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Treaties and Other International Agreements

Inter-American Convention on Human Rights

AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN

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1. Admissibility

San Sebastian is a signatory to all the binding documents. However, this is not an issue of the sexual orientation of the petitioner, but rather an issue of unprofessional conduct unbecoming of an educator. Therefore, it is a matter of internal jurisdiction.

2. State's obligation to fulfill 12.1 and 12.4 (Human Rights and Rights of Man)

Every person has the right to an education, which should be based on the principles of liberty, morality and human solidarity.

Likewise every person has the right to an education that will prepare him to attain a decent life, to raise his standard of living, and to be a useful member of society.

The right to an education includes the right to equality of opportunity in every case, in accordance with natural talents, merit and the desire to utilize the resources that the state or the community is in a position to provide.

Every person has the right to receive, free, at least a primary education. 49 12 26 13

The rights of each person are limited by the rights of others, by the security of all, and by the just demands of the general welfare, in a democratic society.

3. The State did not violate the convention

1. The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.
2. No one may be the object of arbitrary or abusive interference with his private life, his family, his home, or his correspondence, or of unlawful attacks on his honor or reputation.
3. Freedom to manifest one's religion and beliefs may be subject only to the limitations prescribed by law that are necessary to protect public safety, order, health, or morals, or the rights or freedoms of others