



GLOSSARY OF TERMS

accession: 1. acceptance of a treaty by a state that did not participate in its negotiation or drafting. 2. the act of coming to or attaining (a throne, power, etc.).

Acholi: an ethnic group in northern Uganda, a landlocked country of East Africa.

adoption: a process by which a state agrees to international law; with regard to treaties, adoption usually refers to the initial diplomatic stage at which a treaty is accepted; in order to become effective, after adoption a treaty usually must be ratified by the legislature.

African Charter on Human and Peoples' Rights (adopted 1981; entered into force 1986): establishes human rights standards and protections for the African region; notable for addressing community and group rights and duties.

African Commission on Human and Peoples' Rights: institutional body primarily responsible for the promotion and protection of human rights in Africa.

African National Congress (ANC): the South African political party and black nationalist organization founded in 1912 as the South African Native National Congress. It has been the ruling party of post-apartheid South Africa as a social democratic force.

Akkadian: the extinct language of an empire that was centered in the city of Akkad and the surrounding region located in central Mesopotamia (about 50 miles from the center of modern Baghdad, Iraq).

American Convention on Human Rights (adopted in 1969; entered into force 1978): establishes human rights standards and protections for the Americas; creates the Inter-American Commission on Human Rights.



American Declaration of the Rights and Duties of Man (1965): nonbinding declaration of regional human rights standards; it has evolved into an influential document, as the Inter-American Court of Human Rights has given it value.

Beijing Declaration and Platform for Action: consensus document emerging from the 1995 Fourth World Conference on Women in Beijing, reviewing and reaffirming women's human rights in all aspects of life; signed by representatives at the conference and morally but not legally binding.

Bloc: a group of countries or political parties who have formed an alliance. For example, the Communist Bloc.

charter: a document issued by a sovereign or state, outlining the conditions under which a corporation, colony, city or other corporate body is organized, and defining its rights and privileges.

Charter of the Organization of American States (signed 1948; entered into force 1951): initial charter of the Organization of American States creating the Inter-American Commission on Human Rights.

Charter of the United Nations (signed 1945; entered into force 1945): initial document of the United Nations which spells out the rules for the UN and restates some of the basic principles of international law.

Coke, Sir Edward: (1552–1634) English jurist (one versed in the law, as a judge, lawyer or scholar), who is considered one of the most eminent jurists in all English history, and best known as a compiler of the law. As a member of Parliament he continually clashed with the Crown and routinely challenged royal authority. In 1621, as a leader in a debate he urged that Parliament should not be subservient to the king. A few years later, Coke helped to write the Petition of Right, the most explicit statement of the principles of liberty to appear in England up to that time and which became an integral part of the English constitution.

Commission on Human Rights: a UN commission comprising a group of representatives of different countries that deal with situations involving human rights and fundamental freedoms anywhere in the world. Special rapporteurs report to this commission or its subcommissions.

Commission on the Status of Women (CSW): body formed by the Economic and Social Council (ECOSOC) of the United Nations as the principal UN policymaking body for women; monitors implementation of the Beijing Platform for Action.



Committee against Torture: the treaty-monitoring body established by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to hear violations of that convention.

Committee of Ministers of the Council of Europe: the political arm of the European Convention on the Protection of Human Rights and Fundamental Freedoms; can refer cases to the European Court of Human Rights.

Committee on the Elimination of Discrimination against Women: the treaty-monitoring body created by the Convention on the Elimination of All Forms of Discrimination against Women to monitor state compliance with that convention.

Committee on the Elimination of Racial Discrimination: the treaty-monitoring body created by the Convention on the Elimination of All Forms of Racial Discrimination to monitor state compliance with that convention.

complaint: in legal terms, the initial document that begins an action; sets forth a brief summary of what happened and argues why relief should be granted. In a human rights case, the complaint (or petition or communication) alleges that a government or individual or institution that must answer to human rights standards (such as a surrogate of the government) has violated the human rights of specific individuals or groups of individuals.

convention: binding agreement between states; used synonymously with *treaty* and *covenant*. When conventions are adopted by the UN General Assembly, they create legally binding international obligations for the Member States who have signed the convention. When a national government ratifies a convention, the articles of that convention become part of its domestic legal obligations.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 1984; entered into force 1987): convention defining and prohibiting torture.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Women's Convention) (adopted 1979; entered into force 1981): the first legally binding international document prohibiting discrimination against women and obligating governments to take affirmative steps to advance the equality of women.

