, religion and culture); and to participate actively in the life of the community.

2. Learning to know: This means that education should help students to acquire the instruments of knowledge: the essential learning tools of communication and oral expression, literacy, numeracy and problem-solving; to gain both a broad general knowledge and an in-depth knowledge of a few areas; to understand rights and responsibilities; and most importantly, to learn how to learn.

3. Learning to do: Education should help students to acquire occupational skills and social and psychological competencies that will enable them to make informed decisions about diverse life situations, to function in social and work relationships, to participate in local and global markets, to use technological tools, to meet basic needs and to improve the quality of their own and others’ lives;

4. Learning to be: Education should contribute to developing the personality and enable people to act with greater autonomy, judgement, critical thinking and personal responsibility. It should aim to develop all aspects of potential, for example, memory, reasoning, an aesthetic sense, spiritual values, physical capacities and communication skills; a healthy lifestyle, and enjoyment of sports and recreation; an appreciation of one’s own culture; possession of an ethical and moral code; an ability to speak for and defend oneself; resilience.

The complementary roles of formal and non-formal education

There are two key concepts that are being integrated in European educational policies: the vision of lifelong learning in a learning society. The idea is of a community where people are offered different opportunities to develop their competencies throughout their lives. It is important to note that there is increased recognition not only of the role of formal education but also of the opportunities offered by non-formal education, that is, the programmes outside the formal education system. Such programmes are often managed by non-governmental
organisations, including youth organisations. They are able to address a wide range of topics and different methodologies, using flexible approaches, and may include ways of providing literacy and other skills to the millions of children and adults who are denied access to the formal education system or who are functional illiterates.

Can you think of examples of non-formal education programmes in your own community?

In the twentieth century, in Europe, public or state schools have also become the major institution for mass education, and formal education is widely accepted.

In recent decades, this tendency has resulted in increased budgetary allocations for basic education, in legislation making schooling compulsory, and in widespread media coverage of education and development issues.

Experts in education speak of the importance of “crossing boundaries” between formal and non-formal education, promoting communication and co-operation that will help with synchronising educational activities and learning environments in order to provide learners with a coherent set of opportunities.

The role of European youth organisations

At the European level, youth organisations have found ways of making their voice heard on educational issues. So too have student organisations such as the National Union of Students in Europe (ESIB) and the Organising Bureau of European School Student Unions (OBESSU), which is the largest European platform of national school student organisations and unions, and is active in general secondary and secondary vocational education. These organisations work to facilitate the exchange of information, experience and knowledge between national school student organisations, and they play a seminal role in promoting discussion on new trends within the formal education systems in Europe.

To what extent are education systems generally keeping up with current challenges?

As the world has become more complex, school systems have expanded both in size and complexity. The sheer number of children in these systems has grown probably at a rate even faster than the growth of population: total primary enrolment in developing countries grew from 50% in 1970 to 76% in 1990 and to 82% in 1995. Most systems have stretched themselves to cover children of pre-school age, adolescents and adults more systematically than before.

Literacy rates in developing countries have also grown - from 43% in 1970 to 65% in 1990 and to more than 70% in 1995. Such expansion is largely the result of improvements in the quality of education, in more attention to schooling by governments and the international community and in the continued value attached to schooling by families. Education is valued for its own sake and it is also seen as a panacea to the everyday challenges faced by families.

However, in contrast to this picture, some evidence to the contrary can be seen in the stagnation of enrolments in a number of countries. Some experts have pointed out that in the past twenty years

“the rate of growth of primary, secondary, and tertiary (post-secondary) school enrolment was slower for most groups of countries. The rate of growth of public spending on education, as a share of Gross Domestic Product (GDP), also slowed across all groups of countries”

“as one of the principal means available to foster a deeper and more harmonious form of human development and thereby to reduce poverty, exclusion, ignorance, oppression and war.”
These patterns have had particularly negative consequences for educational achievements, including literacy rates, in countries that have seen less rapid improvement in the past twenty years compared to that in the previous two decades.

**Globalisation**

Key elements of globalisation, such as selective trade liberalisation, companies’ ability to shift operations around the globe and tax evasion are threatening long-term funding for education. Tax problems have affected government funding for education. In the case of Ghana, the government is able to collect 12% of Gross National Product (GNP) in taxation. If it were to lose just 10% of tax revenue – i.e. 1.2% of GNP - then this would be equivalent to about half the primary-education budget. Protecting revenue-collection capacity is therefore of vital importance to achieving progress towards the goal of universal primary education.

In many central and east European countries, economic recovery is still not a reality. What are the consequences for education?

“The decentralisation of social expenditures has had a substantial effect on available resources for education (Poland, 1999; Russian Federation, 1999; Romania, 1999). Several central European countries had introduced greater decentralisation of educational finance and governance prior to 1990, but in the rest of the region there have been new efforts to devolve responsibilities from central governments to local levels. Thus, local governments have been given increasing responsibility for education provision from pre-primary to secondary schooling. In many cases, schools themselves have been assigned considerable authority. Measured in terms of expenditure responsibilities, regions are often responsible for a majority of spending on education and in some countries there are growing disparities in the ability of different regions of a country to finance educational programmes (Poland, 1999).

In some cases, local authorities, particularly in rural areas, are not allocated the financial resources to meet these new responsibilities and have few means to raise additional funds. Often, teachers’ wages (representing the largest share of the educational budget) are still fixed by central authorities, which leaves schools with little autonomy over budgetary decisions.

However, the share of resources going to education is coming from a public budget that has been greatly diminished. Faced by large falls in national income and by reduced tax revenues, state support for education has been sharply reduced in real terms. In spite of the difficulties associated with the transition process, countries have taken many concrete steps towards education reform. These reforms have focused on the areas of education legislation, democratisation of curricula and decentralisation of governance and finance. However, in some countries, the actual implementation of these reforms has been slow and often difficult.”

Unfortunately, the available indicators on the condition of education worldwide make it evident that far too limited resources are being invested in this sector. In a world that is characterised by accelerating change, parents and young people are questioning the relevance of what schools teach. In addition, too many schools throughout the world are characterised by high teacher absenteeism, poor use of available instructional time and negligible attention to the interests and abilities of individual learners. It comes as no surprise that in such schools, where children may be getting little useful knowledge and much of their time is spent in rote learning, many children...
reject what education systems offer. Among those students who continue in school, many do not acquire elementary skills in analysing and applying their school learning to life-relevant tasks.

Experts from the Council of Europe have highlighted three main groups of young people who are particularly vulnerable within education systems:

1. those who come from economically disadvantaged families;
2. those whose parents have limited educational experience;
3. ethnic minorities, immigrants and travellers.

Can you identify any other groups, not mentioned in this list, that are particularly vulnerable in your community?

In many parts of the world there is increasing scepticism concerning formal, uniform systems of education. People see growing disparities and gaps—in cost, quality, achievements, and certification—and this has led to a “crisis of confidence” in public schooling throughout much of the world.

If all children of primary school age were to receive a good quality basic education lasting for a minimum of four years, the problem of illiteracy would be resolved in the space of a single generation. Yet today:

1. 125 million children of primary school age are not in school; most of these are girls.
2. Another 150 million children start primary school but drop out before they have completed four years of education. The vast majority leave before they have acquired basic literacy skills.
3. In much of sub-Saharan Africa and South Asia, children can expect to receive about 4 to 7 years of education. In the industrialised countries they can expect 15 to 17 years.
4. Today 870 million people are illiterate; 70% of these are women.

Can you think of reasons why such a large percentage of illiterate people are women?

Fifty years ago, the Universal Declaration of Human Rights proclaimed free and compulsory education to be a basic human right. In 1990, the Convention on the Rights of the Child, signed by all but two of the world’s governments, reaffirmed this right as a legally binding obligation.

Since then, there have been many high-level international commitments to this fundamental human right.

Developed countries have repeatedly committed themselves to greater development cooperation, in order to achieve the goals that were set at international summits during the 1990s. The world’s governments met in 1990 at the World Conference on Education for All, held in Jomtien, Thailand. Here they set goals so that, within a decade, all of the world’s children would be provided with the opportunity to develop their full capacities. That commitment covered universal access to good-quality primary education, and an end to gender inequalities.

The most recent commitment by states and heads of governments for universal primary education aims to achieve this by 2015. On current trends, even this less ambitious target will be unattainable. If the world’s governments fail to act now, 75 million children will be deprived of basic education in 2015.

Yet the most recent world summit on education (Dakar, 2000) stressed that

“Education is a fundamental human right. It is the key to sustainable development and peace and stability within and among countries and thus an indispensable means for effective participation in the societies and economies of the twenty-first century.”

Jean-Jacques Rousseau

“Education is a better safeguard of liberty than a standing army.”

Edward Everett

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Education for All – country reports, 2000.
http://www2.unesco.org
World Education Report www.unesco.org
Environment

It is not possible to separate the environment - the deserts, forests or urban sprawl - from people and human rights issues, especially those of social justice and development. This is not only true in Africa, but also everywhere, including Europe. The environment and people have a two-way relationship: all human activity impacts on the environment and the environment impacts on human life. One example is the "greenhouse effect". 300 years of using oil, coal and gas to fuel industrial development worldwide has contributed significantly to global warming. The consequent catastrophic climatic events we have witnessed in the last four years affect people all over the globe. However, people in the rich countries of the North, which are largely to blame for the carbon dioxide emissions, are better able to protect themselves against "natural disasters" than those living in developing countries of the South. These are questions of justice and therefore also questions of human rights.

Some other examples of links between the environment and human rights are:

- agricultural land that has been poisoned with landmines during wars and which becomes a threat to human security;
- people being forced by poverty to grow crops on marginal land, which leads to desertification and more poverty;
- the Baia Mare accident, which caused cyanide pollution first in the Szamos river, then in the Tisza and ultimately in the Danube.

Our environmental base

We use the environment to provide us with the raw materials for development and we also use it as a dustbin for our waste. Yet at the same time, to sustain life, it must provide us with stable temperatures, oxygen in the air and clean water. We live on a finite globe where everything is connected to everything else, for example through food chains and the water and rock cycles. There is some natural resilience, but serious disruption of these cycles, for example by pollution,
unsuitable farming practices, irrigation projects or over-fishing, destabilises the natural balance. The Chernobyl disaster in Ukraine, the death of the trees in the Black Forest in Germany, desertification in southern Spain, mad cow disease in Britain, the drying up of the Aral Sea in Uzbekistan and the Ilisu dam project in Turkey are all examples of how humans in the process of development are damaging the environmental base for all economic activity and life itself.

Can you identify local examples? For example, what impact are road building projects or industrial mining or other developments having on the environment near where you live?

The idea of sustainable development

In 1989, the United Nations World Commission on Environment and Development (WCED), also called the Brundtland Report, promoted the principle of “sustainable development”, which it defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. This was followed in 1992 by the Rio Declaration, which stated: “Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature”.

The real and urgent problem is how to address the human rights issues of poverty, globalisation and the right to development within a framework that does not destroy the environment that supports us.

One approach is through international agreements about specific issues. For example, at the 1997 United Nations Climate Change conference in Kyoto, industrialised countries made specific commitments to reduce their emissions of greenhouse gasses. There was much bargaining about exemptions for developing countries and many criticisms about both the ultimate effectiveness and fairness of the final agreement.

An alternative approach is to take a human rights approach, which would ensure that principles of justice and equality are central to all agreements. Some people argue that environmental questions are already sufficiently covered through existing human rights legislation, for example through rights to property, health and life. Others talk in different ways about new or “emerging” environmental rights.

One idea is that there should be an environmental human right added to the list of existing human rights. For example, the 1994 draft Declaration of Principles on Human Rights and the Environment declares: “All persons have the right to a secure, healthy and ecologically sound environment. This right and other human rights, including civil, cultural, economic, political and social rights, are universal, interdependent and indivisible”.

Some people, especially ecologists, criticise such a demand for an environmental human right. They fear that if human life and health are the aims of environmental protection, then the environment will only be protected as a consequence of, and to the extent needed to protect, human well-being. Instead, they argue for a more holistic human rights approach. They say that people are part of the biosphere (the web of life on earth) and therefore their duty to humanity is inseparable from their duty to environmental protection. Within a broader framework, human rights claims should take into account intrinsic values and the needs of future generations as well as the competing interests of states and peoples.

