CONTENTS

| Preface to the Fifth Edition | xiii |
|------------------------------|------|
| Table of Ratifications | XV |
| Selected Appreniations | xxiv |

PART ONE

STANDARD-SETTING BY THE UNITED NATIONS ORGANIZATION

| I. | Relevant Provisions of the United Nations Charter, 1945 | I |
|-----|---|-----|
| 2. | Procedure in the Commission on Human Rights of the Economic | |
| | and Social Council | 14 |
| 3. | Universal Declaration of Human Rights, 1948 | 23 |
| 4. | Standard Minimum Rules for the Treatment of Prisoners, 1955 | 29 |
| 5. | Declaration on the Granting of Independence to Colonial Countries | |
| | and Peoples, 1960 | 45 |
| 6. | Declaration on Social Progress and Development, 1969 | 48 |
| 7. | Declaration on the Rights of Mentally Retarded Persons, 1971 | 59 |
| 8. | Universal Declaration on the Eradication of Hunger and | |
| | Malnutrition, 1974 | 61 |
| 9. | Declaration on the Protection of Women and Children in | |
| | Emergency and Armed Conflict, 1974 | 66 |
| IO. | Declaration on the Protection of All Persons From Being Subjected | |
| | to Torture and Other Cruel, Inhuman or Degrading Treatment or | , |
| | Punishment, 1975 | 68 |
| II. | Declaration on the Rights of Disabled Persons, 1975 | 71 |
| 12. | Declaration on the Elimination of All Forms of Intolerance and of | |
| | Discrimination Based on Religion or Belief, 1981 | 74 |
| 13. | Declaration on the Right of Peoples to Peace, 1984 | 78 |
| 14. | 0 | |
| | Nationals of the Country in which they Live, 1985 | 79 |
| 15. | Declaration on the Right to Development, 1986 | 83 |
| 16. | Body of Principles for the Protection of All Persons under Any Form | |
| | of Detention or Imprisonment, 1988 | 88 |
| 17. | Basic Principles for the Treatment of Prisoners, 1990 | 97 |
| 18. | United Nations Rules for the Protection of Juveniles Deprived of | |
| | their Liberty, 1990 | IOO |
| 19. | United Nations Principles for Older Persons, 1991 | 113 |

| 20. | Principles for the Protection of Persons with Mental Illness and the | |
|-----|---|-----|
| | Improvement of Mental Health Care, 1991 | 116 |
| 21. | Declaration on the Protection of All Persons from Enforced | |
| | Disappearance, 1992 | 127 |
| 22. | Declaration on the Rights of Persons Belonging to National or | |
| | Ethnic, Religious, or Linguistic Minorities, 1992 | 134 |
| 23. | World Conference on Human Rights: Vienna Declaration and | |
| | Programme of Action, 1993 | 138 |
| 24. | Standard Rules on the Equalization of Opportunities for Persons | |
| | with Disabilities, 1993 | 164 |
| 25. | Declaration on the Elimination of Violence against Women, 1993 | 186 |
| 26. | Appointment of a United Nations High Commissioner for Human | |
| | Rights, 1993 | 191 |
| 27. | Draft United Nations Declaration on the Rights of Indigenous | |
| | Peoples, 1994 | 195 |
| 28. | Beijing Declaration and Platform for Action, Fourth World | |
| | Conference on Women: Action for Equality, Development and | |
| | Peace, 1995 | 205 |
| | Guiding Principles on Internal Displacement, 1997 | 220 |
| 30. | Declaration on the Right and Responsibility of Individuals, Groups | |
| | and Organs of Society to Promote and Protect Universally | |
| | Recognized Human Rights and Fundamental Freedoms, 1998 | 230 |
| | United Nations Millennium Declaration, 2000 | 237 |
| 32. | Declaration of Articles on Nationality of Natural Persons in relation | |
| | to the Succession of States, 2000 | 245 |
| | General Assembly Declaration of Commitment on HIV/AIDS, 2001 | 253 |
| 34. | Norms on the Responsibilities of Transnational Corporations and | CC |
| | other Business Enterprises with regard to Human Rights, 2003 | 268 |
| 35. | Basic Principles and Guidelines on the Right to a Remedy and | |
| | Reparation for Victims of Gross Violations of International Human | |
| | Rights Law and Serious Violations of International Humanitarian | 975 |
| | Law, 2005 | 275 |
| | | |
| | | |
| | DA DE ENALO | |
| | PART TWO | |
| IN | APLEMENTATION AND STANDARD-SETTING IN CONVENTION | ONS |
| | SPONSORED BY THE UNITED NATIONS | |
| | | |
| 36 | . Convention on the Prevention and Punishment of the Crime of | |
| J | Genocide, 1948 | 285 |
| 37 | . Convention Relating to the Status of Refugees, 1951 | 288 |
| | . Convention on the Political Rights of Women, 1953 | 304 |
| | Slavery Convention, 1926, amended by Protocol, 1953 | 30 |

