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Coalición por la Libertad
Académica en las Américas

Academic Freedom and Democracy from the Conceptual Universe of Human Rights

*Development and Implementation
of the Inter-American Principles in the
Light of International Standards*



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Executive Summary

Academic freedom and autonomy are two dynamic elements that are essential for the fulfilment of the core objectives of universities. Their conceptual evolution places them today - and they are identified as such - within the conceptual universe of human rights.

The development of international human rights law has contributed to this, not only at the normative level, but also - fundamentally - in the production of the tutelage bodies that fulfil their mandates within international organisations, both within the United Nations and at regional levels.

The journey reaches a historic moment when the Inter-American Commission on Human Rights approves in 2021 the 'Inter-American Principles on Academic Freedom and University Autonomy', a central legal document that serves as the main tool for respecting and guaranteeing the rights of higher education institutions and all the people who make up their academic community.

All this makes possible the necessary reflection on the links between human rights and higher education, and the reconceptualisation of academic freedom and university autonomy as human rights - based on the aforementioned contemporary approaches.

Unravelling the content and limits of the human right to academic freedom and university autonomy, and identifying the content of each of the Inter-American Principles from the production of international human rights bodies - jurisdictional or non-jurisdictional in nature - enables the proper identification of the obligations of States and higher education institutions themselves to comply with international standards in this area.

Likewise, the challenge of putting into daily practice the guarantee of the exercise of the human rights that are at stake in all university activities requires the detailed identification of implementation measures.

The five chapters of the research paper entitled "*Academic Freedom and Democracy from the Conceptual Universe of Human Rights: Development and implementation of the Inter-American Principles in the light of international standards*" address the aforementioned issues in depth, underline the indissoluble relationship between democracy, human rights and academic freedom, highlight the role of the

university in the consolidation of the rule of law, and the transcendental role that professional practice must play - in terms of human rights - in order for societies to be substantially democratic, and for States to adequately comply with the purposes - and obligations - of respect and guarantee.

Finally, the work provides a detailed roadmap to be implemented by States and Universities - in the light of the Inter-American Principles - and offers inputs to vindicate nationally and internationally, before the appropriate bodies, the respect and safeguarding of university autonomy and academic freedom.