Some people argue that other species should have “animal rights” in the same way that people have human rights.

“...The environmental movement can only survive if it becomes a justice movement. As a pure environmental movement, it will either die or it will survive as a corporate “greenwash”. Anyone who’s a sincere environmentalist can’t stand that role. But it has limitless possibilities as both an ecological and justice-based movement.”

Vandana Shiva
In law, animals do not have rights as such. However, they are often protected by legislation. For example, there are laws in most European countries to safeguard the welfare and conditions of farm animals.

**Ecological human rights**

Ecological human rights can be seen as a response to the global environmental situation. They are a product of our time, in the same way that political and civil rights were a product of historical events in earlier times.

Another way forward being discussed by some people is the concept of ecological human rights. This approach attempts to reconcile the philosophy of human rights with ecological principles. Human rights (such as human dignity, liberty, property and development) need to respond to the fact that individuals operate not only in a political and social environment, but also in a natural environment. Just as each individual has to respect the intrinsic value of fellow human beings, the individual also has to respect the intrinsic value of other fellow beings (animal, plants and ecosystems).

One of the biggest challenges facing teachers and youth workers today is educating people to understand the dual concepts of respect for human dignity and for the intrinsic value of life and how to live accordingly. In other words, to “think globally and act locally” and to find new lifestyles which can be sustained into the future.

**Participation by young people and youth organisations**

Schools, environmental non-governmental organisations and other institutions in every country provide opportunities for young people to become actively involved in environmental issues. At the local level, they can make their homes, schools and youth clubs more environmentally friendly and they can participate in local decision-making processes. At the regional and national level, they can influence public discussion and political debate by, for example, writing letters, presenting plays and (peacefully) demonstrating about issues that concern them. At the international and global level, they can have influence through declarations such as the Earth Charter and through international campaigning organisations such as Greenpeace.

At all levels, young people can participate through Internet correspondence, campaigns and global celebrations such as World Environment Day and Earth Day. World Environment Day, June 5, was established by the United Nations General Assembly in 1972. It can be celebrated in many ways, including street rallies, bicycle parades, green concerts, essay and poster competitions in schools, tree planting, recycling efforts and clean-up campaigns. Each

**The Goldman Environmental Prize**

The Goldman Environmental Prize is the world’s largest prize programme honouring grassroots environmentalists work. In 2000, Oral Ataniyazova won the prize for her work with Uzbekistani communities affected by the Aral Sea crisis. She focused on education, medical and family welfare issues and human rights of women and children.

The 2001 award was won by Myrsini Malakou and Giorgios Catsadorakis who worked to save the endangered wetland ecology of Présa in north-western Greece. One of their achievements was the signing of an agreement between Albania, the Former Yugoslav Republic of Macedonia and Greece to establish the first transboundary protected area in the Balkans, a model of peaceful collaboration between these countries.
year there is a theme for people to focus on. Examples of previous themes include “For Life on Earth - Save Our Seas”, “Poverty and the Environment - Breaking the Vicious Circle” and “Children and the Environment” (www.unep.org). Earth Day, April 22, is co-ordinated by the Earth Day Network, which works together with other environmental and human rights organisations, for example, the Sierra Club and Amnesty International, to generate public action through celebrations and activities in protest against human rights and environmental abuses. www.earthday.net/events/events-europe.stm

Council of Europe’s work

The Council of Europe launched its environment programme in 1961. Its activities in this field focus on the conservation of nature and landscapes. The programme is now integrated within the Culture and Cultural and Natural Heritage Department of the Council of Europe. It has three main directions: the Pan-European Biological and Landscape Diversity Strategy, the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention, 1979) and the Promotion of Awareness on Biological and Landscape Diversity.

Information and awareness on environmental protection is carried out through the Council of Europe’s publications. Its network of national agencies also contributes to the promotion of the conservation of biological and landscape diversity.

International instruments and declarations

A few of the many treaties and other instruments that address both environment and human rights and that may be useful are:

1. The 1989 European Charter on Environment and Health
2. The 1992 United Nations Declaration on Environment and Development
3. The 1994 draft Declaration of Principles on Human Rights and the Environment
4. The 1999 Declaration of Bizkaia on the Right to Environment
5. The 2000 Earth Charter

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The Earth Charter initiative, www.earthcharter.org
Worldwatch, www.worldwatch.org

“The salvation of the world lies in the human heart, in the human power to reflect, in human meekness and in human responsibility. We are still under the sway of the destructive and vain belief that man is the pinnacle of creation and not just a part of it, and therefore, everything is permitted. We still don’t know how to put morality ahead of politics, science and economics. We are still incapable of understanding that the only genuine backbone of all our actions - if they are to be moral - is responsibility. Responsibility is something higher than my family, my country, my firm, my success. Responsibility to the order of Being, where, and only where, they will be properly judged.”

Vaclav Havel
Some basic concepts

While in the 1970s and 1980s women activists talked about “integrating women into development”, in the 1990s the emphasis was on the integration of gender issues as part of development policy and planning.

Today, both the terms “women’s rights” and “gender equality” are used. What do the terms mean and what is the difference between them? The phrase “women’s human rights” is used to emphasise the point that women’s rights are human rights, rights to which women are entitled simply because they are human. This idea integrates the topic of women into the human rights movement, and integrates human rights principles into the women’s movement at the same time.

Gender equality means an equal level of empowerment, participation and visibility of both sexes in all spheres of public and private life. Gender equality is not to be thought of as the opposite of gender difference but rather of gender inequality. It aims to promote the full participation of women and men in society. Gender equality, like human rights, must be constantly fought for, protected and encouraged.

The term ‘gender’ refers to the socially-constructed roles of women and men which are attributed to them on the basis of their sex. Gender roles therefore depend on a particular socio-economic, political and cultural context and are affected by other factors including race, ethnicity, class, sexual orientation and age. Gender roles are learned and vary widely within and between cultures. Unlike a person’s biological sex, gender roles can change.

“The discussion about socialisation and stereotypes revealed the ‘old’ forms of socialisation created spaces for new forms of identity and individuality. ‘New’ forms of socialisation are taking their place but they may be replicating similar stereotypical expectations and producing similar consequences as before. The influences of the family, school and the workplace may no longer be so powerful, but new information technologies and burgeoning cultural practices (in music, media and television) may be stepping into the breach, strengthening the social power of men and maintaining the subordination of women.”

How easy is it for men to adapt to the changes that have come about as a result of the recognition of women’s rights?
Examples of violations of women’s rights

Domestic violence

The most common form of violence against women is domestic violence. Domestic violence has for many years been considered a private affair, in which the state and the judicial system has no business interfering. Yet domestic violence is not only a violation of the physical and psychological well-being of the women concerned, and therefore a direct attack on their human rights, it is also a criminal offence.

Statistics show that a woman is more likely to be beaten, attacked and even killed by her partner or former partner than by any other person.

- Depending on the European country concerned, between 20% and 50% of women are victims of domestic violence.
- Domestic violence affects all sectors of society and all ages.
- Domestic violence takes many forms: physical, sexual, psychological and structural.
- One woman in five is subjected to sexual assault at some stage in her life. The age of the victims ranges from two months to 90 years.
- 98% of aggressors are male, and 50% are married men or living in a de facto marriage or as a couple.
- 70% of rapes are premeditated and only 3% of aggressors are mentally unbalanced.
- There is an increase in the phenomenon of multiple rape.
- Figures show an increasing number of cases of assault against very young girls.

“Statistics are grim, no matter which part of the world one focuses on … No country or region is exempt from domestic abuse”. So says a UNICEF report on domestic violence against women and girls, published in 2000, in a first attempt to establish the global dimensions of this phenomenon.

Trafficking of women and girls

Every year, millions of men, women and children are the victims of trafficking worldwide in conditions amounting to slavery. Among these numbers, many thousands are young women and girls who have been lured, abducted or sold into forced prostitution and other forms of sexual servitude. The process is made even easier by globalisation and modern technologies. The underlying causes of trafficking include poverty, unemployment and a lack of education, all of which force people to take risks to improve their quality of life. One worrying trend in industrial countries is “the use of cheap and undeclared labour forces as well as the exploitation of women and children in prostitution and pornography.”

Trafficking in human beings is hardly a new phenomenon, but selling naïve and desperate young women into sexual bondage has become one of the fastest-growing criminal activities in the global economy. “The trafficking flow between certain developing countries (Northern and Central Africa, Latin America and Asia) and Western destination countries continues. However, the most striking factor … is the increase in the number of women and children trafficked into the European Union from central and eastern European countries. Estimates of up to 120000 women and children being trafficked into western Europe each year are made.”

For several years now, the trafficking of women and children - and of people in general - has been a priority issue on the working agenda of the Council of Europe.

Female genital mutilation

The practice of female genital mutilation (FGM) affects an estimated 130 million girls and women and is most prevalent in Africa. FGM is a cultural practice harmful to women, which violates
women’s human rights to life, body integrity, health and sexuality. Because it is practised mostly on young girls, female genital mutilation also raises serious questions about children’s rights.

**In conflict areas…**

In recent years, episodes of violence against women were reported in Bosnia, Cambodia, Chechnya, Haiti, Peru, Somalia, Sierra Leone, East and West Timor, and in other conflict zones of the world. At some point, the international community will have to find alternative responses to the small number of *ad hoc* international criminal tribunals - such as the ones for Yugoslavia and Rwanda. While these are useful and necessary, they are clearly inadequate and insufficient for protecting women’s rights.

The Parliamentary Assembly of the Council of Europe

“regrets that despite the fact that rape has been recognised as a war crime, it continues to be systematically used - and has been so in recent conflicts (Kosovo and Chechnya) - as a war weapon inflicting not only psychological trauma but also forced pregnancy.”

? What can be done to put an end to violence against women and girls?

**Existing international human rights instruments**

Since the United Nations held the first world conference on women (Mexico City, Mexico, 1975), important progress has been made towards achieving equality between women and men.

The United Nations Development Fund for Women (UNIFEM) was set up in 1976 to fund innovation and change in this area. Since then, it has supported numerous projects and initiatives throughout the developing world, promoting the political, economic and social empowerment of women.

The first legally binding international document prohibiting discrimination against women and forcing governments to take steps in favour of equality for women is the Convention on the Elimination of All Forms of Discrimination Against Women (“Women’s Convention” or CEDAW). This was adopted in 1979 and came into force in 1981.

The convention aims to eliminate all forms of discrimination against women. This is defined in Article 1 as “any distinction, exclusion or restriction made on the basis of sex which has the purpose or effect of impairing or nullifying the recognition of enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, social, cultural, civil or any other field”. States Parties are obliged to submit periodic reports on their compliance with the convention.

Over the past decade, a global movement has emerged to challenge the limited notions of human rights that see the rights of women as secondary to other human rights questions.

In 1999, the General Assembly of the United Nations added an optional protocol to the CEDAW that had been elaborated by the United Nations Committee on the Elimination of Discrimination Against Women. The Optional Protocol entered into force in 2000. It marks an important step in the protection of women’s rights, in so far as it allows individual women or groups of women to submit allegations of human rights violations directly to the Committee on the Elimination of Discrimination Against Women. It also provides the Committee with the ability to initiate inquiries into cases of grave or systematic violations of women’s rights around the world. However, the
force of the protocol is limited, since ratifying states have the option of rejecting a request from the Committee to investigate violations of women’s rights on their territory.

Within the Council of Europe, the issue of equality between women and men is seen as a fundamental human right and is the responsibility of the Steering Committee for Equality between Women and Men (CDEG). This is an intergovernmental body within the Council, which carries out analyses, studies and evaluations, defines strategies and political measures and, where necessary, decides on the appropriate legal instruments.

The 1995 Fourth World Conference of Women, held in Beijing, China, drew together almost 47000 women and men, and to date it remains the largest gathering of government and NGOs representatives at any United Nations conference. At this historic event, 189 countries unanimously adopted the Beijing Declaration and the Platform for Action. National governments committed themselves to promoting gender equality in the formulation of all government policies and programmes. They identified the following twelve common critical areas of concern: poverty, education and training, health, violence against women, armed conflict, economy, power and decision-making, institutional mechanisms for gender equality, human rights, media, the environment and young girls.