Convention on the Elimination of All Forms of Racial Discrimination (CERD) (adopted 1965; entered into force 1969): convention defining and prohibiting racial discrimination.



Convention on the Political Rights of Women (approved 1952; entered into force 1954): early convention reaffirming women's rights in the political sphere.

Convention on the Prevention and Punishment of the Crime of Genocide (approved 1948; entered into force 1951): international convention defining and prohibiting genocide; first human rights treaty of the United Nations.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (adopted 1990; entered into force 2003): convention defining the rights of migrant workers and their families.

Convention on the Rights of the Child (CRC) (adopted 1989; entered into force 1990): convention setting forth a full spectrum of civil, cultural, economic, social and political rights of children.

Convention Relating to the Status of Refugees (adopted 1951; entered into force 1954; revised by 1967 protocol): main convention establishing the definition of a refugee and stating the rights of refugees and obligations of receiving states; defines a refugee as a person who has a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion and who is outside the country of origin. Uprooted people who stay within their country are known as displaced people.

Council of Europe: regional organization that acts as an umbrella organization for regional cooperation on political, social and economic matters; note that the council should be distinguished from the European Economic Community, a wholly economic venture.

covenant: binding agreement between states; used synonymously with *convention* and *treaty*. When covenants are adopted by the UN General Assembly, they create legally binding international obligations for the Member States who have signed the covenant. When a national government ratifies a covenant, the articles of that covenant become part of its domestic legal obligations.

cuneiform: composed of slim triangular or wedge-shaped elements, as the characters used in writing by the ancient Akkadians. Cuneiform also refers to the system of writing in which such wedge-shaped impressions were made in soft clay.

customary international law: law that becomes binding on states although it is not written, but rather adhered to consistently out of custom; when enough states



have begun to behave as if something is the obligatory law, it indeed becomes law; one of the main sources of international law.

Darfur: the westernmost region of the Sudan.

declaration: document stating agreed-upon standards but which is not legally binding. UN conferences, like the 1993 UN Conference on Human Rights in Vienna and the 1995 World Conference for Women in Beijing, usually produce two sets of declarations: one written by government representatives and one by nongovernmental organizations (NGOs). The UN General Assembly often issues influential but legally nonbinding declarations.

“disappearances”: a euphemism for politically motivated murders. Since those arranging for the disappearances are usually government officials, perpetrators are rarely brought to justice.

displaced person: a person who flees his or her homeland due to political persecution or war, but does not cross state borders; *displaced persons* can be used as a phrase to refer to people who may consider themselves to be refugees but who do not qualify for official refugee status under the Convention Relating to the Status of Refugees.

double jeopardy: the subjecting of a person to a second trial or punishment for the same offense for which the person has already been tried or punished.

Economic and Social Council (ECOSOC): United Nations council comprised of 54 members and concerned primarily with the field of population, economic development, human rights and criminal justice; high-ranking body that receives and discharges human rights reports in a variety of instances.

enter into force: the point of time when a treaty becomes fully binding on the countries that have ratified it. This usually happens when a certain number of states have ratified the treaty.

ETS: European Treaty Series.

European Commission of Human Rights: body established by the European Convention for the Protection of Human Rights and Fundamental Freedoms to investigate grievances of human rights and bring charges of violations. The commission consists of a number of members equal to that of the number of contracting parties to the convention.



European Community Court of Justice: court created in 1952 as part of the European Coal and Steel Community; court hears economic claims under the European Economic Community Treaty and related agreements.

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (adopted 1987; entered into force 1989): regional parallel to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; distinctive feature is the establishment of the European Committee for the Prevention of Torture or Inhuman or Degrading Treatment or Punishment.

European Convention for the Protection of Human Rights and Fundamental Freedoms (signed 1950; entered into force 1953): regional document that guarantees civil and political human rights and establishes machinery for their supervision and enforcement.

European Council: the principal policy- and rule-making institution of the European Union.

European Court of Human Rights: court established by the European Convention for the Protection of Human Rights and Fundamental Freedoms to hear allegations of human rights violations. The court consists of a number of judges equal to that of the Members of the Council of Europe. Note that this is distinguishable from the European Community Court of Justice, a body that hears economic complaints.

European Court of Justice: the supreme tribunal of the European Union.

European Economic Community: established in 1958 to develop a common European market free of trade barriers and to promote harmonization of laws and practices.

European Parliament: the principal deliberative and supervisory institution of the European Union.

European Social Charter (signed 1961; entered into force 1965): regional document concerned with developing and protecting social and economic rights; intended to be complementary to the European Convention on Human Rights and Fundamental Freedoms, but having less force.

