

The series “WissensWerte” (civic education clips) on human rights consists of a general film on this issue and one film on each of the three dimensions of human rights. Each dimension is of equal importance in the human rights system.

The history of human rights, current human rights violations as well as women’s rights and the role of NGOs such as Amnesty International are also examined.

This clip looks at the third dimension of human rights: collective rights. It also shows how the human rights system is developing and highlights the key problems at present.

The 1970s: the world has changed considerably.

Many former colonies have become independent.

The joy about this newly gained freedom soon turns into disillusionment: many of these countries are faced with massive development problems.

The causes are often found in several countries or even on a global scale: for example, the impact of climate change or an unfair world trade system.

The consequences:

Wars, underdevelopment, corruption or environmental destruction.

Most of these problems cannot be solved by the developing country affected alone.

In response to these problems, the developing countries brought third dimension rights into the human rights debate.

These rights include: the right to peace. A country’s right to dispose freely of its own raw materials. The right to a clean environment. And especially important: the right to development.

These rights differ from those of the first and second dimensions in two respects.

1. They are intended to protect entire groups, for example peoples, rather than individuals. That is why they are called collective rights.
2. The international community rather than individual countries are mainly responsible for their implementation.

The ideological basis for this is solidarity among countries. That is why collective rights are sometimes referred to as solidarity rights.

The third dimension is more controversial than the first two.

One point often made is that human rights are by definition individual rights. That means that they can only relate to individual persons.

Some experts also say that the third dimension rights will never achieve the same legal and political status as those of the first and second dimensions.

This gives rise to the fear that the principle of the indivisibility of human rights could be undermined and the entire human rights system weakened.

Most industrialized countries were initially opposed to the third dimension.

They were afraid that the developing countries could make financial demands based on the right to development. However, since the World Conference on Human Rights in 1993, most industrialized countries have supported the third dimension of human rights. Despite all the criticism there is now consensus: the third dimension rights are an integral part of the human rights system.

The third dimension of human rights shows that although human rights are universal, individual rights can change and new rights can also emerge.

That may become necessary due to technological developments, for example advances in genetic engineering or cloning. However, it can also be due to political change. In the case of the third dimension, it is mainly a result of decolonization and globalization.

With time, international consensus on such new aspects can be reached.

However, that does not mean that every country has to comply (which would be the case if they were internationally binding) or that the rights can even be enforced. For that, the rights would have to be laid down in an international agreement.

The rights of the first dimension are set forth in the International Covenant on Civil and Political Rights, while those of the second dimension are contained in the International Covenant on Economic, Social and Cultural Rights.

Individual rights can also become binding under international law through the adoption of UN conventions. That applies, for example, to CEDAW or the UN Convention on the Rights of Persons with Disabilities.

The next step is enforcing rights: what legal steps can an individual take when their human rights have been violated?

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An international convention requires the signatory states to amend their legislation to take into consideration the human rights in question. Victims of human rights violations can then take legal action in their home country.

If this individual goes through the courts and does not win, then only two possibilities remain:

the individual can submit an individual complaint to the treaty bodies.

The treaty body then makes a decision. Although this decision is not binding for the complainant's home country, a public decision of this kind can have considerable political weight. No country wants to be portrayed in the media as a human rights violator.

This key instrument exists for the first and second dimension, as well as for the conventions. At present, it cannot be used for the third dimension.

Another possibility is to submit a complaint to one of the regional human rights systems. The European system is the most advanced. Complaints are frequently submitted to the European Court of Human Rights. Every year, more than 50,000 individual applications from the Council of Europe member states are submitted to this court.

The other regional human rights systems are much less developed at present. They offer people few alternatives to the UN human rights system.

It's clear that the international human rights system is continually developing. Much has already been achieved but a lot remains to be done. Some of the most important problems in the human rights system are:

Regional human rights systems, especially in Africa and the Americas, must be strengthened. In regions such as Asia and the Middle East, there are no human rights systems at all. They have to be established.

Individual countries and the international community must do more to prevent human rights violations committed by non-state actors. For example, those committed by international corporations, rebel groups or organized crime.

The International Criminal Court in The Hague must be further developed and strengthened. It deals with especially serious human rights violations such as genocide and crimes against humanity.

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History has shown that even if the path is sometimes difficult, the human rights system can be extended and further developed!

There is more information on this issue in the other films in the series “WissensWerte” (civic education clips) on human rights.