Education ... the solution.

A very important step would be to move from rights recognition to rights empowerment. All human rights educators need to appreciate the sensitive nature of the human rights vision and to honour the differences among individual women’s needs and responses. Without such sensitivity, human rights education could become just another form of manipulation or oppression of women. Education is a key target for gender equality, since it involves the ways in which societies transfer norms, knowledge and skills.

“Combating gender-based violence and promoting gender equality requires education and active involvement of all sectors of society, especially young women and men and members of minority groups, from the beginning”

? As an educator or youth leader, do you use a gender focus in your work with young people?

References

Connell, R. W., Gender and power. Stanford University Press.


Some useful websites on women’s issues

OECD-DAC Gender, www.oecd.org/dac/gender

United Nations Educational, Scientific and Cultural Organisation (Unesco), www.unesco.org/gender


United Nations Development Fund for Women (UNIFEM), www.unfpa.org/unifem


European Women’s Lobby (EWL), www.womenlobby.org

Women Against Violence Europe (Wave Network): www.wave-network.org

Men Against Violence Against Women (MAVAW): http://menagainstviolence.tripod.com

Young Women from Minorities (WFM), www.wfmonline.org

The main problem is that the definition of equality used is a very narrow one of de jure equality and this does not always provide protection against discrimination. A second problem lies in the fact that women have traditionally had to work on these questions outside the “mainstream” of society. A third problem is that women occupy a weak position in decision-making structures in most countries.29
Our world is gradually becoming one single huge market. Some people have said that the world has become a village.

**We all talk about globalisation but do we know what it is exactly?**

Globalisation refers to a process that is characterised by:

1. the expansion of telecommunications and information technologies;
2. the reduction of national barriers to trade and investment;
3. Increasing capital flows and the interdependency of financial markets.

Indeed, globalisation promotes an increasing mobility of people although the control over migrations is greater than ever (air traffic has never been so important in the world’s history), global alliances among companies are more and more common (see the examples of the telecommunication and food industries), and it is possible to chat through computers with people from virtually any country in the world. Finally, the recent financial crashes in Asia and Latin America have demonstrated the increasing financial and economic interdependency.

**And what are the key challenges of globalisation?**

There is a lot of controversy about the current and potential consequences of globalisation. We can identify many dilemmas and in many cases there are no clear-cut answers. Numerous sectors and individuals such as human rights activists, scholars, economists, researchers and sociologists concerned by its negative impact have identified some of the following issues as key challenges:

1. **Reduction of state sovereignty**: Where governments have less and less control over key decisions that can affect their economies and consequently the well-being of their people, the most powerful transnational companies, intergovernmental structures and private financial institutions have a growing influence and tend to act in the same way as governments. This is why it is said that the sovereignty of states has been strongly reduced. Their traditional roles are being redefined.
2. “Economically focused”: Economical considerations are taking over political and social considerations. Since private companies and intergovernmental international and regional organisations are increasingly assuming a predominant role in running states and world affairs, there is a risk that the economic and financial dimensions will prevail as the sole concerns of these institutions ignoring other fundamental issues related to social, health or environmental aspects.

3. Lack of transparency and responsibility: Governments, public institutions, national banking authorities, etc., traditionally in charge of deciding the future of their countries and people, have seen this responsibility in some cases being gradually taken away from them. Many of their actions and decisions are controlled since they are democratically accountable, but this is not the case for transnational corporations or international and regional institutions. In the case of human rights violations, for example, it is almost impossible to hold them responsible and to monitor their actions. Furthermore, in many of these instances, concern has been expressed over the lack of transparency of the existing decision-making mechanisms. For instance, in some cases in the World Trade Organisation, decisions are taken behind closed doors after complex processes of multilateral informal or formal negotiations.

4. “Race to the bottom”: One particular characteristic of the liberalisation of trade is that transnational companies tend to relocate in countries offering better comparative advantages, which in practical terms means lower salaries for workers, less strict labour legislation, more flexible working conditions, non-existing or non-applied environmental legislation, lower taxes and cuts in social expenses such as unemployment insurance, health care, etc. In these circumstances, it is easy to come to the conclusion that human rights are strongly being affected by such practices, especially but not exclusively with regard to the economic and social rights of the workers in the host countries that are facing difficult social and economic conditions and are in need of foreign investments to help reactivate their already fragile economies.

5. Homogenisation: Some argue that the threat of living in a single integrated society with standardised social and cultural patterns of behaviour would condition us to eat the same food, listen to the same music or watch the same movies wherever we live and whatever our nationality. This situation would deny the specificity of each country and would violate our rights to enjoy our own cultures.

In this context, consumer boycotts have sometimes been successful in rectifying unethical and unlawful business practices. Additionally, some companies and organisations are trying to develop business strategies that would transcend the problems of globalisation.

More specifically, as far as trade liberalisation is concerned, some of the main intergovernmental international and regional institutions that have been promoting it are:

- The World Trade Organisation
- The International Monetary Fund
- The World Bank
- The World Economic Forum. A private organisation gathering the most powerful 2000 companies in the world. They meet every year in Davos, Switzerland.
- Regional trading blocs such as the European Union, the North American Free Trade Agreement (NAFTA) and the Asia Pacific Economic Co-operation (APEC).

Do you know where the clothes you are wearing or the food you are eating come from?

The Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the revised European Social Charter, as well as the Community Charter...
of Fundamental Social Rights of Workers and the European Union Charter of Fundamental Rights (although this last is not yet legally binding) are some of the international and regional instruments that are particularly relevant to the issue of globalisation. It is worth mentioning that the United Nations Sub-Commission on the Promotion and Protection of Human Rights, as well as the Sub-Commission on the Prevention of Discrimination and Protection of Minorities have both adopted resolutions on human rights and globalisation, the first one on trade liberalisation and its impact on human rights (Resolution 1999/30) and the second one on human rights as the primary objective of trade, investment and financial policy (Resolution 1998/12).

Some of the assumed positive aspects of globalisation

1. Redefining citizenship: There is a new dimension of citizenship that is emerging and which is called global citizenship. It combines with the traditional concept of citizenship linked to the exercise of political and legal rights and obligations such as voting. Indeed, to be a global citizen nowadays means to be more critical of what we consume and in which conditions products have been produced, and to be more aware of global issues such as poverty affecting the world, environmental problems or violence. Additionally, some people argue that social and cultural globalisation means the opposite of homogeneity; that, on the contrary, new practices and identities are created as a result of the processes of interaction.

2. Increasing mobility and faster communications: Despite the obvious increasing technological gap between the haves and the have-nots which is one of the major downsides of this trend, one of the positive consequences of the opening up of borders and the development of the Internet and other technologies is that it has become increasingly easier to travel from one country to another or to communicate with people from all over the world. This gives us the opportunity to share and learn from one another and from other cultures, hopefully by teaching us to be more tolerant and respectful.

3. The gradual opening up of borders: Should facilitate the development and implementation of transnational and regional judicial systems of protection of human rights that can rectify human rights violations. The European Court of Human Rights is an example of quite an efficient regional system of protection of human rights.

The anti-globalisation movement

As a response to financial and economic globalisation, important sectors of civil society concerned by its negative impact have started to organise a world movement to promote what they call a humanisation of globalisation. This international movement commonly called ‘the anti-globalisation movement’, gathers trade-unions, environmental non-governmental organisations, politicians, human rights activists, scholars, women’s institutions, etc., in short, a wide range of institutions and individuals interested in building a more equitable world which, according to them, cannot exist as long as neo-liberalism, deregulation and privatisation are the main engines of economic globalisation. They call for globalisation with a human face. Some of these groups have chosen to demonstrate their disagreement by participating in large protests during meetings organised by the G7+1 and other institutions that promote such phenomena. Unfortunately, the most highly visible aspect during such events has been the violent incidents which have caused a lot of material damage. This movement is also gradually organising itself. The World Social Forum has met in Porto Alegre, in Brazil “parallel” to the World Economic Forum meeting.
in Davos, Switzerland, and gave the opportunity to thousands of delegates from civil society
organisations to analyse issues related to globalisation and its consequences and to study
alternatives. Under the slogan “Another world is possible” some of the numerous key issues
discussed were the process of reforming the World Trade Organisation, the defence of human
rights (especially economic, social and environmental rights) and debt relief for the Third World.

In conclusion, we could quote Xavier Godinot of ATD Quart Monde: “Globalisation is a collective
challenge as well as an invitation for each of us to reinvent new ways of being citizens of the world.”

**Some NGOs and institutions dealing with globalisation:**

- Oxfam, [www.oxfam.org](http://www.oxfam.org)
- Fédération Internationale des Droits de l’Homme, [www.fidh.org](http://www.fidh.org)
- International Forum on Globalisation, [www.ifg.org](http://www.ifg.org)
- L’Observatoire de la Mondialisation, [http://terresacree.org/obsmondi.htm](http://terresacree.org/obsmondi.htm)
- ATTAC, [www.attac.org](http://www.attac.org)
- World Social Forum: [www.forumsocialmundial.org.br](http://www.forumsocialmundial.org.br)

*Do you know any other institution or individual from your own country
that can be added to this list?*

**References**


“Solidarity is the tenderness of peoples.”

Ernesto Cardenal
Health is a social, economic and political issue as well as an issue concerning human rights. Inequality and poverty lie at the root of ill health, as well as the deaths of poor and marginalised people. The World Health Report classifies sicknesses and causes of death with number codes. The first cause of death around the world, according to the World Health Report, is that corresponding to number 259.5: extreme poverty. It has become a vicious circle: poverty causes illness, which in turn leads to greater poverty.

In recent decades, economic changes worldwide have profoundly affected people’s health and their access to health care and social services. World resources are increasingly concentrated in the hands of a few economic players who strive to maximise their private profits. Economic and financial policy is increasingly made by a small group of governments and international bodies, such as the World Bank, the International Monetary Fund and the World Trade Organisation. The policies of these organisations, together with the activities of multinational companies, have severe effects on the lives, livelihoods, health and well-being of people in both the Southern and the Northern hemispheres.

As never before, the figures of deaths and illnesses have the face of injustice and inequality: 75% of the world population live in developing countries and represent only 8% of the world’s pharmaceutical market. Furthermore, one third of the world population has no access at all to essential drugs.

**Aids and human rights**

A paradigmatic example is Aids. While in rich countries, people who have HIV/AIDS can live better and longer because of anti-retroviral drugs, which are provided by some states for free or at reasonable prices, in southern countries people affected by HIV die because they have no access to treatment. In most cases, the annual per-capita expenses in health amount to about US$10.
The United Nations Commission on Human Rights in a report issued on AIDS and human rights has identified the following human rights, among others, as tightly linked to the spread of AIDS all over the world:

- **The right to marry and found a family.** A report by the UN Commission on Human Rights states that “it is clear that the right of people living with HIV/AIDS is infringed by mandatory pre-marital testing and/or the requirement of “AIDS-free certificates” as a precondition for the grant of marriage licences under state laws. Secondly, forced abortions or sterilisation of women living with HIV violates the human right to found a family, as well the right to liberty and integrity of the person.”

- **The human rights of children and young people** may also be under threat. “Many of these rights, such as freedom from trafficking, prostitution, sexual exploitation and sexual abuse, are relevant to HIV/AIDS prevention, care and support for children, since sexual violence against children, among other things, increases their vulnerability to HIV/AIDS. The freedom to seek, receive and impart information and ideas of all kinds and the right to education both provide children with the right to give and receive all the HIV-related information they need to avoid infection and to cope with their status if infected.”

- **The right to privacy** covers obligations to respect physical privacy, including the obligation to seek informed consent to HIV testing, and also privacy of information, including the need to respect confidentiality of all information relating to a person’s HIV status. The individual’s interest in his/her privacy is particularly compelling in the context of HIV/AIDS, firstly because of the invasive character of a mandatory HIV test, and secondly because of the stigma and discrimination attached to the loss of privacy and confidentiality, if HIV status is disclosed. The community has an interest in maintaining privacy so that people will feel safe and comfortable in using public health measures.”

