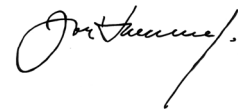


# Universal Charter of Duties and Obligations of the Individuals



*Nobody performs her or his duties. Governments do not, because they do not know, they are not able or they do not wish, or because they are not permitted by those who effectively govern the world: The multinational and pluricontinental companies whose power – absolutely non-democratic – reduce to next to nothing what is left of the ideal of democracy. We citizens are not fulfilling our duties either. Let us think that no human rights will exist without symmetry of the duties that correspond to them. It is not to be expected that governments in the next 50 years will do it. Let us common citizens therefore speak up. With the same vehemence as when we demanded our rights, let us demand responsibility over our duties. Perhaps the world could turn a little better.*



## **Introduction**

The Universal Declaration of Human Rights, signed in Paris on December 10th, 1948, sought to address the great concerns that in previous decades humanity endured. As never before, the possibility of destruction of human beings by the use of the State and its political and legal powers emerged and became visible. The Declaration sought to eliminate such atrocities by reaffirming the dignity of all individuals upon the recognition of rights as inherent. A substantial list of these rights was established in the Declaration. Thereafter, together with other international instruments, the same goal was sought to be achieved. These instruments pursued the avoidance of human being's instrumentalization and provide them with sufficient opportunities to build their own existence. Think, create, choose and be were guaranteed with particular rights capable of confronting public administrations, identified back then as a cause of great concerns.

The grant of rights has defused some of the individual and social issues, however it has not been able to solve many other situations. Over the years it has been proved that the mere ownership of rights is not enough to transform everyday reality; that public and private powers will not change their performance by the mere recognition of rights to individuals or groups. As rightholders, we have to understand our situation not as something given once and for all, but as an attribute that requires to be exercised and updated every day. Paradoxically, we have to force ourselves and our communities to exercise our own rights. In addition, we have to acknowledge that our condition as individuals entitles the performance of duties and obligations among us, the collectivity and future generations.

Briefly, but certainly not least, the Universal Declaration of Human Rights imposed on us, in Article 29th, certain duties to our community, assuming this as the only approach to develop our personality freely and fully. The atrocities that World War II had just left behind and the recognition of the cruelties committed back then, led to focus attention on rights relegating duties.

The commitment to other individuals and to the society in which they live was postponed in the pursuit of individual assertion. There was nothing reprehensible in such painful moments. However, over the years it has been shown the need of people as individuals and as a community to fight for an assertion of their rights and their social status. It has also highlighted the urgency of accepting full compliance with its precondition: the fulfillment of the duties and obligations legally and morally corresponding to each individual.

Over recent decades we actually have witnessed an increase in awareness: rights are an indispensable tool for the construction of individuality, however this requires, in turn, a social construction, of the whole in which it is. To achieve a full and authentic development, and realize fully the process of humanization, we need to think of ourselves as part of that whole and take public affairs as social habitat that grant us possibilities, since our contribution is a source of meaning. Whether as individuals or within the groups we have decided to join, we need to understand that with the compliance of our rights, we must fulfill duties and obligations which include claiming to the State the respect and guarantee thereof, since the State shall never be exempted of its responsibility as guarantor.

Such increase of awareness is reflected in different initiatives focused on explaining the duties of individuals in a national and international level. First of all, in a strictly regional approach, was the inclusion of the second chapter, targeting duties in the “American Declaration of the Rights and Duties of Man” in 1948. The American States meeting at the Ninth International Conference of American States declared: while rights emphasize liberty, duties express the dignity in which freedom is exercised. In 1988, a group of remarkable personalities developed the “Declaration of Human Duties and Responsibilities”, which intention is to emphasize:

that the assumption of obligations and responsibilities implicit in human rights and fundamental freedoms lies with all members of the worldwide community, including the States, international organizations, regional and sub regional organizations as well as intergovernmental organizations, private and public sectors, non-governmental organizations, citizens’ associations, other representatives of civil society and all individual members of human beings as a community.

In the year 1999 the General Assembly of the United Nations adopted the “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms”, which Article 18th restated the importance of each individual to assume their duties and obligations as a pillar for individual and collective transformation. In February 2002, the General Assembly issued a new resolution to urge State members to achieve compliance with such rights, duties and obligations.

In the years since, several national efforts have been undertaken to include in the respective constitutions a greater number of duties and responsibilities to its citizens.

In 2016, the National Autonomous University of Mexico (UNAM), the José Saramago Foundation and the World Future Society (Chapter Mexico), collected the previous efforts to give new impetus to the establishment of duties, obligations and responsibilities for human beings and social groups. As a conclusion of the various meetings conducted, it was noted that:

Proliferation in the recognition of rights has caused a misunderstanding. Countless people have assumed that rights have corresponding obligations. It is as if it is thought that an individual has taken over all rights necessary for their growth and for obtaining their satisfiers, without assuming the cost to himself, his peers, the surrounding environment or the State. It is necessary to think of the sphere of rights with a corresponding responsibility.

