

# HUMAN RIGHTS RESEARCH UNIT (Malta)

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In the aftermath of the devastation of the last World War, a new political will surged through the world community as a first step in the collective enforcement of a lasting peace for mankind, to safeguard the individual from the scourge of oppression. A renewed attempt was made to set standards of behaviour, to which all people and nations should aspire, in the **Charter of the United Nations**, signed by the member states in 1945. Signature was a clear manifestation of the reaffirmation of their faith in fundamental human rights and freedoms, disregard of which had resulted in barbarous acts that had outraged the conscience of mankind.

A historic document adopted by the General Assembly of the United Nations on the 10th December, 1948, was the **Universal Declaration of Human Rights** which, in its Preamble, states that the "Recognition of the inherent dignity and of the equal and inalienable rights of all the members of the human family is the foundation of freedom, justice and peace in the world". Therefore, in laying down standards to be observed by all nations, the Universal Declaration proclaimed that all individuals were born free and equal in dignity "regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". Such were the ideals that all leaders and people had to strive for to recreate a society based on peace and stability.

This goal led to the foundation in May, 1949, of the **Council of Europe** as the first European political institution. Its aims were, besides that of achieving a greater unity, that all members were to safeguard and realise the ideals and principals of common heritage, that of working for the "maintenance and further realisation of human rights and fundamental freedoms".

No sooner was the Council established that it set to work to attain this crucial objective and, in fact, we witnessed the creation of the **European Convention on Human Rights**, which was founded on the belief that fundamental freedoms – "the foundation of justice and peace in the world" – were best maintained by an effective political democracy and a "common understanding and observance of the human rights upon which they depend".

Governments of European countries which were "likeminded and had a common heritage of political traditions, ideals, freedom and the rule of law" were therefore taking the first steps for the collective enforcement of these rights.

Malta, too, pertaining to this common heritage, joined the rest of Europe with its support in the major breakthroughs made in the field of human protection, firstly through its 1964 Independence Constitution and, lately, by signing the European Convention and adopting it into domestic law in 1987.

Of stark importance is that the individual, through the Strasbourg machinery, has a **locus standi** whereby persons, groups of individuals or non-governmental organisations may petition the European Commission even against their own State, so long as this has recognised the competence of the Commission. Never has the individual and his rights been so protected by the rule of law.

It is in the light of these developments that the study of human rights has continued to find new breeding ground. This is what has, in fact, inspired a group of University law students, under the guidance of Prof. David J. Attard, to found the “Human Rights Research Unit (Malta)” within the Faculty of Laws.

### **Aims**

The aims of this Unit are based on the need for a greater awareness of the rights and freedoms of the individual, particularly on the basis of an analysis of both local and foreign jurisprudence:

“To promote, in complete autonomy, the protection and development of Fundamental Human Rights – respect for such rights being an indispensable condition for the preservation of peace” (Rene Cassin – International Institute of Human Rights – Strasbourg)

### **Structure**

The unit operates through by a Committee composed of seven students elected during the Annual General Meeting as well as by a Board of Advisors composed by persons who have distinguished themselves in the promotion of, or research in human rights, both in Malta and abroad.

### **Membership**

All students within the Faculty of Laws are automatically members of the Unit. Membership is also open to all persons having a professional interest in human rights, as well as to all those students attending the University of Malta who agree with and can contribute to the furtherance of the aims of the Unit.

### **Activities**

Since the Human Rights Research Unit (Malta) was only founded recently, one can only mention those activities to be organised in the near future. These will include the setting up of a well-equipped Human Rights Documentation Centre housing material published by the Unit as well as by local and international authorities in the field of human rights and which will be made accessible to all members; the organisation of seminars and fora with both local and foreign participants together with the organisation of courses in human rights at various academic levels.

**International Relations**

Contact has been established with various international human rights organisations which have already forwarded a number of their publications which will go to furnish the Unit's Documentation Centre. These include the Human Rights Information Centre of the Council of Europe; the Inter-American Institute of Human Rights; the British Institute of Human Rights; the International Institute of Human Rights.

**Publications**

Over the past months, the Unit has translated into English all local judgements in the field of human rights delivered since 1964. These will be published in the near future together with their original Maltese text. This task, which is the first of its kind to have been undertaken and completed locally will be supplemented by the publication of a complete list of these judgements and an analytical index.

For further information kindly contact any member of the Committee at the Faculty of Laws, University of Malta, Tal-Qroqq.