- **The right to education:** “This right includes three broad components which apply in the context of HIV/AIDS. Firstly, both children and adults have the right to receive HIV-related education, particularly regarding prevention and care. Access to education concerning HIV/AIDS is an essential life-saving component of effective prevention and care programmes. It is the state’s obligation to ensure, in every cultural and religious tradition, that appropriate means are found so that effective HIV/AIDS information is included in educational programmes inside and outside schools. Secondly, states should ensure that both children and adults living with HIV/AIDS are not discriminated against by being denied access to education, including access to schools, universities, scholarships and international education or subjected to restrictions because of their HIV status. There is no public health rationale for such measures since there is no risk of transmitting HIV casually in educational settings. Thirdly, states should, through education, promote understanding, respect, tolerance and non-discrimination in relation to persons living with HIV/AIDS.”

- **The right to work** entails the right of every person to access to employment without any precondition except the necessary occupational qualifications. This right is violated when an applicant or employee is required to undergo mandatory testing for HIV and is refused employment or dismissed or refused access to employee benefits on the grounds of a positive result.”
Health and youth

In recent years, a worrying trend in many European Member States has been the rise in the consumption of alcohol by young people at increasingly younger ages. The harm they experience as a result is considerable. A comparative risk analysis shows, for instance, that one in four deaths in males aged 15-29 years in the European region is attributable to alcohol. These considerations led to the decision to make “Young people and alcohol” the theme of the WHO Ministerial Conference (Stockholm, 19-21 February 2001), and the overall goal of the conference was to boost implementation of the European Alcohol Action Plan.

The conference adopted a declaration containing the following main elements:
1. identification of alcohol as an important issue in young people’s health;
2. confirmation of the need to have public health/alcohol policy developed, without any interference from commercial or economic interests;
3. the opportunity to have young people themselves involved in the policy-making process;
4. the need to determine targets, at national and local levels, to reduce the impact of alcohol on young people’s health.

Several steps were recommended for approval by the Regional Committee for Europe of the World Health Organisation. These included:
- strengthening international partnerships, especially with the European Commission, the Council of Europe, the United Nations Children’s Fund and the European Forum of Medical Associations and World Health Organisation (WHO);
- maintenance of contact with young people and their organisations throughout the region;
- the establishment of a system for monitoring the promotion of alcoholic beverages to young people.

Can you make a list of concrete and practical actions that could be developed to help implement these recommendations in your own community and country?

As is emphasised in the above recommendations, young people can and should be strategic partners in activities or programmes that deal with health problems, either through prevention or intervention. There are youth organisations that are active in this field of health, such as the International Federation of Red Cross and Red Crescent Societies, which have youth sections all over the world. The European Network of Health Promoting Schools is a tripartite project launched by the World Health Organisation Regional Office for Europe, the European Commission and the Council of Europe. It emphasises the importance of health promotion in the education
system by means of collaboration between health and education professionals and members of the community.

**The right to health**

The right to health is mentioned in several international human rights instruments such as in Article 12 of the International Covenant on Economic, Social and Cultural Rights, and Article 24 of the Convention on the Rights of the Child. As far as Europe is concerned, Article 13 of the European Social Charter refers to it extensively:

“With a view to ensuring the effective exercise of the right to social and medical assistance, the Contracting Parties undertake:

1. To ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by this condition;
2. To ensure that persons receiving such assistance shall not, for that reason, suffer from a diminution of their political or social rights;
3. To provide that everyone may receive by appropriate public or private services such advice and personal help as may be required to prevent, to remove, or to alleviate personal or family want;
4. To apply the provisions referred to in paragraphs 1, 2 and 3 of this Article on an equal footing with their nationals to nationals of other Contracting Parties lawfully within their territories, in accordance with their obligations under the European Convention on Social and Medical Assistance, signed at Paris on 11th, December 1953.”

The 1999 World Health Report identified the following four main challenges for national governments, the international community, and civil society:

1. **Directing health systems towards delivering a minimum number of interventions, which would have the greatest impact in reducing the excessive disease burden suffered by the poor.** This includes a renewed commitment to malaria control, extended efforts to control tuberculosis, a focus on maternal and child health and nutrition, and the revitalisation and extended coverage of immunisation programmes.
2. **Enabling health systems to counter proactively the potential threats to health resulting from economic crises, unhealthy environments or risky behaviour.** One of the most important threats is tobacco addiction. A global commitment to tobacco control could avert millions of premature deaths. Other priorities include combating the spread of resistance to anti-microbials and mounting an effective response to the threat of emerging diseases. Also critical are the global eradication of polio and the promotion of healthy lifestyles (including cleaner air and water, adequate sanitation, healthy diets and safer transportation).
3. **Developing health systems that provide universal access to clinical services with no fees (or only small fees) at the point of delivery.** This will require public finance, government-mandated social insurance, or both. However, it is recognised that if services are to be provided for all, then not all services can be provided. The most cost-effective services should be provided first. Even the wealthiest countries cannot provide entire populations with every intervention where the medical value outweighs the risks.
4. encouraging health systems to invest in expanding the knowledge base that made the twentieth-century revolution in health possible and that will provide the tools for continued gains in the twenty first century. The most critical need is for research and development on infectious diseases that disproportionately affect the poor and the establishment of an information base to help countries develop their own health systems.

References

Human security

The concept of human security emerged on the world scene only towards the end of the twentieth century. Before that, for over three hundred years, the idea of state security was a familiar and accepted concept. States were entitled, indeed expected, to defend their territorial integrity against external threats, and special measures were even permissible towards such an end, but the notion of security, at least at the international level, stopped at the borders of the state.

The discourse on security changed in the 1990s, and the international community began to accept the importance of special measures to defend not just states but people from threats to their security, even where this went against the wishes of the government in question. Of course, even before that, there was a common use of the word “security” which applied to people, but the radical change in the 1990s lay in international discourse: for the first time, the defence of a people, which had formerly been regarded as the sovereign business of individual nation states, became potentially the business of the international community.

The language changed, and so did the actions

Collective security actions, involving coalitions of nations and under the guidance of the United Nations, were taken not necessarily with the aim of enhancing the security of states, but primarily in the name of the security of people(s). Events that had previously been referred to only in such terms as humanitarian disasters came to be redefined in terms of peace and security. This was used to justify international enforcement measures, one of the first examples of which was the humanitarian enforcement programme in Somalia (1992-93), where the United Nations Security Council determined that

“the magnitude of the human tragedy … constitutes a threat to international peace and security”.

“The meaning of human security is synonymous with that of ‘the security of people’ … The objective of human security is the safety and survival of people.”

Dr. Sverre Lodgaard

Related activities
- Can I come in?, page 98.
- Money to spend, page 177.
- Rights bingo, page 206.
- The language barrier, page 228.
- The scramble for wealth and power, page 231.
- Violence in my life, page 248.
- When tomorrow comes, page 250.
The United Nations Operation in Somalia (UNOSOM) was established in 1992 to monitor the cease-fire in Mogadishu and escort deliveries of humanitarian supplies to distribution centres in the city. The mission’s mandate and strength were later enlarged to enable it to protect humanitarian convoys and distribution centres throughout Somalia.

“The Security Council,”

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Determined to resolve the grave humanitarian situation in Kosovo, Federal Republic of Yugoslavia, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Determining that the situation in the region continues to constitute a threat to international peace and security … and acting for these purposes under Chapter VII of the Charter of the United Nations,

…Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:

1. Deterring renewed hostilities … ;
2. Demilitarising the Kosovo Liberation Army (KLA) … ;
3. Establishing a secure environment in which refugees and displaced persons can return home in safety … and humanitarian aid can be delivered;

Ensuring public safety and order … .

Extracts from Resolution 1244 (1999). Adopted by the UN Security Council at its 4011th meeting, on 10 June 1999.

Two aspects of change:

The above extract from the United Nations resolution on Kosovo illustrates the two fundamental changes that had come about in the classification of issues as posing a threat to international security:

1. the types of events that came to be seen as a threat to security;
2. the extension of security concerns to cover intra-state events as well as conflicts between nation states.

What led to the change?

There were a number of influences which prompted this movement away from a definition of security that focused on states to one that focused on people. One such influence was undoubtedly the end of the cold war, which allowed the interests of governments and peoples that had previously been hidden to come to the surface. One result was an outburst of complex and vicious conflicts, often intra-state, where the cost in terms of civilian casualties required a new type of response.

However, there was perhaps a more important influence than merely the realisation that the defence of peoples sometimes required an international response. This realisation had, after all, been there for many years, but “interfering” in what were seen as purely domestic affairs had not been considered a possible or acceptable course of action. Now, however, the increasing profile of human rights concerns in the world led to a form of justification which was, if not universally, then at least very widely acceptable: human rights, after all, are concerned precisely with people rather than states, and all countries in the world express their agreement at least in principle with these norms.

To what extent should the domestic policies of nations be subject to scrutiny by the international community?
Individual or state interests?

The central idea behind human rights is that there is a certain level of human dignity which cannot be infringed by any government or individual. Thus, it is an inevitable consequence of embracing human rights that states relinquish some of their sovereignty, in the old sense of that term. In signing up to internationally agreed human rights norms, they have thereby agreed to put the individual at the forefront of all their actions, and they therefore relinquish their ability to do absolutely anything in the name of the interests of the state.

It is this idea that has gained ground in the last ten years in the field of international relations. It has resulted not only in an increasing number of United Nations missions with a much broader mandate than previously but also in the pressure to set up a permanent international criminal court, where violators of human rights can be tried outside the borders of any particular state.

The International Criminal Court

The international community met in Rome, Italy, from 15 June to 17 July 1998 to finalise a draft statute which, when ratified by a minimum of 60 countries, will establish an International Criminal Court (ICC). This will be a permanent court for trying individuals accused of committing genocide, war crimes and crimes against humanity.

Continuing debates: freedom from “want”

The origins of the new focus on human security are often traced to the publication of an Agenda for Peace by United Nations Secretary-General Boutros Boutros-Ghali in 1992. This document suggested that threats to global security were not only military in nature:

“A porous ozone shield could pose a greater threat to an exposed population than a hostile army. Drought and disease can decimate no less mercilessly than the weapons of war.”

It was suggested that not only were environmental instability, poverty, famine and oppression critical security issues in and of themselves, they were also both sources and consequences of conflict.

The United Nations Development Programme Human Development Report of 1994 followed up this idea of a broader interpretation of the concept of security, suggesting that the concept of human security can be broken down into two component factors:

1. “protection from sudden and hurtful disruptions in the pattern of our daily lives,” (known as freedom from fear); and
2. “safety from the constant threats of hunger, disease, crime and repression,” (known as freedom from want).

The report elaborated these concepts further and went on to identify seven separate components of human security:

- economic security (assured basic income);
- food security (physical and economic access to food);
- health security (relative freedom from disease and infection);
- environmental security (access to sanitary water supply, clean air and a non-degraded land system);
- personal security (security from physical violence and threats);
- community security (security of cultural identity);
- political security (protection of basic human rights and freedoms).
However, this very broad conception of human security has been criticised by many who believe that the more components we include within the concept, the less useful it becomes as a policy tool. In particular, one of the founding members of the international “Human Security Partnership”, the Canadian Department for Foreign Affairs and International Trade (DFAIT), proposes a much narrower definition: “Human security means safety for people from both violent and non-violent threats. It is a condition or state of being characterised by freedom from pervasive threats to people’s rights, their safety, or even their lives ... The litmus test for determining if it is useful to frame an issue in human security terms is the degree to which the safety of people is at risk.”

What are the advantages and disadvantages of extending the concept of security to include freedom from ‘want’ as well as freedom from fear?

The Human Security Agenda

Despite the different interpretations, definitions and emphases, the different concepts of human security do have common elements. The following characteristics are emerging as central to a human security agenda.