European Union: a regional intergovernmental organization that has as its goals the elimination of internal frontiers and the establishment of an economic and monetary union.



General Assembly: one of the principal organs of the United Nations consisting of all Member States; issues declarations and adopts conventions on human rights issues; its actions are governed by the Charter of the United Nations.

general principles of law: principles that appear nearly universally in states' domestic law and, thus, over time become binding on all nations; one of the main sources of international law.

Geneva Conventions: four treaties formulated in Geneva, Switzerland, that set standards for international law for humanitarian concerns. They chiefly concern the treatment of noncombatants and prisoners of war. The adoption of the first Convention followed the foundation of the International Committee of the Red Cross in 1863 and they have now been ratified by 194 countries.

genocide: any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting the conditions of life calculated to bring about the physical destruction of the group; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group. See **Convention on the Prevention and Punishment of the Crime of Genocide.**

habeas corpus: a writ (written command in the name of a court) requiring that a person be brought before a judge or into court, especially to investigate the lawfulness of their detention.

Helsinki Accords: declaration of principles by the Conference on Security and Co-operation in Europe which seeks peace and human rights in Europe; first Helsinki document was called the Final Act of the Helsinki Conference (1975).

High Commissioner for Human Rights: United Nations office charged with the promotion and protection of human rights worldwide.

humanitarian law: the international rules that establish the rights of combatants and noncombatants in war. See **Geneva Conventions.**

Human Rights Committee: the treaty-monitoring body created by the International Covenant on Civil and Political Rights to investigate and hear claims pertaining to civil and political rights under that Covenant; one of six bodies charged with monitoring compliance of Member States with UN human rights conventions.

human trafficking: the recruitment, transportation, harboring or receipt of people for the purposes of slavery, forced labor (including bonded labor or debt



bondage) and servitude. The total annual revenue for trafficking in persons is estimated to be between \$5 billion and \$9 billion.

ICCPR: see **International Covenant on Civil and Political Rights.**

inalienable: refers to rights that belong to every person and cannot be taken from a person under any circumstances.

infamous crime: a crime that is punishable by serious penalty, such as death, long imprisonment or loss of civil rights.

Inter-American Commission on Human Rights: an organ of the Organization of American States with power to conduct investigations into alleged human rights violations and to recommend measures for the protection of human rights.

Inter-American Convention on Human Rights (signed 1969; entered into force 1978): convention providing human rights protections in the Americas and establishing the American Court of Human Rights.

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (entered into force 1995): regional convention that provides a new mechanism for women in the Americas who suffer from various forms of violence.

Inter-American Convention to Prevent and Punish Torture (adopted 1985; entered into force 1987): regional corollary to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Inter-American Court of Human Rights: a seven-member judicial body which hears cases brought against member organizations concerning human rights abuses; an organ of the Organization of American States.

International Bill of Human Rights: the combination of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and its optional protocol, and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

International Covenant on Civil and Political Rights (ICCPR) (adopted 1966; entered into force 1976): convention that declares that all people have a broad range of civil and political rights. One of three components of the International Bill of Human Rights.

International Covenant on Economic, Social and Cultural Rights (ICESCR) (adopted 1966; entered into force 1976): convention that declares that all



people have a broad range of economic, social and cultural rights. One of three components of the International Bill of Human Rights.

international law: a set of rules generally regarded and accepted as binding in relations between states and nations. Also called “law of nations.”

jurisdiction: the authority of courts or court-like bodies to hear and decide claims; can refer to the court’s ability to hear particular subjects and/or to review cases brought by certain types of claimants; jurisdiction can also refer to a geographic area of authority.

Mali: a landlocked state in central western Africa bounded by Algeria, Niger, Burkina Faso, Senegal and Mauritania.

marginalized: placed in a position of insignificant importance, influence or power.

Member States: countries that are members of the United Nations.

monitoring and reporting procedure: procedures not generally resulting in legally enforceable remedies, resembling “audits” of government behavior which result in nonbinding recommendations. In some cases, the reporting resembles a self-inspection; governments report on their own compliance with human rights obligations or a monitoring body initiates the report on government behavior.