Since the efforts of UNESCO, the General Assembly of the United Nations or national constitutions, and up until now, new possibilities and challenges have been raised. On one side, life expectancy of the population have increased considerably; social networks have opened liberating possibilities of communication and information exchange; formal democratic processes have increased; international law and supervisory possibilities has spread in some areas; accountability for certain sectors has been present; certain diversities and the centrality of gender equality have been recognized and are transforming our society.

However, the environment is currently most threatened and deteriorated; the development of democratic processes is questioned by those who think they do not always elect the most suitable individual for the performance of public office; law has components that have become part of the domination process; employment and its implementation conditions have been degraded and are considered to be alienating; corporations have greater opportunities to exploit individuals and governments, globalization has become an opening to new ways of evading their duties and responsibilities; nuclear threats have reappeared with particular savagery; policy options for many ideologies do not offer adequate responses; people are more alone and are being degraded by an alarming number of causes; inequalities have grown and have become institutionalized.

The current and predictable overview have led to wonder about the possibilities of liberation and emancipation and, in particular, have made us ask ourselves if everything involves the entitlement of new and greater rights or, rather, such requirement must be accompanied by the full assumption of a basic set of duties and obligations with several degrees of responsibility. It should not be ignored, moreover, that the tendency of society to build relationships on the Web, without knowing the face of others, to live in “liquid modernity” or in public spaces that appeal more to emotions than to facts or to the sense of collective responsibility, require ethical construction comprising both the exercise of rights and duties.

Taking into account the visions and efforts of valuable individuals, this proposal aims to contribute to the position taken by individuals and groups against their current reality and such reality for future generations. It intends to identify the obligations we shall fulfill in respect to ourselves, our fellow human beings, society and the environment in which we live, with perspective to future generations. The proposal wants to make explicit a fact sometimes taken for granted or simply ignored, although it is indispensable for the realization of individu-

ality and communal life condition. It is based on the premise that the repeated assumption and demanding of rights is a necessary condition for human development; however it is not sufficient to achieve the ambitious goals to be achieved as humanity, nor to guarantee the sustainability of the democratic institutions and the rule of law.

Our proposal understands and assumes, first of all, the State's obligations to exercise the rights entitled to individuals, nationally and internationally. By speaking of the duties and obligations of individuals or groups, in any way whatsoever it seeks to deprive of responsibility to whom in our time remains as the most important form of political and social organization. Quite the contrary. Given its position, the State shall be the central subject of rights' enforcement and, consequently, satisfaction of the relevant obligations. Thinking of the State, in this context, is assuming that, in the end, those acting on behalf of it are individuals, recognized as civil servants and therefore, through their activities it is required, with greater emphasis, the responsible exercise of their duties: If the State is, per se, the space of public affairs, the public servants shall be considered the best channels to promote ethical constructions in collective action. As provided in Article 2.1 of the aforementioned "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" on 1999:

States have the primary responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, to undertake the necessary measures to create the social, economic, political and other conditions, as well as legal guarantees required to ensure that all individuals under its jurisdiction, individually or collectively, enjoy the practice of all such rights and freedoms.

While acknowledging and demanding strict compliance with what has been determined as a responsibility of the State, it is crucial to recognize that some of the legal duties and essential ethical obligations for the conception of the common good transcends such political entity, since without active citizenship and fully awareness of its position in the world, it may be difficult to carry out any transformation process. In addition, it is hereby acknowledge that different groups and associations, not just individuals by themselves, may have, due to the accumulating power or social function, several degrees of responsibility. From these premises we ask:

Which are the obligations towards ourselves and towards those who come after us, the individuals and organizations of our time? What should the economic groups, civic associations, religious communities, media, political parties or particular individuals who inhabit the earth shall do besides of asserting its undeniable rights? Beyond despairs and specific possibilities of realization, what shall be our own obligations, depending on our circumstances, capacities and possibilities, to ourselves, towards other individuals, with our community, with our governmental system or with the space we inhabit? Someone or many shall know, is not sufficient to achieve actions in the right direction. It is crucial to say it, or postulate, compromise, so that things start to go in such direction. Just like for years the need for each individual to assume itself as a full subject of rights, and be able to understand and exercise such rights has been proclaimed, it is necessary, through an exercise of civic education, to talk about the duties and obligations impose to such entitlement.