| | • • |
|----------|-----|
| CONTENTS | V11 |
| | |

| 40. | Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956 | 312 |
|-----|---|--------|
| ΔI. | Convention relating to the Status of Stateless Persons, 1954 | 318 |
| 42. | | 329 |
| 1 | International Convention on the Elimination of All Forms of Racial Discrimination, 1966 | 336 |
| 44. | International Covenant on Economic, Social, and Cultural Rights, | |
| | 1966 | 348 |
| | International Covenant on Civil and Political Rights, 1966 | 358 |
| 46. | Optional Protocol to the International Covenant on Civil and Political Rights, 1966 | 375 |
| 47. | Second Optional Protocol to the International Covenant on Civil | 0,0 |
| 17 | and Political Rights, 1990 on the Abolition of the Death Penalty | 379 |
| 48. | International Convention on the Suppression and Punishment of the | 0,0 |
| 1 | Crime of Apartheid, 1973 | 382 |
| 49. | C | J |
| 43. | against Women, 1979 | 388 |
| 50 | Optional Protocol to the Convention on the Elimination of | 3 |
| 50. | Discrimination against Women, 1999 | 400 |
| E I | Convention against Torture and Other Cruel, Inhuman or | 400 |
| 31. | Degrading Treatment or Punishment, 1984 | 405 |
| | | 403 |
| 52. | Optional Protocol to the Convention against Torture and Other | 4 1 77 |
| | Cruel, Inhuman or Degrading Treatment or Punishment, 2002 | 417 |
| - | Convention on the Rights of the Child, 1989 | 429 |
| 54. | Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 2000 | 448 |
| 55. | Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000 | 454 |
| 56 | International Convention on the Protection of the Rights of All | 131 |
| 50. | Migrant Workers and Their Families, 1990 | 462 |
| | ivilgiant vvolkers and Then Taninies, 1990 | 402 |
| | | |
| | | |
| | PART THREE | |
| | CONTRIBUTION OF THE INTERNATIONAL LABOUR ORGANIZATION | |
| | | |
| 57. | Declaration Concerning the Aims and Purposes of the International | |
| ^ | Labour Organization, 1944 | 497 |
| | Convention Concerning Forced or Compulsory Labour, 1930 | 502 |
| 59. | Freedom of Association and Protection of the Right to Organize | |
| | Convention, 1948 | 512 |
| 60. | Right to Organize and Collective Bargaining Convention, 1949 | 518 |
| 61. | Equal Remuneration Convention, 1951 | 523 |
| | | |