- There is a shift of emphasis from the security of states to the security of people. This is considered one of the primary contributions of the concept of human security. As mentioned previously, for centuries, security has been seen primarily as national or state security; now, the notion of human security brings people into international discussions and raises concerns around the security and safety of people, not just States.
- This implies and re-emphasises the obligations of states to ensure the security of their citizens. The focus on people’s security raises the profile of states to provide for and protect their citizens.
- It recognises the inter-relatedness of people and the fact that many issues cross state borders and other boundaries. A human security position highlights the inter-dependent nature of people in today’s world, reminding us that many problems do not have “passports” and cannot be stopped at political borders. Women and men in industrialised countries, for example, are not isolated from poverty in developing countries, as is evidenced by migration patterns and diseases that do not respect borders; and people in developing countries are at risk from the industrial pollution produced by northern factories.
- It recognises the importance of non-state actors. The international campaign against landmines is often cited as an effective initiative spearheaded by non-governmental organisations. “Civil society organisations are seeking greater opportunity and greater responsibility in promoting human security. In many cases, non-governmental organisations have proven to be extremely effective partners in advocating the security of people.”
- It requires that those responsible for violations of human rights and humanitarian law are held accountable. The creation of the International Criminal Court as well as the International Criminal Tribunals for the former Yugoslavia and Rwanda are seen as important advances in the pursuit of a human security agenda.
- It highlights the complexity of security issues reinforcing the need for multi-faceted responses. Among the different uses of human security, there is agreement that it is a multi-faceted concept that requires co-ordination and collaboration among a wide range of actors. One response given prominence is an increased reliance on “soft power” or persuasion rather total focus on military might and hardware (“powerful ideas rather than powerful weapons”).
**Personal security and the ECHR**

The right to liberty and security of person is protected under Article 5 of the European Convention on Human Rights, and the importance of Article 5 was soon apparent in some of the early cases coming to Strasbourg. Of the first 10,000 cases, nearly a third came from individuals deprived of their liberty.

This article concerns the protection of physical liberty and in particular freedom from arbitrary arrest or detention. It guarantees certain basic procedural rights such as the right to be informed promptly of the reason for arrest, the right to be brought promptly before a judicial officer and the right to take proceedings by which the lawfulness of the detention, or continuing detention, may be decided speedily by a court.

Examples of cases under Article 5 that have been tried before the European Court of Human Rights include:

1. **Bozano v. France, 1986**
   The Court found that the circumstances surrounding the arrest and deportation of the applicant from France to Switzerland were neither lawful nor compatible with the right to security of person.

2. **Brogan and Others v. the United Kingdom, 1988**
   The Court found that the holding of the applicants under prevention of terrorism legislation for periods exceeding four days, without having the legality of their detention decided upon, violated their right to be brought promptly before a judicial officer.

3. **De Wilde, Ooms and Versyp v. Belgium, 1970/71**
   The Court held that the procedures open to the applicants to challenge the lawfulness of their detention under vagrancy legislation did not give them access to a remedy with the necessary guarantees to contest their long deprivation of liberty, ranging from seven months to one year and nine months.

**References**


The Canadian Department for Foreign Affairs and International Trade (DFAIT), [www.dfat-maeci.gc.ca/foreignp/humansecurity](http://www.dfat-maeci.gc.ca/foreignp/humansecurity)
In his autobiography, President Mandela recounts a stopover he made north of the Arctic Circle at Goose Bay where a group of young Inuit had come to him:

"... in talking with these bright young people, I learned that they had watched my release on television and were familiar with events in South Africa. 'Viva ANC!' one of them said. The Inuit are an aboriginal people historically mistreated by a white settler population; there were parallels between the plights of black South Africans and the Inuit people. What struck me so forcefully was how small the planet had become during my decades in prison; it was amazing to me that a teenage Inuit living at the roof of the world could watch the release of a political prisoner on the southern tip of Africa. Television had shrunk the world, and had in the process become a great weapon for eradicating ignorance and promoting democracy.\(^{136}\)

The process skilfully described with one single image by President Mandela is that of an exponential acceleration in the diffusion of the various media. A little over a century ago, in 1895, Marconi sent the first wireless message; two decades earlier Edison had invented the phonograph. Recent decades have seen technical progress accelerating after the invention of radio and television and subsequently broadcasting in both media. How this broadcasting is currently taking place was difficult to foresee when in October 1957, the Soviet scientists launched the Sputnik, the first spacecraft to go into orbit, a metallic sphere two feet in diameter that was designed to determine the density of Earth’s upper atmosphere. In this case, the event was broadcast through radio and the satellite circled Earth for only three months. Twelve years later the United States of America would broadcast by television the images of our planet as one single body and of the first man to set foot on the moon.

Today, the idea of "one world" and of satellite/parabolic communication has acquired a central role in addressing key global as well as local issues. The first international satellite system, Intelsat, was put in place in 1965. Since then, space-age telecommunications, information technology, and optical electronics have converged with conventionally understood “mass media” to give people an unprecedented array of tools - from the simple cellular telephone to...
Challenges of a media-rich world

The Unesco Commission on Culture and Development that helps to analyse modern communication trends and the central role of Western culture within the globalisation process describes new technologies as offering unheard-of scope for the media. Traditional forms of censorship have become increasingly difficult, the media can reinforce a sense of global solidarity and multi-media technologies are creating new artistic and intellectual challenges. The ease of reproduction and transmission has made it much more difficult for any government to control - let alone censor - the information people receive or send. The media of today are helping to sustain people’s movements as well as to create a better-informed citizenry. They are also strengthening the sense of global solidarity, without which no global ethics could begin to crystallise. “Media images of human suffering have motivated people to express their concern and their solidarity with those in distant places by contributing to relief efforts and by demanding explanations and action from governments.”

Negative aspects have to be stressed as well. It is probably an underestimate to say that at this moment over 100 journalists are being held in prisons in over 20 countries for exercising their ostensibly guaranteed right to freedom of expression, not to mention those who have paid with their lives for exercising their profession.

The availability of means is another problem that has to be mentioned. How can the communications revolution reach the billions of people without electricity in hundreds of thousands of human settlements in the developing world? They are still the have-nots of the information revolution. The haves are a minority, mostly citizens of developed countries and urban residents elsewhere, who can hope to be connected to satellite television or the international information networks.

Did you know that…

For developing countries, the weak link in the infrastructure chain is often the “last mile” from the local exchange to the household. Some African countries are indeed so poor in telecommunications that there is less than a single telephone line per 1000 people. Or, to put it more starkly still, there are more phones in Tokyo or Manhattan than in the whole of Africa. The 1999 Human Development Report provides a comprehensive comparison of the availability of telephone lines, TV sets, faxes, PC and Internet hosts world-wide. Developed countries have an average of 502 telephone lines, 595 TV sets, 45 faxes, 204 PC and 35 Internet hosts for every 1000 people, while poorer countries, for every 1000 people, have an average of 4 telephone lines, 36 TV sets, 0.2 faxes and no significant presence of PCs or Internet access. Presently, the radio remains the only medium which is sufficiently wide-spread across the globe and responds to the need of oral cultures as well.

What effects do these rapid changes have on our perception of world events?

Three crucial dimensions in the changing nature of media can be highlighted:

1. The rapid development of telecommunications and media technologies has changed the very nature of the media. In terms of both space and time they are becoming an integral part of events taking place. Live coverage itself has been transformed into a new event. Examples of this are the landing of United States marines in Somalia and...
Haiti and the assault on the Beli Dom and the Ostankino television station in Moscow.

2. Politicians have a powerful and crucial influence on the media in non-democratic regimes and unconsolidated democracies. In democratic societies, politicians endeavour to influence the media as much as possible by spin-doctoring. On the other hand, the media themselves are able to exert an increasingly decisive influence on the behaviour and decisions of politicians.

3. Commercialisation suppresses the diversity of programming, as well of programmes relating to minorities, alternative culture and subcultures. The pursuit of higher audience ratings is reflected in the reporting of news and current affairs. News presentation, the selection of excerpts from reality presented by media to their audiences is now characterised by the trivial, the bizarre and the scandalous. As a consequence of this, hard news now occupies less space in the media. There is less willingness to cover the expenses of public service broadcasters which are now being forced into commercialisation. In the process, the public has the most to lose – it loses its sources of information.

Article 11 of the European charter for regional or minority languages (1992) on Media

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

A. to the extent that radio and television carry out a public service mission:

i. to ensure the creation of at least one radio station and one television channel in the regional or minority languages; or

ii. to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or

iii. to make adequate provision so that broadcasters offer programmes in the regional or minority languages.

A need for alternatives

Especially at the time of tensions and violent conflicts such as those affecting, for example, the Balkan region, "new channels for the free flow of information could and should contribute to pluralism, economic and social development, democracy and peace … Training programmes on journalistic ethics should sensitisie journalists to prejudices and discrimination".

One of the leading Internet portals promoting information about human rights, One World (www.oneworld.net), has summarised in the following way the present four main challenges to democracy in the media:

1. Freedom of speech. Traditionally, many discussions of media democracy have focused on the right to freedom of expression. Particularly during the Cold War years, Western governments made much of state censorship in the Soviet bloc as a useful contrast to the supposed freedom of their own press. Yet, although free speech is still a right denied in many instances across the world, concentrating exclusively on that aspect has obscured issues even more fundamental to media democracy in many countries today.

2. Voice projection. In the media, democracy is much more than just "being able to say what you like". Media democracy is about voice projection – making yourself heard. While technology has made it easier than ever to publish your own magazine (or record your own video news), it has become more difficult to reach even the smallest audience with that material. Even if you can find a distributor to take it round to the tiny number

Article 19, Universal Declaration of Human Rights

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
of independent outlets still open and willing to stock it, the fact that you can’t spend
millions on advertising each year means only a hardened few will ever pick it up.

3. **Concentration of ownership.** In its more sophisticated form, censorship is achieved not
through legal repression but through capitalist institutions working together to maintain
the hegemony of their beliefs. Control of the most powerful new media tools is still
concentrated in the hands of a few (nationally or internationally), in private ownership
or under governmental monopoly. This means that the majority of media businesses
are owned by a tiny number of industry giants. Whether in individual countries or -
increasingly - on a global scale, these cartels effectively control the images and stories
through which we understand the world. Instead of a true democratic diversity, we
are offered infinite versions of the same product (with slight variations in the packaging).

4. **Keep it safe.** This lack of variety has serious consequences, as it becomes increasingly
difficult to voice alternatives to the mainstream media’s orthodoxy. How much coverage
was given to the hundreds of thousands in North America and Western Europe
campaigning against their countries’ assault on Iraq in the Gulf War? Restricted media
democracy leads to restricted political democracy, as alternative ideas are deliberately
kept away from public attention (especially if they might offend the advertisers).

### Concentration of ownership

“Two nuclear power plant manufacturers own two of the USA national TV networks – General Electric owns NBC and Westinghouse
owns CBS. The other network is owned by a cartoon company: Disney owns ABC”, alerted USA presidential candidate Ralph
Nader. One advertising group is able to corner today 40% of the market. The concentration of power as witnessed with the
fusion of American On Line (AOL), Time Warner and the Turner group raises the spectre of cultural hegemony.

**Do you think that being subjected to the continuous commercial propaganda through mass media takes away from us our capacity to make free choices?**

**Do you think that youth exposure to inappropriate material with violent or racist content, for example, on television has an influence on its thinking and attitudes?**

### NGOs and media

1. The Baltic Media Centre is an independent, non-profit foundation (NGO) promoting democracy, social development, and a
peaceful international co-operation through the active participation of the media, [www.bmc.dk](http://www.bmc.dk).

2. AIM (Alternativna Informativna Mreža / Alternative Information Network) is a network of independent journalists in former
Yugoslavia and the southern Balkans, which provides a service of in-depth information in the local languages and in English.
[www.aimpress.org](http://www.aimpress.org)

3. Reporters sans Frontières is an organisation that provides information on reporters who wrote freely and are in jeopardy worldwide.
It organises petitions and letter writing campaigns in defense of threatened journalists. For more information, see [www.rsf.fr](http://www.rsf.fr).

### References

- [www.humanrights.coe.int/media](http://www.humanrights.coe.int/media)
- Our creative diversity, report of the *World Commission on Culture and Development, Unesco, 1995*.
- *World Communication and Information Report, Unesco publishing, 1999*.
What is the relationship between peace and human rights? Is peace a human right?

