





„For the purpose of the conference held by the Forum for 21st Century on 29th November, 2011, with regard to the positions of participating countries and international organizations, on the Global cultural issues, the Forum pronounces and suggests:

New concept of fundamental human rights and freedom

Notes:

-  Governments and international organizations had set many goals for new millennium, such as eradicating poverty and hunger, reducing mortality, ensuring environmental and economic sustainability or developing global partnership for development. But any of these goals cannot be achieved without realization of human rights. A decent standard of living, adequate nutrition, health care, education, decent work and protection against calamities are not just goals for the new millennium they are also human rights.
-  The world and the society are in constant development. Together with the economic progress the world community should develop also the human dimension, think about human security, rights and provide the dignified standard of living. Human rights as fundamental right of every person in the world started to be an important and striking issue especially after the terrifying experience of World War II. As a reaction to the war, the Declaration of Human Rights was adopted in 1948 within the United Nations Organization. The aim of the document was to prevent the human rights violation. Nowadays there are 184 UN member states, meaning all of these countries should respect the rules described in the Declaration. However, the Declaration is not legally binding and that's why they are not forced to do so. The states only declare their intention to set the general rules of behavior. Complex harmonization or unification of the human rights on the international level is impossible due to the culture and traditions that differ in every single nation or civilisation. Decisive factor influencing the ensuring of human rights is the political system. Each nation defines the human rights in a different way. The result is a relative perception of the term “human rights” and therefore different laws ensuring them.



- ✿ United Nations Declaration of Human Rights has already been adopted for 63 years. Since then many acts and declarations were signed including Helsinki Declaration, regional and national documents such as European Convention on Human Rights and American Convention on Human rights. Each of these documents has the same disadvantage as the UN Declaration – in relation to national legislation they have no binding character and there is no legal way of punishment for states breaking the law. So the main responsibility of insuring human rights is in competency of national states that are sovereigns over their population.
- ✿ Human rights are the foundation of justice and peace in the world. They can be best maintained on the one hand by an effective political democracy and on the other hand by a common understanding and observance of human rights.
- ✿ In the effort of achieving the effective law enforcement in the field of human rights the Forum for 21st century shall respect the cultural, religious and linguistic diversity of the civilizations.
- ✿ The Forum for 21st Century opens the negotiations to discuss a new concept of human rights which all the countries in the world would have to ensure by adopting new legislation and creating an effective system of jurisdiction in order to enforce the law. The priority is to recognize dignity, freedom, equal and inalienable rights for every individual and find a proper way and peaceful means to ensure the human rights in all over the world.
- ✿ The Forum for 21st Century feels responsibility to provide a platform for open discussion on the issues concerning current state of human rights. The main challenge will be to find a consensus on what should or should not be regarded as a human right with respect to any culture and civilization.



Proposes:

- 🌀 To enact the tribunal within the Security Council of the UN. The composition of the tribunal will remain the same as the Composition of Security Council, including the right of veto for five permanent members of the SC. The task of the tribunal will be (a) identifying the infringement of human rights, (b) publishing the recommendations for the individual groups of states*, that would be the basis for national plans implemented by every state, (c) approving of the national plans and supervising of their implementation.

Every institution and every person regardless to its nationality, gender, age or religion would have a right to address to the tribunal in case of breaking the rights set in national plan.

The tribunal has an advisory function and decisions that are made have recommendatory character. The establishment of the tribunal within the Security Council would be approved by all the UN member states.

*The Groups of States: Taking into consideration the individual needs of every country depending on their economic and social development and therefore different priorities of the society, their different tradition, cultural values and perception of human and citizen rights, the Forum suggests to organize the states into various groups. The Forum suggests recommendations that should be implemented in the national plans. Firstly, the most developed countries, including Japan, USA, EU states should define in their plans the rights such as right to life, restriction of inflicting the death penalty, in second group there are developing industrial states including China and Mexico that should implement social rights, work standards, rights for healthy and clean environment. Third, African Union should define in their plans rights such as right to human security - ensure the food and drinking water supply, social security, healthy environment, stable institutions, transparent elections.



- 🌀 To revise the UN Universal Declaration of Human Rights setting the universal rules with an emphasise on the rights of human and social security. Other rights that should be implemented by all the states in all the groups are right for life, right for free and accessible primary and secondary education, right for clean and healthy environment, freedom of press and other media, right for private property and right for objectivity of trial in domestic tribunal.

The UN Declaration should serve as a basis for creating the legislation and national plan of every state that might have impact on human or citizen rights.

However, it is hoped that the revised Declaration of Human rights will be also of use to other actors – civil society organization, national human rights institutions and other internal organizations – that are committed to the compliance of human rights. Whether explicit or implicit, norms and values should shape policies and institutions. The human rights approach offers an explicit normative framework – that of international human rights.

Underpinned by universally recognized moral values and reinforced by legal obligations, international human rights provide a compelling normative framework for the formulation of national and international policies, including poverty reduction strategies. It is our objective to involve implementation of human rights in poverty reduction strategies. The essential idea underlying the adoption of a human right to poverty reduction is that the norms and values enshrined in it have the potential to empower the poor. It is now widely recognized that effective poverty reduction is not possible without empowerment of the poor.

At the same time „as lawyers should not be the only voice in human rights as, equally, economists should not be the only voice in development“, we are challenged to represent human rights principles in a form of international public goods. It is necessary to emphasize and illustrate that attention to human rights can reinforce also other goals. The Forum hopes to assist countries, international organizations and individuals to translate human rights



norms, standards and principles into policies, strategies and a day-to-day life of every individual.

- 🔗 To create a mechanism supporting the work of NGOs to monitor states' compliance with human rights standards and to coordinate public opinion against offending states.

Forum is offering its services as an umbrella body cooperating with NGOs in monitoring and reporting the state of ensuring the human rights. The Forum proposes to set up the system of providing statistics about monitoring implementation of human rights. The states will be obliged to publish a report with detailed statistics about the state and fulfilling of the national plan.

The Forum proposes to set up the international platform for cooperation of NGOs and the government within the agenda of the ministry of foreign affairs of every state or the body of an intergovernmental regional organization. Exact bodies should be identified – either non-governmental or governmental, respecting the particularity of the political, economic and cultural traditions – to supervise, monitor and coordinate the activities and projects aiming to foster human rights.

Human rights are freedoms established by custom or international agreement that impose standards of conduct on all nations. Human rights are distinct from civil liberties, which are freedoms established by the law of a particular state and applied by that state in its own jurisdiction. The Forum therefore aims to bind the states to incorporate the human rights into their legislation. Rights, norms and standards demand accountability. Unless supported by a system of accountability rights, norms and standards become little more than window – dressing. All mechanisms should be accessible, transparent and effective.