| 62. | Convention Concerning the Abolition of Forced Labour, 1957 | 527 |
|-----|--|------|
| 63. | Discrimination (Employment and Occupation) Convention, 1958 | 530 |
| | Discrimination (Employment and Occupation) Recommendation, 1958 | 534 |
| | Minimum Age Convention, 1973 | 538 |
| | Convention concerning Employment Promotion and Protection | |
| | against Unemployment, 1988 | 545 |
| 67. | Convention concerning Indigenous and Tribal Peoples in | |
| | Independent Countries, 1989 | 557 |
| 68. | Declaration on Fundamental Principles and Rights at Work, 1998 | 570 |
| | Worst Forms of Child Labour Convention, 1999 | 574 |
| | Tripartite Declaration of Principles concerning Multinational | |
| | Enterprises and Social Policy, 2000 | 579 |
| | The agree of the same of the same and the same | |
| | | |
| | | |
| | PART FOUR | |
| | CONTRIBUTION OF THE UNITED NATIONS EDUCATIONAL, | |
| | SCIENTIFIC, AND CULTURAL ORGANIZATION | |
| | SCIENTIFIC, AND COLI ORAL ORGANIZATION | |
| 71 | Convention Against Discrimination in Education, 1960 | F.00 |
| | Declaration of the Principles of International Cultural | 593 |
| /2. | • | 600 |
| 79 | | 603 |
| /3. | Offiversal Declaration of California Diversity, 2001 | 002 |
| | | |
| | | |
| | PART FIVE | |
| | / | |
| | EUROPE | |
| | | |
| 5.1 | Council of Europe | |
| 74 | European Convention for the Protection of Human Dights and | |
| /4. | European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, together with Protocols Nos 1, 4, | |
| | | 600 |
| 75. | \mathbf{p} | |
| 75. | of Human Rights and Fundamental Freedoms, on a General | |
| | Prohibition of Discrimination, 2000 | 632 |
| 76. | Protocol No. 13 to the Convention for the Protection of Human | |
| | Rights and Fundamental Freedoms, concerning the Abolition of the | |
| | Death Penalty in All Circumstances, 2002 | 635 |
| 77. | Protocol No. 14 to the Convention for the Protection of Human | |
| | Rights and Fundamental Freedoms, amending the control system of | |
| | | 638 |
| 78. | European Social Charter, 1961 | 645 |
| | | |

CONTENTS

| 79. | Additional Protocol to the European Social Charter, 1988 | 662 |
|---|---|--|
| , 0 | Protocol amending the European Social Charter, 1991 | 670 |
| | Additional Protocol to the European Social Charter providing for a | |
| | System of Collective Complaints, 1995 | 674 |
| 82. | European Social Charter (Revised), 1996 | 678 |
| | European Convention on the Legal Status of Migrant Workers, 1977 | 704 |
| 0 | European Convention for the Prevention of Torture and Inhuman or | , 1 |
| - T | Degrading Treatment or Punishment, 1987 | 717 |
| 85. | European Convention on the Participation of Foreigners in Public | |
| 3 | Life at Local Level, 1992 | 725 |
| 86. | European Charter for Regional or Minority Languages, 1992 | 731 |
| 87. | European Framework Convention for the Protection of National | |
| , | Minorities, 1995 | 745 |
| 88. | European Convention on the Exercise of Children's Rights, 1996 | 754 |
| | European Convention on Nationality, 1997 | 763 |
| 90. | European Convention on Contact concerning Children, 2003 | 775 |
| - | European Convention on Action against Trafficking in Human | |
| 0 | Beings, 2005 | 786 |
| | | |
| 5.2 | European Union | |
| 92. | European Union Charter of Fundamental Rights, 2000 | 806 |
| | | |
| 5.3 | Conference on Security and Co-operation in Europe (CSCE)/ Organization for Security and Co-operation in Europe (OSCE | h) |
| (0.1 | Organization for Security and Co-operation in Europe (OSCE | |
| 93. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 | |
| 93. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE | 817 |
| 93. 94. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 | 817 845 |
| 93. 94. | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the | 817 845 |
| 93· 94· 95· | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 | 817 845 849 |
| 93. 94. 95. | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 | 817 |
| 93. 94. 95. | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the | 817 845 849 866 |
| 93· 94· 95· 96. 97· | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 | 817 845 849 866 |
| 93. 94. 95. 96. 97. | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 | 817 845 849 866 877 893 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE) Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 | 817 845 849 866 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 Document of the OSCE Lisbon Summit Meeting, 1996 | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. | Organization for Security and Co-operation in Europe (OSCE Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 Document of the OSCE Lisbon Summit Meeting, 1996 | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. 99. | Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 Document of the OSCE Lisbon Summit Meeting, 1996 PART SIX AMERICAS | 817 845 849 866 877 893 908 |
| 93. 94. 95. 96. 97. 98. 99. 100. | Final Act of The Helsinki Conference, 1975 Concluding Document of the Vienna Meeting of the CSCE Conference, 1989 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 The Charter of Paris for a New Europe, 1990 Document of the Moscow Meeting of the Third Conference on the Human Dimension of the CSCE, 1991 Document of the CSCE Helsinki Summit Meeting, 1992 Document of the CSCE Budapest Summit Meeting, 1994 Document of the OSCE Lisbon Summit Meeting, 1996 | 817 845 849 866 877 893 908 919 |