The massive violations of human rights during World War II and the desire for peace were at the origin of the Council of Europe. A culture of human rights is a pre-condition to achieve a state of peace in any country of the world. The right to peace belongs to the third generation of human rights or so-called solidarity rights.

The United Nations Educational, Scientific and Cultural Organisation (Unesco) is the leading institution that has been active in promoting this right. Indeed, in 1994, Federico Mayor, the then Director-General of Unesco, launched an international appeal for the establishment of a right to peace. In 1997, a proposal for a declaration presenting peace as a human right was submitted to the Unesco General Conference. The proposal was rejected, but the right to peace is still on the United Nations agenda. The Commission on Human Rights in early 2001 adopted a Resolution on the Promotion of the Right of Peoples to Peace.

Do you think there should be a specific right to peace, or is it part of existing human rights already?

Then what is peace?

The concept of peace has an important cultural dimension. Traditionally in oriental cultures, peace has to do more with inner peace (peace in our minds or hearts) while in the western world, peace is understood to be outside the individuals (absence of war or violent conflict). For example, in India the word peace is "shanti" and implies a perfect order of the mind or peace of mind. Gandhi based his philosophy and strategy on a concept called Ahimsa, which means broadly to refrain from anything at all harmful. He said, "literally speaking, Ahimsa means non-violence. But to me it has a much higher, an infinitely higher meaning. It means that you may not offend anybody; you may not harbour uncharitable thoughts, even in connection..."
with those who you consider your enemies. To one who follows this doctrine, there are no enemies”. In the Maya tradition, peace refers to the concept of welfare; it is linked to the idea of a perfect balance between the different areas of our lives.

They are many definitions of peace. One of them that has had a strong influence is the distinction that has been made between positive and negative peace by Johan Galtung, an internationally renowned Norwegian scholar and researcher in this field.

Negative peace means that there is no war, no violent conflict between states or within states such as the wars in the Balkans.

On the other hand, positive peace means no war or violent conflict combined with a situation where there is equity, justice and development.

We could summarise these two concepts the following way:

\[ \text{no war} = \text{negative peace} \]
\[ \text{no war + social justice/development} = \text{positive peace} \]

A high level of social justice and a minimum level of violence therefore characterise positive peace.

While some people think that all the problems have been fixed when a war has stopped, in reality a great deal of work remains to be done, namely, to rebuild the country and develop structures that will lead to more social justice and development for all the people living in the countries affected.

We can therefore say that peace is not only a matter of disarmament but it also has to do with the way people live.

Who should be responsible for implementing strategies preventing violence of any kind in your own community?

### Peace Conference

In May 1999, 10000 peace activists of all ages met in The Hague in the Netherlands in pursuit of new strategies for a peaceful twenty-first century. Participants in the historic Hague Appeal conference included 1 500 young people from one hundred different countries. At the end of the conference, the Hague Agenda for Peace and Justice for the 21st Century was presented to the United Nations Secretary General, Kofi Annan. It is now an official United Nations document, with a 50-point plan for global action by governments and civil society.

But can we talk about peace without speaking of violence?

There are many definitions of violence, one of which is that violence is the use of strength - overt or hidden - with the objective of obtaining from an individual or a group something they do not want to consent to freely.

There are different kinds of violence. We can distinguish between direct and indirect (or structural) violence:

- **Direct violence** = physical violence
- **Indirect or structural violence** = poverty, exploitation, social injustice, no democracy, etc.

Therefore, there is peace when there is no direct and no indirect violence.

What is the cost of violence?

In a situation of non-peace, the parties involved in the conflict see their economic and social rights being violated (economy of the country disrupted, black market, loss of jobs or homes, etc.) as well
as their civil and political rights (the right to life is threatened, as well as the right not to be tortured or the right to physical integrity, etc.). The short- and long-term consequences of a violent conflict in terms of human rights violations are devastating and leave deep scars in societies.

The statistics and information below illustrate the cost of violence in human and monetary terms.

**Direct violence:**

1. In Bosnia and Herzegovina, despite the 1995 General Framework Peace Agreements, between 850000 and 1.2 million people are still displaced internally or living as refugees; around 17000 people are still reported as having disappeared.
2. 800000 people died in three months during the 1994 war in Rwanda.
3. The total number of people who died during the first world war was 8538315.
4. In the 1990s, civil wars killed 5 million people worldwide.
5. 500 million small arms are in circulation around the world.
6. In the 1990s, wars and internal conflicts forced 50 million people to flee from their homes.
7. 800 deaths a month are due to anti-personnel mines (landmines).
8. In 1995, 53 million people - one out of every 115 people on earth - were uprooted from their homes, either being displaced within their countries or becoming refugees abroad.

**Indirect violence:**

1. Around 17 million people die every year from lack of medicine.
2. About 24000 people die from the effects of hunger each day. That is about one person every 3.5 seconds.
3. More than 30000 children a day die from mainly preventable diseases.

Violence in general not only leaves physical scars but also emotional scars on any person that has participated either directly or indirectly in conflict situations such as wars or situations of interpersonal violence such as family violence. These scars can provoke long-term traumas that are not visible in people. They are impossible to estimate in terms of monetary costs but nevertheless have a high human cost.

**Do you think that there should be rules limiting the levels of violence in TV programmes?**

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### The six major military spenders in 2000\(^\text{40}\) (in billions of US Dollars)

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### World military spending and its alternatives.\(^\text{42}\)

Total Chart = Total Annual World Military Expenditure in 2001 (US$ 756 billion) \(\square = \text{US$} 1\) billion

**Amount Necessary to…**

- **A)** STABILIZE POPULATION
  - US$10.5 billion
- **B)** STOP DEFORESTATION
  - US$7 billion
- **C)** PREVENT GLOBAL WARMING
  - US$8 billion
- **D)** PREVENT ACID RAIN
  - US$8 billion
- **E)** PROVIDE HEALTH CARE
  - US$15 billion
- **F)** ELIMINATE STARVATION AND MALNOURISHMENT
  - US$19 billion
- **G)** STOP OZONE DEPLETION
  - US$5 billion
- **H)** PREVENT SOIL EROSION
  - US$24 billion
- **I)** PROVIDE CLEAN SAFE ENERGY
  - Renewable Energy: US$17 billion
  - Energy Efficiency: US$33 billion
- **J)** ELIMINATE ILLITERACY
  - US$5 billion
- **K)** END DEVELOPING NATIONS’ DEBTS
  - US$30 billion
- **L)** PROVIDE SHELTER
  - US$2.1 billion
- **M)** PROVIDE SAFE CLEAN WATER
  - US$58 billion
Is violence natural?

Many people are convinced that human beings are naturally violent and that consequently we cannot avoid wars, conflicts and general violence in our lives and our societies. Other specialists in this field claim that we can avoid thinking, feeling and acting violently. The Seville Statement on Violence elaborated in 1986 by a group of scholars and scientists from many countries, North and South, East and West, confirms this by stating that:

1. “It is scientifically incorrect to say that we have inherited a tendency to make war from our animal ancestors…. Warfare is a solely human phenomenon and does not occur in other animals…. 
2. There are cultures that have not engaged in war for centuries and there are cultures which have engaged in war frequently at some times and not at others…. 
3. It is scientifically incorrect to say that war or any other violent behaviour is genetically programmed into our human nature…. 
4. It is scientifically incorrect to say that humans have a “violent brain”…. how we act is shaped by how we have been conditioned and socialised…”.

Most of us are conditioned to react aggressively and violently by our environments. We learn to think, feel and act aggressively and in some cases violently. Wherever we live, we are submitted to a social and cultural pressure that conditions us to read about violence, watch violence, and hear about violence almost constantly. Television programmes, advertisements, newspapers, video games and the movie and music industries contribute largely to this situation. Before reaching adolescence, a child has seen thousands of murders and violent acts just by watching television. Our modern societies, whether consciously or not, make an apology for violence. Violence is seen as being of positive value. In most cultures, saying no to violence and avoiding physical violence or confrontation is perceived as a sign of weakness especially for men, who are put under a lot of pressure by their peers from a very young age.

Do you agree with the statement that violence is never justified, even against the most violent people?

Bullying is a form of interpersonal violence among young people and illustrates how violence is used as a means to feeling more powerful while damaging others. In a 2001 survey, almost half of the students interviewed from a sample of Spanish secondary school students admitted knowing cases of fellow students who were being intimidated by fellow students.

Apart from bullying, there are many forms of interpersonal violence: alcohol- and drug-related violence, gang violence, forced prostitution, slavery, violence in schools, and violence related to racism are all manifestations of interpersonal violence that affect our lives or the lives of many others. Some of these forms of violence affect young people more specifically - gang violence, school violence and racist violence, for example.

Do you agree with the belief that a “real man” should not be afraid of violence?

Sexual abuse and sexual violence against children or women (or even men), are widespread phenomena in our societies. Most of the cases take place in homes and private places and not on the streets, contrary to what is often believed. The offenders are very often known by their victims, and they abuse the trust and confidence they receive to commit their crimes. Most of the victims do not report the crime that has been committed or wait many years
before they do. There are many reasons for this, most of the time interrelated, and, linked to the situation, the identity of the offender, the nature (duration and frequency) of the abuse, the personality of the victim, etc. It can happen that the victim is too young and does not understand what is going on until much later; and/or they need assistance and have no one to trust; and/or they tell the story to someone who refuses to believe them, which happens quite often especially in the case of children; and/or they feel too ashamed, guilty and betrayed; and/or they are threatened and manipulated by the offender. In the majority of the cases, the offender is a family member.

References

Voices of youth explore children and war, www.unicef.org/voy/meeting/war/war-exp2.html, Unicef.
Poverty

Poverty is a worldwide problem and it is increasing. We tend to connect it with places like Sub-Saharan Africa, Asia and Latin America, but in Europe poverty affects millions of people, too. Of the European Union’s 400 million inhabitants, 60 million live below the poverty line (which is defined as 50% of a country’s average income), and 2.7 million are homeless. In Spain, 20% of the population live under this poverty line and 4.5% live in extreme poverty. In the United Kingdom, one third of children grow up in poverty.

Defining poverty

Absolute poverty is based on what is considered to be a minimum requirement for survival. By this definition, it is assumed that there are minimum standards below which people fall into the category of “poor”. One of the most frequently used measurements is level of income: where the income of a person or a family falls below a certain level, considered to

Related activities

- Horoscope of poverty, page 145.
- Take a step forward, page 217.
- The scramble for wealth and power, page 231.
- Where do you stand?, page 254.
be the minimum required for a reasonable standard of living, then this person or family is considered poor.

In relative poverty, the status of a specific group is defined and measured in relation to others in the same environment, community or country. Consequently, someone who is considered poor in the developed world may actually have a higher income than someone in a less developed country who is considered well-off. The meaning of poverty depends on the customs, standards and values of each country and region of the world. In this way, there is also a cultural dimension in the perception of what constitutes poverty.

Nowadays, many people recognise that poverty is not necessarily reduced by a country’s economic growth. In countries that have experienced economic growth, poverty has not disappeared. Poland, for example, has achieved significant success in the economic sphere, but poverty has still increased. It is widely accepted that “poverty is a multi-dimensional phenomenon consisting of mental, political, communal and other aspects”, together with a material dimension (normally expressed in terms of monetary value). The factors underpinning it may be economic, social, political or environmental. Poverty has many faces: it can be rural or urban, a permanent or temporary state of affairs. Some people may be poor throughout their lifetime, while others may move in and out of poverty. It is not a static condition.

A further important dimension of poverty concerns what is often called the “feminisation of poverty”. This means that there is a prevalence of women among the poor, which is linked, among other things, to gender-biased consequences of poverty.

**Poverty and human rights**

The Vienna Declaration and the Programme of Action adopted during the World Conference on Human Rights in Vienna, Austria, (June 1993) states that “the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights…especially the economic, social and cultural rights.” (Article 14).

It is important to realise that the denial of adequate health care, education, equality, shelter, etc., which are some of the consequences of poverty and social exclusion, impedes access to civil and political rights, which in turn prevents people from claiming their economic, social and cultural rights. This is a clear example of the indivisibility and interdependence of human rights.

