

Respect for diversity and regional human rights norms

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Importance of respect for diversity

Respect for diversity, which includes both visible areas such as race, sex and colour of skin as well as invisible areas such as value, tradition and notion, is considered to be particularly important at the United Nations¹ and it is requested to those who engage in United Nations Peacekeeping Operations (UNPKO) as well. This is due to the reason that in the countries and regions where UNPKO are deployed, there are norms and concepts originated from their own cultural value, tradition, history and religious belief. And thus, understanding and showing respect for such diversity contributes positively to gain trust from local government and local population to the UNPKO, and consequently leads to the successful implementation of the mission².

Respect for diversity is also applicable to human rights area. Out of regional human rights norms drafted by reflecting its own value and notion of human rights of the region, this article takes African region and introduces human rights norms of Africa, namely African Charter on Human and Peoples' Rights.

Banjul Charter: regional human rights norm of African region

African Charter on Human and Peoples' Rights, so called Banjul Charter³, was adopted in 1981 at the Organization of African Unity (OAU) Assembly and came into force on 21

October 1986. Banjul Charter sets the group rights, such as rights as a family and a community, as equally important rights as individual rights by putting "People's Rights" in the name of the Charter.

Banjul charter, which is composed of its preamble and 68 articles, has stipulated unique African characteristics generated from its historical and social background as well as its own value. In its preamble, it states "Taking into consideration the virtues of their (i.e. African) historical tradition and the values of African Civilization⁴" and African own principles and characteristics have been reflected in the main body of the Charter.

As major characteristics of Banjul Charter, (1) several articles stipulate so-called third generation rights⁵ such as right to self-determination, free disposal of wealth and natural resource, and right to development, (2) as duties of individuals, every individual is required "to preserve and strengthen positive African cultural values"⁶ as well as to contribute to the best of his abilities "to the promotion and achievement of African unity"⁷, and (3) every individual is also requested "to preserve the harmonious development of the family"⁸ as well as "to serve his community by placing his physical and intellectual abilities at its service"⁹.

In general, it can be said that regional human rights norms have been drafted and adopted in order to show unified position of the region in respecting its own value and principles by reflecting its uniqueness to the norms, while acknowledging its responsibility to implement international human rights standards and principles.

Next article will take Arab region as another example.

End Notes

¹ In the recruitment page of the U.N., it is stated that "diversity is one of the defining features of the United Nations and the Organization recognizes that the diversity of its staff is an asset in tackling its complex tasks. We are called to respect and learn from each other's differences". Refer "United Nations Career: What we look for", United Nations, accessed November 07 2012, <https://careers.un.org/lbw/home.aspx?viewtype=wwlf>.

² In the Core Pre-Deployment Training Materials (CPTM) produced by the U.N., it is stated that gaining "credibility" and "legitimacy" from local government and local populations is the key for the success of PKO missions. Refer "CPTM Unit 1: A Strategic Level Overview of UN Peacekeeping", United Nations, accessed November 07 2012, http://peacekeepingresourcehub.unlb.org/PBPS/Pages/PUBLIC/ViewDocument.aspx?docid=935&cat=71&scat=393&menukey=_4_5_2.

³ African Charter on Human and Peoples' Rights is also referred to as the "Banjul Charter" since the draft Charter was adopted in Ministerial Conference in Banjul, the capital of the Gambia. For further detailed story, refer "History of the African Charter", African Commission on Human and Peoples' Rights, accessed December 10 2012, <http://www.achpr.org/instruments/achpr/history/>.

⁴ Full text of Banjul Charter, refer "African Charter on Human and Peoples' Rights", African Commission on Human Rights, accessed December 10 2012, http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf.

⁵ In the traditional categorization of three generations of human rights, 1st generation is categorized as civil and political rights and 2nd generation is categorized as socio-economic rights. 3rd generation (e.g. the rights to a healthy environment, to self-determination and to development) has been emphasized by developing countries in the era of globalization. For further explanation, refer "International Human Rights Law: A Short History", United Nations Chronicle, accessed November 08 2012, <http://www.un.org/wcm/content/site/chronicle/home/archive/issues2009/wemustdisarm/internationalhumanrightslawashorthistory>

⁶ Article 29 (7), African Charter on Human and Peoples' Rights

⁷ Article 29 (8), African Charter on Human and Peoples' Rights

⁸ Article 29 (1), African Charter on Human and Peoples' Rights

⁹ Article 29 (2), African Charter on Human and Peoples' Rights