Myanmar: a country located in the western portion of mainland Southeast Asia, bounded by China, Laos, Thailand, Bangladesh and India. Also called Burma.

natural law: a theory that posits the existence of a law whose content is set by nature and that therefore is valid everywhere; in philosophy, a system of right or justice held to be common to all humans and derived from nature rather than from the rules of society or positive law.

nonbinding: a document, like a declaration, that carries no formal legal obligations. It may, however, carry moral obligations or attain the force of law.

nongovernmental organizations (NGOs): organizations formed by people outside of government, NGOs monitor the proceedings of human rights bodies such as the Commission on Human Rights and are the “watchdogs” of the human rights that fall within their mandate. Some are large and international (Save the Children, Amnesty International, the Girl Scouts); others may be small and local (an organization to advocate for people with disabilities in a particular city; a coalition to promote women’s rights in one refugee camp). NGOs play a



major role in influencing UN policy, and many of them have official consultative status at the UN.

OAS: see **Organization of American States.**

OAU: see **Organization of African Unity.**

optional protocol: addendum to an international agreement to which the States parties must agree separately; often places additional obligations to the parties, such as an agreement to submit to the jurisdiction of an international court.

Optional Protocol to the International Covenant on Civil and Political Rights (adopted 1966; entered into force 1976): addendum attached to the International Covenant on Civil and Political Rights. By signing this addendum, states agree to allow the Human Rights Committee to consider individual complaints, that is, complaints from individuals claiming to be denied any of the rights in the International Covenant on Civil and Political Rights.

Organization of African Unity (OAU): organization of independent African states that work jointly to improve peace and the quality of life for the people of Africa. The OAU Charter, the guiding document of the group, was adopted in 1963.

Organization of American States (OAS): organization of independent American states created to strengthen peace and security in the region and to promote regional cooperation on economic, social and cultural matters.

Organization on Security and Co-operation in Europe (OSCE) (formerly the CSCE): European attempt to settle security issues peacefully through a series of creative collaborative ventures; formerly the Conference on Security and Co-operation in Europe; declared the Helsinki Accords.

peoples' rights: used synonymously with solidarity rights and collective rights; refers to the rights of groups, not just individuals, such as the rights to development, peace and a healthy environment.

petition: see **complaint.**

procedural requirements: technical requirements that must be met to bring a claim, as distinguished from substantive requirements.

procedure: the various ways in which human rights claims can be made. See **monitoring and reporting procedure.**



protocol: supplemental addition to a treaty; when States parties can still agree to the main treaty without signing on to the protocol, this is known as an optional protocol.

ratification: process by which the legislative body of a state confirms a government's action in signing a treaty; formal procedure by which a state becomes bound to a treaty after acceptance.

reporting procedure: see **monitoring and reporting procedure.**

Security Council: organ of the United Nations comprised of five permanent members and ten nonpermanent members elected by the General Assembly that attempts to bring about peaceful settlements of disputes.

signature: an act by which a State provides a preliminary endorsement of a treaty. Signing does not create a binding legal obligation but does demonstrate the State's intent to examine the treaty domestically and consider ratifying it. While signing does not commit a State to ratification, it does oblige the State to refrain from acts that would defeat or undermine the treaty's objective and purpose.

special rapporteur: a person given a specific mission to investigate, gather information and report on a certain human rights subject or the situation in a particular part of the world. The Special Rapporteur on Freedom of Religion or Belief reports annually to the UN Commission on Human Rights on the status of this human right worldwide.

treaty: binding agreement between states; used synonymously with *covenant* and *convention*. When treaties are adopted by the UN General Assembly, they create legally binding international obligations for the Member States who have signed the treaty. When a national government ratifies a treaty, the articles of that treaty become part of its domestic legal obligations.

United Nations Charter: initial document of the UN setting forth its goals, functions and responsibilities; adopted in San Francisco in 1945.

United Nations General Assembly: the only United Nations organ in which all Member States are represented. The General Assembly serves as a forum for Member States to launch initiatives on international questions of peace, economic progress and human rights.

United Nations High Commissioner on Refugees (UNHCR): the specialized agency of the United Nations that deals with refugee issues and related humanitarian concerns.



Universal Declaration of Human Rights (UDHR): adopted by the UN General Assembly on December 10, 1948. The primary UN document establishing human rights standards and norms, all Member States have agreed to uphold the UDHR. Although the Declaration was intended to be nonbinding, through time its various provisions have become so respected by states that it can now be said to be customary international law.

Villiers, George: (1592–1628) English statesman, first Duke of Buckingham and favorite of James I, king of England. Buckingham had a great interest in diplomacy and warfare and was allowed by James to virtually rule the country, which he continued to do with the accession of Charles (King Charles I) in 1625. Parliament distrusted and resented Buckingham, finding him arrogant and believing he had needlessly involved England in wars against France (1626–1629) and Spain (1624–1630).