**Amnesty International and economic, social and cultural rights**

The International Council Meeting of Amnesty International which took place in August 2001 agreed to expand the organisation’s mandate to enable it to work on a wide range of human rights. From now on, the organisation will work not only against torture or for prisoners of conscience, but also against all forms of discrimination, whether they affect political and civil rights or economic, social and cultural rights.

The Declaration on the Right to Development, adopted by the UN General Assembly on 4 December 1986, is the first international instrument that refers exclusively to the right to development. It is closely connected with the second generation of human rights, as described in the International Covenant on Economic, Social and Cultural rights. Development is defined in Article 1 as “A global economic, social, cultural and political process that tends to improve the well-being of all the people and all the individuals based on their free, active and significant
Do you think all the documents that have been agreed by governments can make a difference to the fight against poverty throughout the world?

At the 1995 World Summit for Social Development, known as the Copenhagen Summit, 185 countries, through their representatives, committed themselves to eradicating absolute poverty and adopted concrete plans and proposals to that end. The heads of governments and states adopted a declaration and a plan of action, known as “Copenhagen + 6”, but as of September 2001, none of the stated objectives has been achieved completely.

The existing international and regional instruments have had a limited impact on the fight against poverty. One reason is that many of these instruments do not include mechanisms to enforce these rights. Another is that, although progress has been made over the last 50 years to develop a human rights framework and the international community has accepted that sustainable human development is not possible without respect for human rights, there is still no express link being made between poverty and human rights. The Universal Declaration of Human Rights and the two International Covenants on Human Rights do refer in their preambles to freedom from want, and the human rights treaties do provide for the right to an adequate standard of living, including sufficient food, clothing and housing.

The European Social Charter

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake:

(a) to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance;

(b) to review these measures with a view to their adaptation if necessary.

The revised European Social Charter, Article 30

Final considerations

One of the most common prejudices held about poor people is that they find themselves in this situation because they want to or because they do not work hard enough - implying that they are lazy and irresponsible. This is a way of making the poor bear sole responsibility for their situation; it suggests that society should not be responsible for them and can do nothing about them. This approach runs contrary to a culture of human rights, because it denies those people who find themselves excluded the opportunity to live with dignity and to be a subject of rights. In addition, it conflates the consequences of poverty (altered patterns of behaviour, drug abuse, refusal to work, use of alcohol, etc.) with complex root causes.

To eradicate poverty we should be addressing its roots, not just the immediate needs, and this will require a major political effort especially from states and international organisations: poverty thus has a strong political dimension.

“The fight against poverty is a deeply political issue. Poverty in most societies is about disparities in the distribution of power, wealth and opportunity.” UNDP 2001.

Do you agree with this statement?
Examples of social indicators associated with poverty: unemployment and youth in eastern Europe

As in the West, young people suffer higher unemployment rates than other adults. In 1999, there were 65 million young people aged 15 to 24 in central and east European countries and the Commonwealth of Independent States (27 countries). Of the total youth population, 27% (18 million) were neither in education nor in employment. The average youth unemployment rate for 18 countries stood at 30%, double the overall unemployment rate. Youth unemployment is particularly high in south-eastern Europe (71% in “the former Yugoslav Republic of Macedonia”, 61% in the former Yugoslavia, 35% in Bulgaria), in the Caucasus (46% in Azerbaijan, 27% in Georgia), and in Central Asia (37% in Kyrgyzstan, 33% in Tajikistan).

Example of a national plan to combat poverty

The plight of children in Moldova is disturbing. In many families, the main source of income is a modest child allowance. Recent years have seen a deterioration of nutritional standards among children from poor families, with adverse consequences for their health and cognitive development. Consequently, the government has decided to develop a special programme to combat child poverty as part of the country’s Short-Term Poverty Alleviation Programme. This initiative offers a wide range of measures aimed at instituting a social care system for orphaned and disabled children as well as for children from poor families.

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Social rights

A glimpse of the European Social Charter

While the European Convention on Human Rights guarantees civil and political rights, the European Social Charter guarantees the economic and social rights of the citizens of its state parties.

The Social Charter was adopted in 1961 by the Council of Europe and three Protocols were added to it in 1988, 1991 and 1995. The Charter and its 1988 Protocol guarantee a series of rights that we can classify into two categories:
- working conditions, which include the prohibition of forced labour, non-discrimination in work environments, trade union rights, prohibition of child labour under the age of 15 and protection of the 15- to 18-year-old workers, equal treatment for migrant workers, etc.; and
- social cohesion, which includes the right to health, social security, medical assistance, the right of older people to be protected, etc..

The revised Social Charter was adopted in 1996. It entered into force on the 1 July 1999 and will progressively replace the 1961 Charter. This new document guarantees: equality between men and women, protection in case of dismissal, dignity of the workers in the work place, protection against poverty and social exclusion, the right to housing, and the enlargement of the right not to be discriminated against, etc..

The Charter has a mechanism of control based on the presentation of national reports by state parties (1991 Protocol) as well as a system of collective complaint (1995 Protocol) which allows, “inter alia”, trade unions and non-governmental organisations to present collective claims.

Do you think that social security systems should be private or public?

The right to work

The right to work is guaranteed, as one of the social and economic rights, in international instruments such as the Universal Declaration of Human Rights (UDHR) (Article 23), the International Covenant on Economic, Social and Cultural Rights (Article 6) and the revised European Social Charter (ESC).
When it recognises the right to work, a state is not committing itself to guaranteeing a job for everyone who wants one; such an obligation could be “unworkable” in practice. Rather, it implies that the state has an obligation to develop economic and social conditions where jobs can be created. The right to work is important in itself but also insofar as it is a basic condition to secure human dignity. Unless the right to work is guaranteed first, the actual exercise of several other basic rights may be inconceivable.

As a corollary of the right to work comes the right to just (or fair) conditions of work. This right specifically includes the guarantees not to be discriminated against, to receive a fair remuneration and paid holidays as well as to have reasonable working hours and a safe and healthy working environment that safeguards a person’s physical and mental well-being. These guarantees are given in an attempt to make sure that workers begin and continue their working life in decent conditions. Work should not become an intolerable burden or an end to itself; it should be a means to ensure that at least primary needs such as food, clothing, housing and education, are met.

Do you think that unemployed people should receive support from the state?

Employment: a youth perspective

Having a job implies a lot more than having means to support oneself. It is also a tool for life experience. Through employment, individuals (particularly young people) develop many skills, ranging from basic technical skills to personal skills.

Unemployment and bad working conditions are part of the complex interrelated issues creating obstacles to people’s full development and to their maintaining their inherent dignity. Some examples of these consequences include the inability of the unemployed to afford adequate living conditions for themselves and their dependants, the potential creation of a large number of black market jobs decreasing workers’ security and ability to protect their rights, and the need for a large social security scheme to be created in order to provide assistance to the unemployed.

The transition from school to work is a crucial stage for young people in their personal and professional development throughout adult life. The consequences of being unemployed at young ages can be serious. Youth unemployment is often associated with social problems such as violence, crime, suicide and abuse of alcohol and drugs.

Unemployment rates amongst young people are often higher than amongst adults. This difference can be wide or narrow, depending on the specific context of the country.

### Unemployment rates in some European countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Youth Unemployment (%)</th>
<th>Overall Unemployment (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croatia</td>
<td>31.4</td>
<td>9.9</td>
</tr>
<tr>
<td>Germany</td>
<td>10.7</td>
<td>9.9</td>
</tr>
<tr>
<td>Latvia</td>
<td>25.5</td>
<td>13.8</td>
</tr>
<tr>
<td>Russia</td>
<td>26.8</td>
<td>13.3</td>
</tr>
<tr>
<td>Slovakia</td>
<td>20.4</td>
<td>11.1</td>
</tr>
<tr>
<td>Spain</td>
<td>39.2</td>
<td>20.9</td>
</tr>
<tr>
<td>Sweden</td>
<td>11.2</td>
<td>5.3</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>5.1</td>
<td>3.8</td>
</tr>
<tr>
<td>UK</td>
<td>13.6</td>
<td>7.1</td>
</tr>
</tbody>
</table>

“They have nothing to lose in this but their chains. They have the world to gain.”

Karl Marx
Various reasons explain the high incidence of unemployment among young people: segmentation of the labour market; technical and organisational changes that have created a demand for higher qualifications; and the labour market crisis which has meant tougher conditions for unemployed workers.

**Trade unions, working for the workers**

The history of trade unions is a very long one. The rights of workers have undoubtedly improved even if only gradually and trade unions have played a crucial role in this process.

**Labour Day: 1st May**

May 1st, International Workers' Day, commemorates the historical struggle of working people throughout the world. May Day was born from the struggle for the eight-hour day. With workers being forced to work ten, twelve and fourteen hours a day, support for the eight-hour movement grew rapidly. The first days of May of 1886 were marked by strikes and demonstrations in the United States. As many as half a million workers took part in the May 1st demonstrations all over the country. In Chicago, for example, around 90000 people took part in a march.

The 1st of May quickly became an annual event. Around the world workers in more and more countries marked labour’s day on May Day. May Day was celebrated for the first time in Russia, Brazil and Ireland in 1891.

Trade unions are associations of employees (there are also associations of employers) and their main objective is to represent the employees’ interests to the employers. The right to form and join a trade union is a fundamental human right. A well functioning and respected trade union movement is often a good indicator of democracy and standards of human rights.

Besides playing a role in the fight for better working conditions, trade unions have had (and continue to have) a key role in the building of social movements and the developing of social changes. The role of trade unions has been very varied across Europe. In some countries, where fascist and communist regimes were in place, trade unions were overtaken or created by state authorities and the political elite and turned into a tool for their oppressive regimes. As a result of this historical reality, many people are sceptical of the role that trade unions can play, and only lately have the workers from these countries started to recognize the positive role of trade unions in the fight for protecting their rights. Other differences exist across Europe, especially regarding the role and organization of trade unions. In most countries, trade unions are organised in confederations.

_Solidarność_ (Solidarity) was a new national union movement which swept across Poland during the 1980s. The movement officially started with the signing of the Gdansk Accords on August 31 1980, which called for the right to form independent trade unions and the right to strike among other things. In reality, it started when the workers of the ship-building industry decided to protest on December 14 1970, on a march from the shipyards towards downtown Gdansk which was brutally repressed by the police. Many strikes in the summer of 1980 showed that the Solidarity movement had taken root as a force of social and democratic change. Solidarity membership grew to over nine million members. The repressive policy of the communist government became evident in the banning of Solidarity, which was thus obliged to work in secret for several years.

_Youth and trade union membership_

Over recent years, trade unions in many countries have seen a decrease in youth membership. Many trade unions have been slow to respond to the changes experienced by young people and have sometimes failed to formulate an agenda that attracts them in sufficient numbers to replace the traditional membership that has been lost. Consequently, many unions are now
developing a work agenda that takes into account the needs and the reality of young workers as well as appropriate structures to deal with this sector. Some have established youth committees, which is the case of the ETUC and the ICFTU - the International Confederation of Free Trade Unions.

Are you member of a trade union? Have you ever been?

- Between 1988 and 1997, unions affiliated to the Deutscher Gewerkschaftsbund (DGB) lost no fewer than 609,407 young members or 55.2% of youth membership.
- Between 1987 and 1999, in Sweden the membership youth in trade unions aged between 16 and 24 decreased from 62.7% to 46.7%.
- In Greece, 70.1% of young people expressed no trust in trade unions compared to only 22.9% who did not trust the army and 40.6% who did not trust the judiciary.

Child labour

The issue of child labour today is receiving great attention. Children are engaged in numerous kinds of work, from domestic service to heavy industrial production. The number of children involved is alarming.

It is hard to gather statistics on child labour because of its illegal nature in most cases. It is estimated that some 250 million children between the ages of 5 and 14 are working; 120 million full-time, 130 million part-time.

Some 61% of this total (nearly 153 million) are found in Asia; 32%, (80 million) are in Africa, and 7% (17.5 million) live in Latin America.

Child labour also exists in many industrialised countries and is emerging in eastern European countries.

The revised European Social Charter has reinforced the guarantee for the protection of children and young people in the work environment compared to the guarantees that were included in the 1961 Charter. Article 7(1) provides that "with a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake: to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education".