This is finally the purpose of this proposal: to help us become aware that our human condition happens, certainly, with the full ownership of the rights we have admitted as inherent to all human beings, but also by the acceptance of duties, obligations and responsibilities towards ourselves and towards others. As expressed by José Saramago during one of the speeches delivered for the occasion of receiving the Nobel Prize for Literature in 1998, referring to the 50th anniversary of the Universal Declaration of Human Rights:

*A Universal Declaration of Human Rights was proposed and so we thought we had it all, without realizing that no right can exist without symmetry of the duties incumbent on it. The first duty will be to demand that such rights are not only recognized but also respected and satisfied. It should not be expected that governments will perform in the next fifty years what they have not done in these commemorating years. Let us take then, as ordinary citizens, the floor and initiative. With the same vehemence and the same force with which we claim our rights, also we shall vindicate the duty of our duties. Perhaps then the world begins to be a little better.*

## Preamble

Whereas human rights are the greatest legal and social achievement of our time aim to ensure the dignity of all individuals without any distinction on its individual, social or cultural condition,

Considering the need to recognize the emergence of new rights as well as carry out an updated, intergenerational, relational and supportive lecture of such rights properly emphasizing their social role,

Reiterating that the main obligors to comply with human rights are national states as well as international and regional organizations,

Underlying the importance that all individuals and organizations shall also comply with such rights,

In response to the growing inequalities and human rights violations and the difficulties of reaching the target raised to achieve the harmonious development of mankind as a whole, Understanding that the Universal Declaration of Human Rights establishes in Article 29th that all individuals shall fulfill their legal duties in respect to their communities,

Assuming that in compliance with legal duties, the possibilities of achieving full development of the individuals is not exhausted, being the ethical obligations equally essential to sustain democratic institutions as well as the rule of law,

Admitting the need of all individuals and social organizations in which they decide to participate, to fulfill their legal duties and ethical obligations, and under no circumstances its non-compliance could serve as a pretext for the State to be exempted from its own obligations,

Recognizing that individuals and the different social actors may have by their power, capacity or social function, different degrees of responsibility in its contribution to warranty the necessary conditions for the enjoyment of rights by all individuals.



## **We hereby declare**

### **one**

All individuals have a duty to comply with and fulfill the rights enshrined in the Universal Declaration of Human Rights and other national and international instruments, as well as the obligations necessary to effectively guarantee them.

### **two**

All individuals have the duty and the obligation to a common and non-abusive exercise of rights, for the responsible enjoyment of goods and services.

### **three**

All individuals, especially the social, economic and cultural organizations have a duty and an obligation to not discriminate and to demand anti-discrimination policies on grounds of race, color, gender, age, gender identity and sexual orientation, language, religion, political or ideological opinion, national, ethnic or social origin, disability, property, birth or other similar grounds.

### **four**

1. All individuals have the obligation and the duty to respect and demand respect of the life as well as physical, mental and moral integrity of all individuals.
2. All individuals, economic organizations and social and cultural organizations have a duty, obligation and responsibility to not participate in or condone enforced disappearance practices, slavery disappearance, trafficking with children and adults, torture, inhuman cruel and degrading treatment, gender violence, child labor and forced labor.

### **five**

1. All individuals, business organizations, social and cultural organizations, religious organizations and educational centers, have the duty and the obligation to respect and demand that the identity, autonomy and sexual integrity of individuals, children and adults are respected.
2. All individuals have the duty and obligation to not participate or condone the practices of abuse and sexual violence, sexual slavery, trafficking for prostitution and pornographic exploitation.

### **six**

1. All individuals have the duty and the obligation to respect and demand respect for bodily autonomy as well as private and family life.
2. All individuals and religious bodies have the duty and obligation to respect the different forms of relationship that each person freely chooses.

### **seven**

1. All individuals, social, economic and cultural organizations and, especially, the church authorities and followers, media, schools, economic organizations and employers have the duty and obligation to respect and demand respect for ideological and religious freedom of individuals and to not incite hatred and discrimination.
2. All practitioners, believers and followers of any ideology and religion have the duty and obligation to respect human rights and fundamental freedoms in their practices or demonstrations.

**eight**

1. All individuals and organizations, in particular the media, have the duty and the obligation to respect and demand respect for freedom of expression and information, and to contribute to the access of all groups and collectives with full respect for pluralism.
2. All individuals have, to the best of our conditions and possibilities, the duty and obligation to inform and participate responsibly in public affairs.
3. All individuals and the media, including participants of social networks, have the duty and obligation to ensure the accuracy of the information transmitted, in order to safeguard privacy and respectability of individuals as well as the responsible use of cyberspace.
4. All individuals and media, including participants of social networks have the duty and obligation to not incite violence or discrimination.

**nine**

1. All individuals have the duty and obligation, within our conditions and capacity, to participate responsibly in public affairs and in taking collective decisions.
2. All individuals, especially economic organizations, political parties and other social, economic and cultural organizations have a duty and obligation to respect and demand respect for financial rules in election campaigns and political parties.
3. All political parties and organizations have the duty and obligation to contribute to the democratic articulation of society, integration of political representation, with special attention in the target of gender parity.

