

CULTURAL RIGHTS AT THE BEGINNING OF THE 21ST CENTURY¹

Mădălina Virginia ANTONESCU*

Abstract. Within the XXI century global society, as one based on knowledge and equally, within the framework of cultural and informational types of globalization, some categories of human rights can receive a better statute and an enforcement of their legal regulation. The paper is focused on defining the legal concepts of human person's right to culture, cultural rights and the consumer's right to culture and information, accordingly to their existent regulation on national, regional and international fields. Legal differences between above-mentioned concepts will be highlighted, too. The methodology is based on the legal comparative approach. The finality of our study is to show the content of some human rights, so-called by academics "of last generation". Within the second part of the study we'll propose some solutions of improving, at international juridical level, the legal regime of this specific category of human rights. Within the global society of XXI century, these specific rights of the human person receive a new legal significance, reflecting the concrete access of human person to knowledge, her correct and complete information but also, they are tools for consolidation of human personality. The above-mentioned rights are placing the human person in a continuous, creative relation with the society, and also, as an active contributor in building the reality.

Keywords: human and cultural rights, information, human personality, the XXIst century

The theoretical debate on the economic, social and cultural rights has focused on a pragmatic view (since the exercise of such rights is affected by the resource-related policies and programmes of the states, by their concrete ability to execute engagements of social, integration, solidarity and equality among people, taking the adequate measures, for the protection of vulnerable groups such as the poor, disabled persons, local people, ethnic minorities etc.)². This balanced and pragmatic view on the economic, social and cultural rights was established only after the World Conference on Human Rights, Vienna, 1993.

The cultural rights are included in a distinct category of human rights and liberties, being enshrined at international legal level; without any hierarchy among the various categories of human rights, the cultural rights are enshrined distinctly from the civil, political, social and economic rights of the human being.

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* Researcher at Romanian Diplomatic Institute.

² Ion Diaconu, *Drepturile omului în dreptul internațional contemporan. Teorie și practică*, 2nd edition, Lumina Lex, Bucharest, 2009, p. 133.