The International Labour Organisation (ILO), the major labour standard-setting organisation, has long dedicated its activities to eradicate child labour and to that end, it has adopted recommendations and conventions. Two main conventions deal specifically with child labour.

1. The ILO Worst Forms of Child Labour Convention (1999) came into force in 2000. Previous attempts to end child labour have failed and the general situation for working children continues to worsen. Therefore, the international community, within the idea of taking "one step at a time", decided to abolish completely the worst forms of child labour. As of November 2001, 108 countries have ratified this convention.

2. The ILO Minimum Age Convention (1973) is another example. Article 1 states "each Member (...) undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons".

The work will teach you how to do it.

Estonian proverb
One of its major programmes dedicated to the eradication of child labour is called the International Programme on the Elimination of Child Labour. The Convention on the Rights of the Child in Article 32(1) provides that “State Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”.

Globalisation has started to impact heavily on social rights. Indeed, this process promotes practices that challenge social guarantees that are generally considered to be minimum safeguards of basic working conditions. With the establishment of a free market economy, many companies consider the lack of social protection as an “attractive” feature for investments and for low-cost production of goods. Relocation of industries from countries where labour guarantees are compulsory to other countries that do not provide such guarantees to the workers is seen as a viable option for lucrative ends.

In a context where the priority of most companies is to increase their profits even at the cost of the social and labour rights of their workers, the international and regional human rights instruments that provide for social and economic rights are fundamental to the protection workers’ rights.

The percentages of children between the ages of ten and fourteen who work are: 30.1% in Bangladesh, 11.6% in China, 14.4% in India, 17.7% in Pakistan, 24% in Turkey, 20.3% in Ivory Coast, 11.2% in Egypt, 41.3% in Kenya, 25.8% in Nigeria, 31.4% in Senegal, 4.5% in Argentina, 16.1% in Brazil, 6.7% in Mexico, 0.4% in Italy and 1.8% in Portugal.

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Solidarnosc. www.solidarnosc.org.pl


AND YOU’LL BE PROTECTED BY THE LAWS OF THE MARKET!

RIGHT, GET TO WORK!
Is sport a human right? In the strict sense, the answer is no! None of the human rights declarations or covenants contain specific provisions formulating the human right to the practice or to access to sport. However, sport can be seen as an essential element of the rights both to education and to culture.

The right to education is given in Article 26 of the Universal Declaration of Human Rights and Article 13 of the International Covenant on Economic, Social and Cultural Rights. It states “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”. Through sport people develop physically and intellectually. Participation in sports raises self-esteem; it provides opportunities for self-realisation and respect from others. This is especially so for disabled people through events like the paralympics.

As for children, the Convention on the Rights of the Child stipulates that the education of the child shall be directed to “... the development of the child’s personality, talents and mental and physical, spiritual, moral and social development in a free and democratic society, in which the rights and freedoms of the child are protected and in which the child is provided with facility for his or her growth in a spirit of understanding and friendship among all peoples”.

The Paralympic Games

The Paralympic Games are an athletic competition for people with disabilities, including amputees, people with impaired vision, paraplegics and people with cerebral palsy. “The Paralympic Games originated in 1948 at Stoke Mandeville Hospital in Aylesbury, England. (…) Beginning in 1952 the Paralympics were staged in Olympic years. The Winter Paralympics were first held in 1976. In 1992 in Barcelona, Spain, 3 500 athletes from 82 nations competed at the Summer Paralympics. The first true parallel with the Olympic Games took place in 1998 in Seoul, South Korea, where the athletes had a Paralympic village and used Olympic sites for competition. (…) The Paralympics are recognised and supported by the International Olympic Committee (IOC) and governed by the International Paralympic Committee (IPC).”

Related activities
- Just a minute, page 150.
- Play the game, page 194.
- See the ability, page 209.
- Sport for all, page 214.
physical abilities to their fullest potential” and Article 31 refers to the right to rest and leisure, to engage in play and recreational activities appropriate to the age of the child.

The right of everyone to take part in cultural life is given in Article 27 of the Universal Declaration of Human Rights (UDHR) and in Article 15 of the International Covenant on Economic Social and Cultural Rights (ICESCR). Sports of all kinds are enjoyed everywhere - soccer, swimming, darts, chess, tossing the caber, sumo wrestling, American football - whatever! Sport is undoubtedly an important part of cultural life in all countries and it can therefore be argued that everyone has a right to enjoy sport as a spectator, competitor or player.

Although sport is not generally recognised as a human right, the practice of sport and the way it is supported do have implications for human rights. In different circumstances, it may be used as a tool to promote human rights or even to abuse them.

**Sports promote human rights**

Participation in sport generates shared interests and values and teaches social skills that are necessary for democratic citizenship. Sport enhances social and cultural life by bringing together individuals and communities. Local or national teams are often multinational or multi-religious, and spectators also come from various backgrounds. Thus, sport helps to overcome difference and encourages dialogue, and thereby helps to breakdown prejudice, stereotypes, cultural differences, ignorance, intolerance and discrimination.

In relation to discrimination against women, the very fact that women can practice so-called “men’s sports” like football or weight-lifting, encourages the elimination of various stereotypes about women’s roles and the differences between men and women.

The status of sports personalities is such that they are often chosen to be “goodwill ambassadors” to promote humanitarian work through informal education. For example, Ronaldo, the Brazilian football star, is a special representative for the “Force for Change: World AIDS Campaign with Young People”.

**Human rights can also be abused through sports**

The use of performance enhancing drugs is probably the most well known abuse of human dignity and health. There are also controversial issues of hormone treatment and sex-testing of women athletes that have to do with respect, human dignity and the right to privacy.
Sport

Sponsors can exploit sportsmen and women, and ambitious parents can exploit children who demonstrate precocious ability. Intensive training and pressure to compete can lead to sports injuries and be a risk to mental well-being. Everyone has the right to know the potential risks and attractions of reaching high levels of performance.

“Gymnastics: just a sport or child abuse?”

Until recently Alexandra Huci, aged 12, was just one of many talented young girls who spend their young lives in training camps and dream of becoming world champions when they grow up. One day while training, she suddenly collapsed, fell into a coma and died five days later. Her tiny body could simply take no more. Diets and physical exertion have very often caused young gymnasts more suffering than joy. “Pain has been part of my life ever since I started training”, said 10-year-old Wang Shuo in a recent interview for CNN at the Beijing training camp, where children start their “careers” at the age of three. Maria Pardo, a Spanish gymnast weighed 43 kilograms and is 170 cm tall.10

Sport and politics

Sport has long been used as a peaceful means of political action against injustice. In the 1968 Olympic games in Mexico City, John Carlos and Tommie Smith gave the Black Panther salute during the victory ceremony to protest against discrimination against black people in the United States of America. During the apartheid era, many countries refused to have sporting relations with South Africa, which made a significant contribution to political change in that country.

“Capoeira”

In the sixteenth century, Angolan slaves in Brazil kept alive their traditional dances and rituals and developed them into “capoeira”, an art of self-defence. The slave-masters forbade any kind of martial art, but the slaves were able to train using the guise of an innocent-looking recreational dance. In the seventeenth century the art of “capoeira” was further perfected and then used in a decade-long fight for freedom against the colonial oppressors.

Sport may also be misused for nationalistic or political purposes. For instance, at the 1972 Munich Olympic games, eight Arab terrorists invaded the Israeli team headquarters, killing two people. A further nine hostages were murdered after a failed rescue attempt by German police.

The Olympic games have long been used as a forum for nations to make political statements. For example, the United States of America together with 65 other non-communist nations...
Manual on Human Rights Education with Young People – Council of Europe

...boycotted the Moscow games of 1980 because of the Soviet invasion of Afghanistan. The Soviet Union and fifteen of its allies then boycotted the next games in Los Angeles in 1984 for security reasons and fears of political asylum being sought and given.

Should sport and politics be mixed?

Whether it was right that China was chosen to host the Olympic games in 2008 is debatable. China has long been criticised for its lack of democracy and for human rights abuses. Some of the arguments given for not blocking Beijing’s bid were that China’s handling of dissidents and other human rights abuses would anyway continue to be criticised in fora such as the annual gathering of the United Nations Commission on Human Rights. Indeed, allowing the Olympic bid to go ahead might even make Beijing take more note of such condemnation.

Sport and racism

Racism in sport is not a phenomenon confined to football grounds, nor is it confined just to players of colour. It can affect all sports and can manifest itself at several levels; in amateur sport and at institutional and international levels, as well as in the media. It can occur at local level particularly, but not exclusively, in the interaction (for real or imagined reasons of colour, religion, nationality or ethnic origin) between or against players, teams, coaches and spectators and also against referees. It can include the abuse of teams or even whole groups.

The responsibility for combating racism in sport falls on everyone, to public authorities (the legislative authority, the courts, the police, governmental bodies responsible for sport and local authorities) and non-governmental organisations (professional and amateur national sports associations, clubs, local sports associations, supporters’ clubs, players’ organisations, anti-racist associations and so on).

What can you in your school or club do to ensure that the sports you play are socially inclusive and promote human rights?

Reported incidents

21 September 2001. SK Rapid Vienna striker Gaston Taument sustained continuous racist chanting during yesterday’s UEFA cup match against FK Partizan in Belgrade. Gaston Taument, who earned 15 caps for the Dutch national team and is of Surinamese origin - said earlier in an interview: “If racist incidents occur..., it is wrong to remain silent on racism.”

Racist behaviour at football matches provides an excellent topic for debate about the dilemmas in implementing human rights.

Should a suspected hooligan be banned from travelling to another country to attend a match? Is this an infringement of their right to freedom of movement?

Youth and sport

One example of how young people are working for human rights is through “Football against Racism in Europe”. FARE fights through football all forms of discrimination in football: in the stadium, on the pitch, in the changing-room, at the training ground, in the office and classroom; by fans, players, managers, coaches, administrators or educators.
In relation to the Sports Shoes Campaign described above, student groups across the United States of America are turning sports sponsorship on its head and demanding that companies adhere to a Code of Conduct or lose the contract to kit out their college athletic teams.

**The work of the Council of Europe**

The Directorate of Youth and Sport is a part of the Directorate General for Education, Culture, Youth and Sport and Environment. It elaborates guidelines, programmes and legal instruments for the development of coherent and effective youth policies at local, national and European levels. It provides funding and educational support for international youth activities aimed at the promotion of youth citizenship, youth mobility and the value of human rights, democracy and cultural pluralism.

The Council of Europe Committee for the Development of Sport (CDDS) has initiated various activities to promote healthy lifestyles and participation in sport, for example, EUROFIT (personal fitness tests for both children and adults). There is the Anti-Doping Convention of 1989 and the "Clean Sports Guide", an education and information pack for schools and sports organisations produced in co-operation with the European Union. In 1986 The European Convention on Spectator Violence and Misbehaviour at Sports Events was developed.

**International instruments and international days related to sports**

1. The 1975 European Charter of Sport for All. Article 1 proclaims the right of everyone to practice sport.
2. The 1975 European Charter of Sport and Code of Ethics provides that access to sports installations and to sports activities be assured without any discrimination.
3. The 1978 International Charter of Physical Education and Sport, Article 1: “Every human being has a fundamental right of access to physical education and sport, which are essential for the full development of their personality”.
4. The 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women. The importance of non-discrimination against women in sport is strongly emphasised. States have the obligation to ensure women’s right to participate in recreational activities, sport and all aspects of cultural life.
5. The 1985 International Convention against Apartheid in Sports.

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**Key dates**

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31 May
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Endnotes

1 Recommendation No.8 of the Committee of Ministers of the Council of Europe to the member States, adopted on 18 September 1998.

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39 For more information, see www.humanrights.coe.int/media.


41 Human Development Report 2001, UNDP.


46 Extracts from Young people: the labour market and trade unions. Report for the Youth Committee of the European Trade Union Confederation, May 2000.

47 See the background information on globalisation (page 358).


51 For further information, see New Internationalist 330, December 2000, www.oneworld.org/ni/issues330/factfile.htm. Also, see the background information on globalisation (page 358).


53 For more information, see http://culture.coe.fr/sp/splist.html.