**ten**

1. All individuals have the duty and obligation to demand universal access to free education and the responsibility to instruct the proper utilization of educational resources.
2. Parents or guardians, as well as schools have the duty and obligation to educate without discrimination of any kind.
3. Academic and educational institutions, and teachers have the duty and obligation to promote and develop awareness of human rights, democracy, peace, pluralism, gender equality and respect for different forms of diversity as well as for the environment.

**eleven**

1. All individuals have the duty and obligation to respect and demand respect for culture, for our native and foreign languages, as well as the collective memory of individuals and their tangible and intangible cultural heritage, and to transmit this common heritage to future generations.
2. Economic organizations have the duty and obligation to respect the natural resources on which cultural practices depend, of indigenous population and other indigenous groups.
3. All individuals have the duty and obligation to protect biodiversity and to respect and promote multiculturalism.

**twelve**

1. All individuals have the duty and obligation to respect cultural creation as well as scientific, literary or artistic productions and to ensure respect for moral and material author rights and artists.
2. Researchers, scientists, research centers and businesses, as well as other social, economic and cultural organizations, have the duty and obligation to promote knowledge, development, and scientific and technological innovation responsible for the benefit of humanity, and proceed in accordance with the best ethical practices.



### **thirteen**

1. All individuals have the duty and obligation to prevent diseases and infections, as well as to make a rational and responsible use of health services.
2. All companies and employers have the duty and obligation to ensure safe and healthy working conditions.
3. All individuals have the duty to demand free and universal health benefits as well as a proper regulation of medicine prices.
4. All pharmaceutical and medical companies have the duty and obligation to share scientific and technical knowledge, and to fix medicine pricing so that the access to basic health is not impeded to all the population.
5. All individuals, business organizations as well as social and cultural organizations have the duty and obligation to equitably distribute food and not waste them in order to eradicate hunger.

### **fourteen**

1. All individuals and companies wherever their headquarters are located, have the duty and obligation to promote and to demand a job in decent and safe conditions, with a non-discriminatory compensation and full respect for the prohibition of child labor.
2. Employers have the duty and obligation to ensure equal opportunities and non-discrimination in employment, to respect the workers rights to collectively organize and to freedom of association, to promote full employment and access of young people to work, as well as to implement measures to provide reasonable accommodation for people with disabilities and special needs.
3. Employers have the duty and obligation to contribute to the social security system.
4. Employers have the duty and obligation to respect and promote the fulfillment of human rights within their spheres of influence and, in particular, to refrain from forms of human exploitation.
5. All individuals have the duty to perform their work and profession subject to the respective codes of conduct.

### **fifteen**

1. All individuals have the duty and the obligation to respect the right to individual and collective property.
2. All individuals have the duty and obligation to accept the limits imposed by the social function of property.

### **sixteen**

1. All individuals have the duty and the obligation to respect freedom of movement and demand the protection of rights for migrants, asylum-seekers and refugees.
2. All individuals have the duty and obligation of hospitality towards migrants, refugees and asylum seekers, as well as to demand contribution for the development and peace of the country of origin or provenance.

### **seventeen**

All individuals and economic organizations have the duty and obligation to preserve and enforce environmental care and protection of biodiversity for the benefit of present and future generations, making rational and efficient use of energy and natural resources and ensuring sustainable development.

**eighteen**

All individuals have the duty and obligation to respect and demand respect to the habitat as well as forms and living conditions of non-human animals as well as to refrain from any form of cruelty in food production.

**nineteen**

In recognition of human interdependence, all individuals, regardless of gender, have a duty and obligation to contribute to the care of dependent, vulnerable individuals or individuals in a situation of vulnerability, as well as the obligation to require public benefits that contribute to the development of the human beings.

**twenty**

1. All individuals, economic organizations and social and cultural organizations have the obligation to contribute to the support of public spending and reduce income inequality, proportionally, progressive and sufficient to ensure the satisfaction of rights, in particular social, cultural, economic and environmental.

2. All individuals, economic organizations and business organizations have the duty and obligation to require the authorities to combat tax evasion.

**twenty one**

1. All individuals have the duty and obligation to ensure the compliance of the national and international legal order and the observance of legitimate authority.

2. All individuals have the duty and obligation to contribute and demand good governance, eradication of corruption and impunity.

3. All individuals and economic organizations have the duty and obligation to cooperate with the administration of justice and the prosecution of national and international crime.

**twenty two**

All individuals and organizations have the duty and obligation to contribute to peaceful resolution of conflicts and to peace, particularly companies producing and marketing arms and ammunition.

**twenty three**

All individuals have the duty and obligation to contribute to the defense of the fundamental interests of their community and to not allow the recruitment and participation of children.

**July, 31<sup>st</sup>, 2017**