



Inter-American Human Rights Mechanisms

The American States reaffirm the principles of International law is the standard of conduct of States in their reciprocal relations; proclaim the fundamental rights of the individual without distinction as to race, nationality, creed, or sex; The powers referred to in this article shall be exercised in accordance with this Charter.

The Charter of the Organization of American States was signed in Bogotá in 1948 and amended by the “Protocol of Buenos Aires” in 1967, by the “Protocol of Cartagena de Indias” in 1985, by the “Protocol of Washington” in 1992, and by the “Protocol of Managua” in 1993.

Read excerpts from the chapters:-

Chapter IV FUNDAMENTAL RIGHTS AND DUTIES OF STATES

Article 10

States are juridically equal, enjoy equal rights and equal capacity to exercise these rights, and have equal duties. The rights of each State depend not upon its power to ensure the exercise thereof, but upon the mere fact of its existence as a person under international law.

Article 11

Every American State has the duty to respect the rights enjoyed by every other State in accordance with international law.

Individuals and organizations may petition the Commission to examine complaints regarding the violation of rights under the Charter and American Convention on Human Rights. A form for petitioning the Commission is available on the Commission’s website.

Article 45

The Member States, convinced that man can only achieve the full realization of his aspirations within a just social order, along with economic development and true peace, agree to dedicate every effort to the application of the following principles and mechanisms:

a) All human beings, without distinction as to race, sex, nationality, creed, or social condition, have a right to material well-being and to their spiritual development, under circumstances of liberty, dignity, equality of opportunity, and economic security;

b) Work is a right and a social duty, it gives dignity to the one who performs it, and it should be performed under conditions, including a system of fair wages, that ensure life, health, and a decent standard of living for the worker and his family, both during his working years and in his old age, or when any circumstance deprives him of the possibility of working;

(Source: <http://www.reparationlaw.com/resources/inter-american-mechanisms/>)



European Human Rights Mechanism

Council of Europe and European Union

The Council of Europe and the European Union share the same values – human rights, democracy and the rule of law. Focusing on those core values, the Council of Europe brings together governments from across Europe – and beyond – to agree legal standards in a wide range of areas.

The European Convention of Human Rights is the first Council of Europe's convention and it aims at protecting human rights. It was adopted in 1950 and entered into force in 1953.

Its ratification is a prerequisite for joining the Council of Europe. The member governments of the 'Council of Europe' work towards peace and greater unity, based on human rights and fundamental freedoms. With this Convention they decide to take the first steps to enforce many of the rights contained in the Universal Declaration of Human Rights.

Any Contracting State or individual claiming to be a victim of a violation of the Convention may lodge a claim alleging a breach of any of the Convention rights. Individual applicants may submit applications themselves, but legal representation is recommended and even required for hearings or once an application has been declared admissible. The Council of Europe has set up a legal aid scheme for applicants who do not have sufficient means.

The EU refers to those same European values as a key element of its deeper political and economic integration processes. The Lisbon Treaty increased the scope for its action in many areas where the Council of Europe already has significant experience and expertise. The European Social Charter is a Council of Europe treaty which guarantees social and economic human rights. It was adopted in 1961 and revised in 1996.

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The Commissioner of Human Rights, Council of Europe

The Commissioner for Human Rights is an independent institution within the Council of Europe, mandated to promote the awareness of and respect for human rights in 47 Council of Europe member states.

(Source: <http://www.reparationlaw.com/resources/european-mechanism/>)



African Mechanisms

African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights (also known as the Banjul Charter) is an international human rights instrument that is intended to promote and protect human rights and basic freedoms in the African continent. The Charter, the African Commission on Human and Peoples' Rights, which was set up in 1987 and is now headquartered in Banjul, Gambia. A protocol to the Charter was subsequently adopted in 1998 whereby an African Court on Human and Peoples' Rights was to be created. The protocol came into effect on 25 January 2005.

African Charter on Human and Peoples' Rights, Organization of African Unity ("Banjul Charter") (Adopted by the eighteenth Assembly of Heads of State and Government 27 June, 1981 – Nairobi, Kenya)

Key Excerpts

Part I: Rights and Duties

Chapter I: Human and Peoples' Rights

Article 1

The Member States of the Organization of African Unity parties to the present Charter shall recognize the rights, duties and freedoms enshrined in this Chapter and shall undertake to adopt legislative or other measures to give effect to them.

Article 2

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Article 3

1. Every individual shall be equal before the law.
2. Every individual shall be entitled to equal protection of the law.

Article 4

Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

(Source: <http://www.reparationlaw.com/resources/african-mechanisms/>)