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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of  
Discrimination and  
Protection of Minorities  
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Agenda item 7

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND  
SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH  
PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT  
COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION  
UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International League  
for Human Rights, a non-governmental organization in  
consultative status, category II

PROPOSED BODY OF PRINCIPLES ON THE RIGHT  
AND RESPONSIBILITY OF INDIVIDUALS, GROUPS,  
AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT  
HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The International Conference on Human Rights, held in Teheran, Iran, from 22 April to 13 May 1968, solemnly affirmed in resolution XXV, that "in order to make effective use of human rights, everyone must understand the nature of these rights, and his responsibility to exercise them in the fulfilment of the dignity of man". Since 1980, the Commission on Human Rights has discussed the question of the right and responsibility of individuals, groups and organs of society to promote and protect the rights recognized in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and other relevant international instruments. In resolution 1982/30 of 11 March 1982, it requested the Secretary-General to present to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its thirty-fifth session (1982), elements for a draft body of principles, and decided to undertake at its fortieth session (1984), "on the basis of the Sub-Commission's report, and as a matter of priority, work on a draft declaration", in this connection.

The International League for Human Rights, a non-governmental organization in consultative status with ECOSOC, is devoted to promoting the ideals and principles of the Universal Declaration of Human Rights. We do so in co-operation with an affiliate network of some 40 groups and with other human rights advocates around the world. Thus, we welcome the Commission's initiative and offer some preliminary

suggestions for its consideration as elements in the proposed body of principles. They are based on the assumption that if human rights are to be protected effectively, the individual himself must have a clear knowledge of the principles of human rights and assume his share of the responsibility to insure their observance. We observe in this connection that the right of the individual to know his human rights is a comprehensive concept comprised of a number of separate but cognate principles, and it derives support from multiple sources. In the accompanying statement, we indicate some of the main principles which underlie the right, and which have been recognized internationally. We are convinced that their enunciation by the United Nations will contribute significantly to realizing the objectives of the Universal Declaration of Human Rights.

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Suggested Elements for Inclusion in the Body  
of Principles on the Right and Responsibility  
of Individuals, Groups and Organs of Society  
to Promote and Protect Human Rights

I. Assumptions

1. A basic principle of the Charter of the United Nations is recognition of the dignity and equality inherent in all human beings. The ideal of a free person, as presented in the Universal Declaration of Human Rights, rests on the assumption that all human beings are endowed with reason and conscience and are required to act towards one another in a spirit of brotherhood.
2. It has long been recognized by all democratic legal systems that the human person is not merely an object of regulation but is also capable of assuming responsibility in society and playing a constructive role in the processes of law. The international order fully reflects this progressive dimension in the position of individuals and groups, who not only have the capability but the duty to share responsibility for ensuring effective observance of internationally recognized human rights. The responsibilities of both the State and of the individual citizen to guard against the failure of public organs, corporate bodies or individuals to live up to their legal duties to promote and protect human rights are complementary, and neither excludes the other. Accordingly, individuals and groups of individuals bringing human rights violations to the attention of the society are acting within their rights and responsibilities.
3. In order to make effective use of human rights, everyone must understand the nature of these rights as well as his responsibility to assert and defend them in fulfilment of the dignity of man. Individuals, groups and organizations especially concerned with the protection of human rights are valuable complements of the existing system of international protection of human rights and are entitled to special protection by the international community.

4. The recognition and enhancement of the role of the individual contributes to the goals of world peace, social justice, and friendship among peoples, and to the elimination of the ideologies and practices of colonialism and racial discrimination.

5. The state of justice in society can only be achieved when rights and duties are ascertainable. Inquiry into the conditions in which the claims arising out of them can be satisfied is a normal part of the process of implementing human rights. The right to inquire freely into the conditions under which human rights norms are applied is one of the most effective safeguards of these norms.

6. Unless otherwise specified, the term "individual" is understood to include groups of individuals, whether organized or not, national and international non-governmental organizations, and other private associations concerned with human rights.

## II. The Right to Know and Act Upon One's Rights

7. Everyone should be free to seek, receive, impart, publish and distribute information and ideas about civil, political, economic, social and cultural rights, both those guaranteed by national constitutions and laws, and those proclaimed in the Universal Declaration of Human Rights and other pertinent international conventions and instruments. The right should include, inter alia:

(a) the right to demand that the texts of all laws, decrees, ordinances, regulations, judicial and administrative decisions, treaties and other international instruments be readily accessible in the national language of the country (as well as in the language of the minority of which the individual is a member);

(b) free access to the documents on which a State organ bases its decisions as well as the right to be informed of the reasons for a particular decision;

(c) the right to conduct or participate in any programme of civic education on questions of human rights and fundamental freedoms;

(d) the right to raise questions before competent State organs regarding the compatibility of national laws and their application with international standards of human rights;

(e) the right to communicate on matters of human rights within one's country as well as outside it.

8. Everyone should be entitled to claim the rights and freedoms recognized in the national constitution and laws of his country as well as in the Universal Declaration of Human Rights and in pertinent international conventions and other standard-setting instruments, and to demand a prompt and effective remedy when his rights and freedoms are violated. The right should include, inter alia:

(a) free access to the competent judicial, administrative or legislative authority of the country in which he resides;

(b) free access to international bodies with general or special competence to receive and consider communications on matters of human rights;

(c) the right to seek correction of human rights abuses and to offer assistance to the victims of such abuses;

(d) the right to call the attention of appropriate authorities to cases where human rights are violated; document grievances, suggest remedies, and make recommendations of a general or specific nature on ways to alleviate such violations.

### III. Measures to Ensure the Exercise of the Responsibilities

9. The shared responsibilities of the State, groups and individuals to promote and protect human rights should encompass the following duties:

(a) to popularize the international standards of human rights in order to make all members of society fully cognizant of their rights and duties;

(b) to collect, analyse and disseminate information concerning measures of protection as well as acts of deprivation of internationally recognized human rights;

(c) to foster positive attitudes towards human rights by engaging in constructive dialogue on ways to apply the international standards of human rights within the country; such dialogue should be conducted in full freedom and in an atmosphere of tolerance for diverse points of view;

(d) to develop public and private programmes for promoting respect for human rights; such education should be geared towards instilling, especially in the younger generation, the ambition to seek the truth, follow the rules of morality, practise the duty of justice, and demand that the conditions of life conform to the standards of human dignity.

### IV. Appeal to States

10. The body of principles should include an appeal to all States to be guided by them and to instruct all national authorities to embrace them in their practice.