| 103. | Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, 1988 | 955 |
|------|---|------|
| 104. | Protocol to the American Convention on Human Rights to Abolish | |
| 105 | Inter American Convention to Provent and Punish Tortum vo? | 963 |
| | Inter-American Convention to Prevent and Punish Torture, 1985 Inter-American Convention on the Prevention, Punishment and | 965 |
| 100. | Eradication of Violence against Women, 1994 | 070 |
| 107 | Inter-American Convention on Forced Disappearance of Persons, 1994 | 970 |
| | Inter-American Convention on the Elimination of all Forms of | 977 |
| 100. | Discrimination Against Persons with Disabilities, 1999 | 989 |
| 100. | Inter-American Democratic Charter, 2001 | 980 |
| 3 | 2001 | 905 |
| | | |
| | PART SEVEN | |
| | TAKT BEVEN | |
| | AFRICA | |
| 110. | Organization of African Unity Convention on the Specific Aspects | |
| | of Refugee Problems in Africa, 1969 | 999 |
| III. | African Charter on Human and Peoples' Rights, 1981 | 1007 |
| | Protocol to the African Charter on Human and Peoples' Rights on | , |
| | the Establishment of an African Court on Human and Peoples' | |
| | Rights, 1998 | 1021 |
| 113. | Protocol to the African Charter on Human and Peoples' Rights on | |
| | the Rights of Women in Africa, 2003 | 1029 |
| 114. | African Charter on the Rights and Welfare of the Child, 1990 | 1042 |
| | | |
| | | |
| | PART EIGHT | |
| | | |
| | ARAB STATES | |
| | | |
| | Cairo Declaration on Human Rights in Islam, 1990 | 1057 |
| 116. | Declaration on the Protection of Refugees and Displaced Persons in | C |
| | the Arab World, 1992 | 1065 |
| 117. | Arab Charter on Human Rights, 2004 | 1070 |
| | | |
| | | |
| | PART NINE | |

THE CONCEPT OF EQUALITY

118. Dissenting Opinion of Judge Tanaka, South West Africa Cases (Second Phase), 1966

1085

CONTENTS Xi

1113

| 120. | World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, 2001 (Durban Declaration and Programme of Action) | 1119 |
|------|--|------|
| | | |
| | PART TEN | |
| | HUMAN RIGHTS AND THE HUMAN GENOME | |
| 121. | Universal Declaration on the Human Genome and Human Rights, | |
| | 1997 | 1177 |
| 122. | European Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine (Convention on Human Rights and | |
| | Biomedicine), 1997 | 1185 |
| 123. | Additional Protocol to the European Convention on Human Rights | |
| | and Biomedicine, on the Prohibition of Cloning Human Beings, 1998 | 1196 |
| 124. | Additional Protocol to the European Convention on Human Rights and Biomedicine, concerning Transplantation of Organs and Tissues | |
| | of Human Origin, 2002 | 1199 |
| 125. | Additional Protocol to the European Convention on Human Rights | |
| | and Biomedicine, concerning Biomedical Research, 2005 | 1207 |
| | UNESCO International Declaration on Human Genetic Data, 2003 | 1220 |
| | United Nations Declaration on Human Cloning, 2005 | 1231 |
| 128. | Universal Declaration on Bioethics and Human Rights, 2005 | 1233 |
| | | |
| | INDEX | 1243 |

119. UNESCO Declaration on Race and Racial Prejudice, 1978