



HUMAN RIGHTS

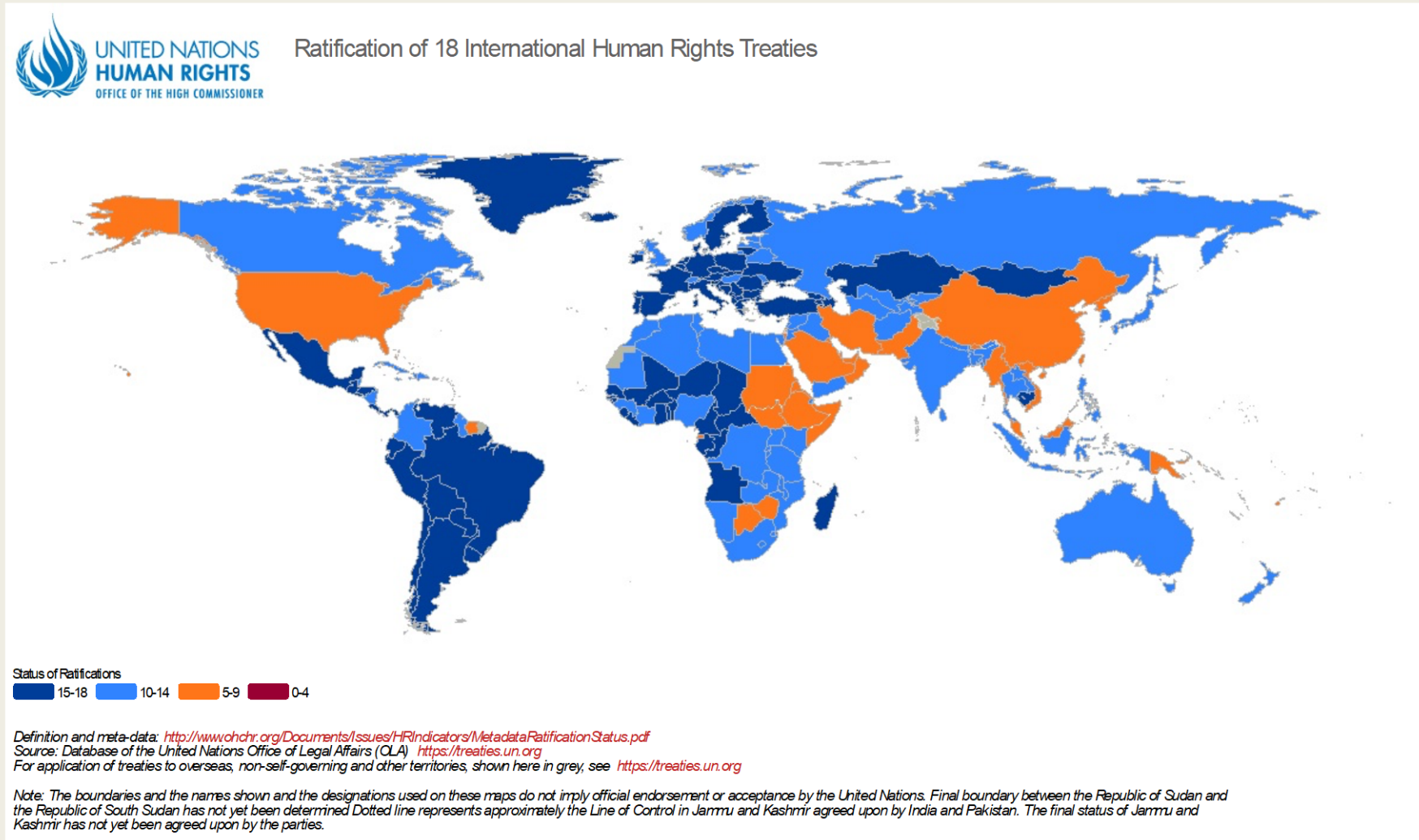
Perspectives and methodologies



After this session...

- General idea of the human rights systems worldwide
- Understanding of the human rights systems in Europe and the role of the European Court of Human Rights
- Exposure to article 9 protecting religious freedom
- Understand some of the controversies around the face veil in Europe (read SAS v. France)
- Appreciate the meanings of human rights and approaches to the study of human rights
- Realize the interdependence of human rights, democracy, development, equality...

Human Rights – Global Snapshot



Human Rights Structures

United Nations

European Human Rights System (EU)	Inter- American Human Rights System (OAS)	African Human Rights System (OAU)	Association of South East Asian Nations (ASEAN)	League of Arab States
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Five Regional Human Rights Systems:

Arab Countries - League of Arab States (1945)

- Arab Expert Human Rights Committee (2009)

Americas - OAS (1948)

- Commission on HR (1959)
- Court of HR (1979)

Europe - EU (1950)

- Commission on HR (1954)
- Court of HR (1959)
- European Committee on Social Rights (1998)

Africa - OAU (1963)

- Commission on Human and People's Rights (1981)
- Court of Human and People's Rights (2004)

S. Asia - ASEAN (2008)

- Intergovernmental Commission on HR (2009)

ECHR – Art. 9

Freedom of thought, conscience and religion

- 1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
- 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

SAS v France (ECHR 2014)

- 2011: France bans face veils in public spaces (including buses, streets, day care centers etc.)
- 2014: ECHR judgment
- ECHR took up case as violation of Article 8 (Private Life) and Article 9 (Religious Freedom)
- Conclusion: face veil contravenes “living together,” ideal of an open society, and does not meet the minimum requirements of life in society

Questions to consider:

1. What general perspective or perspectives does the article take?
2. Is there a particular discipline or methodology applied?
3. How does the article approach human rights?
4. What are the interests or agendas of the authors?
5. What is not considered in the article? Does this present problems?
6. Is there an over-arching 'lens' in the article?

Key Points to remember

- Human rights, development, democracy, equality are interrelated and interdependent
- How we study rights is reflective of, and contributes to, the development of the idea of HR (identity, lived reality)
- The type of lens that we use to study or discuss HR - legal, sociological, economic, political - matters
- Human Rights are more than codified rules and regulations

- Thank you