

## UNIT 5

### Rights, liberties and responsibilities

What are our rights and how are they protected?



#### 5.1. Wishes, basic needs, human dignity and human rights

Do I have a human right to everything I wish?

#### 5.2. Detecting human rights violations

Which human right is violated here?

#### 5.3. Rights and responsibilities

How can rights exist without responsibilities?

#### 5.4. Human rights quiz

What is right? What should be one's human right?

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### What are our rights and how are they protected?

Human rights are, on the one hand, concerned with the development of human beings, that is, how they are able to realise their full potential in their relationships with their fellow citizens. On the other hand, human rights define the responsibilities of the nation state towards individuals. Important human rights documents include the Universal Declaration of Human Rights, the European Convention on Human Rights and the Convention on the Rights of the Child. Traditionally, human rights have been divided into categories – civil, political, social, economic and cultural. These categories are often associated with stages of development in human rights history, with civil and political rights regarded as “the first generation”, followed by social and economic rights as the “second generation” and cultural or development rights being viewed as a “third generation”. Notwithstanding the value of categorising rights, EDC/HRE seeks to promote an integrated understanding of human rights. It places equal emphasis on all categories: civil, political, social, economic and cultural. Thus, EDC/HRE seeks to balance a tendency in the past to view certain rights as more important than others. While human rights have been traditionally associated with the state and its relationship with the individual, EDC/HRE is increasingly placing emphasis on the rights of groups or peoples. Attempts to include these ideas in EDC/HRE are important for the development of the concept itself and for the development of local, national and regional communities.<sup>19</sup>

Human rights have three elements: the holder of the rights, the content of the right (what the holder is entitled to claim) and the duty-bearer (the person or institution that must respond to the claim). Duties are usually assessed at three levels:

- To respect is to refrain from directly or indirectly depriving individuals of their rights, including refraining from establishing an institutional system that would deprive people of their rights or giving incentives to others to deprive people of their rights.
- To protect is to enforce that respect; to prevent those who seek to deprive another of rights – whether they be government officials, international institutions, private corporations, community leaders, vigilantes or family members – from doing so.
- To fulfil is to aid the deprived – including those for whom one has a special responsibility, those who are deprived because there has been a failure of the duty to respect and the duty to protect their rights, and those who are victims of natural disasters. This aid includes legislative, budgetary, judicial and other action to provide the best possible policy environment for the protection of rights.<sup>20</sup>

Liberties protected as civil rights include freedom of thought, opinion and expression, freedom of religious belief and practice, of movement within a state and the right to peaceful assembly and association. Other civil rights protect the privacy of the individual, family life and the right to equality before the law.<sup>21</sup>

Responsibilities are a logical consequence of human rights. In order to be protected, every right carries corresponding responsibilities, both for citizens and for the state. Every individual has a moral duty not to violate another person’s personal dignity. Governments, in signing up to international agreements and bound by their own constitutions, not have only a moral obligation, but also a legal duty.

19. From “A glossary of terms for education for democratic citizenship”, Karen O’Shea, Council of Europe, DGIV/EDU/CIT (2003) 29.

20. Based on “Duties sans Frontières. Human rights and global social justice”, International Council of Human Rights Policy.

21. *Idem*.

## **Education for Democratic Citizenship and Human Rights**

Through this series of lessons students will:

- understand better the nature of human rights: they are preconditions that enable every human being to live with dignity;
- increase their knowledge of and their insight into the internationally recognised human rights;
- increase their capacity to recognise infringements of human rights;
- increase their insight into how they could contribute to improving respect for human rights;
- increase their insight into and awareness of the responsibilities connected with human rights: the responsibilities of the state and of institutions, as well as their own moral responsibilities.

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### What are our rights and how are they protected?

Lesson title	Objectives	Student tasks	Resources	Method
Lesson 1: Wishes, basic needs, human dignity and human rights	The students can show that human rights are preconditions for every human being to be able to live with dignity.	The students link their wishes to basic needs and human rights.	Student handout 5.1. Student handout 5.2 (teachers should note that this handout is used throughout the unit and will therefore be needed in other lessons).	Group work, plenary work. Critical thinking.
Lesson 2: Detecting human rights violations	The students can identify violations of human rights.	The students study cases of human rights violations.	Student handout 5.3. Student handout 5.2.	Pair or group work. Plenary discussion.
Lesson 3: Rights and responsibilities	The students understand how they can contribute to protecting human rights. The students understand that human rights are connected to responsibilities – responsibilities of the state and of institutions, as well as their own moral responsibilities.	The students identify responsibilities to protect human rights, including their personal contributions.	Blank sheet of paper and a pen Student handout 5.4. Student handout 5.2.	Pair or group work. Critical thinking.
Lesson 4: Human rights quiz	The students learn about the internationally recognised human rights.	The students answer multiple choice questions and discuss the implications of their answers.	Cards for each student, with the solutions on the back (student handout 5.5).	Multiple choice questions.

## Teacher's resource sheet

This list contains the rights from the “List of human rights”, showing the relevant articles from the Universal Declaration of Human Rights (UDHR), the International Convention on Civil and Political Rights (ICCPR), the International Convention on Economic, Social and Cultural Rights, the European Convention on Human Rights (ECHR) and the revised European Social Charter (ESC). This overview has been made for educational purposes.

	UDHR	ECHR	ESC	ICCPR	ICESCR
1. Right to life	3	2		6	
2. Freedom from torture	5	3	26	7, 10	
3. Freedom from slavery	4	4		8	
4. Right to liberty and security	3	5		9	
5. Right to a fair trial	10, 11	6, 7		14, 15	
6. Right to an effective remedy in case of violations	8	13	D	2, 9	
7. Freedom from discrimination; right to equality	2, 7	14	4, 15, 20, 27, E	3, 26	3
8. Right to be recognised as a person; right to nationality	6, 15			16, 24	
9. Right to privacy and family life	12	8		17	
10. Right to marry	16	12		23	
11. Right to own property	17				15
12. Right to movement of persons	13		18	12	
13. Right to asylum	14			18	
14. Freedom of thought, conscience and religion	18	9		18	
15. Freedom of expression	19	10	28	19	8
16. Freedom of assembly and association	20	11	5, 28	21, 22	8
17. Right to food, drink and housing	25		30, 31		11
18. Right to health care	25		11		7, 12
19. Right to education	26		10		13, 14
20. Right to employment	23		1, 2, 3, 4, 24		6, 7
21. Right to rest and leisure	24		2		7
22. Right to social protection	22, 25		7, 8, 12, 13, 14, 16, 17, 19, 23, 25		9, 10
23. Right to political participation	21		22	25	
24. Right to take part in cultural life	27			27	15
25. Prohibition of destruction of human rights	30	17		5, 20	5
26. Right to a social order that recognises human rights	28			2	2
27. Duties of the individual	29				

Note: Some articles of the ESC are referred to by numbers, some with capital letters.