

The Sixth World Conference on Constitutional Justice on ‘Human Rights for Future Generations’

Madrid, Spain

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The Sixth Conference on “Human Rights for Future Generations” was held to renew the commitment of present generations to their historic and fateful responsibility to safeguard the future of humanity.

Protecting the human right to a safe environment is not merely an environmental issue, but an existential challenge linked to the very fate of sustainable development as a whole. From this perspective, this conference provides a forum for dialogue on ways to promote environmental justice, consolidate the values of solidarity among peoples, and explore mechanisms to ensure the rational use of natural resources, thereby achieving the desired balance between today’s needs and tomorrow’s rights. The issue is not merely rhetoric, but an existential imperative affecting all nations in light of environmental degradation and climate change, the erosion of the individual’s distinct identity as a consequence of the digital evolution of

societies, and other legitimate and natural human concerns that threaten humanity as a whole.

Discussions of human rights and future generations present us with a profound dilemma that transcends the present and looks towards the future. Since the emergence of modern human rights thought, the individual in the present moment has remained the focus of protection; however, the global transformations we are experiencing today – from climate change and demographic pressure to the excessive consumption of resources – have prompted the international community to ask: How can we ensure that the gains of the present do not become a burden on the future, and that our development today does not stand in the way of a dignified life for future generations?

Herein lies the central dilemma: how do we balance the needs of present generations with the rights of future generations, so that this does not remain mere empty moral rhetoric, but is transformed into enforceable constitutional and legal obligations embedded within fundamental texts and constitutional court rulings?

Hence, the human rights of future generations are no longer merely a philosophical and ethical issue debated in salons, but an urgent necessity for safeguarding environmental justice, protecting social peace, and ensuring the continuity of both human civilisation and the human race.

Issues relating to the conservation of natural and environmental resources, the protection of

humanity's cultural heritage, and access to scientific knowledge and modern technology are among the key themes that fall within what is known in international jurisprudence as the **third generation of human rights**. This generation, which has emerged from the evolution of the human rights system, is also known as 'solidarity rights' and addresses issues relating to groups, peoples and the international community as a whole, rather than solely to the individual. **Among the key themes of this generation are: the right to development**, which includes equality of opportunity in economic, social and cultural development; **the right to a healthy environment**, which encompasses the conservation of natural resources and the protection of the environment from pollution and depletion; **and the right to peace**, which is the right of peoples to live free from war or armed conflict; **and the right to the common heritage of humanity**, which encompasses the protection of cultural and civilisational heritage as the common property of humanity; **and the right to access technology and scientific knowledge**, which is one of the rights that supports equity in benefiting from scientific and technological progress.

Whilst the Constitution provides the normative framework for protecting the rights of future generations, the Constitutional Court is the effective guarantor of translating this framework into reality, by reviewing legislation and ensuring the sustainability of rights over time.

One of the conference's themes addressed the preservation of humanity's cultural heritage. Indeed, with regard to Algeria, Article 76 of the Constitution recognises culture as a guaranteed right: "Everyone has the right to culture on an equal footing with others." Paragraph 3 adds that the State shall protect the national cultural heritage, both tangible and intangible, and work to preserve it.

Algeria has placed heritage protection at the heart of its legal and institutional framework. From the 2020 Constitution, which explicitly stipulates the preservation of cultural and civilisational heritage, to Law 98-04 on the protection of cultural heritage, the state has established a progressive framework that defines categories of heritage, sets out mechanisms for classification and restoration, and imposes strict penalties for offences against cultural property. Specialised institutions have also been established, such as the National Office for the Management and Exploitation of Protected Cultural Property and the National Centre for Archaeological Research, as well as bodies responsible for conservation and enhancement.

At the international level, Algeria was an early signatory to the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, and this commitment has led to the inscription of seven Algerian sites on the World Heritage List, including Tassili n'Ajjer, which is considered an open-air museum of prehistoric art, the Kasbah of Algiers with its rich Ottoman

cultural heritage, the Roman cities of Timgad, Djémila and Tipaza, and the M'zab Valley, which combines architecture and the environment. In addition to this tangible heritage, Algeria has also contributed to the inscription of elements of its intangible heritage, such as the art of Ahil Qourara, Andalusian music, and shared Mediterranean celebrations.

However, heritage protection does not stop at registration or classification; it requires ongoing work in restoration and rehabilitation. We have seen extensive restoration programmes covering historic mosques such as the Great Mosque and the Kechawa Mosque, as well as projects to rehabilitate the old Kasbah in partnership with UNESCO and the European Union . Algeria has also made significant efforts to combat the illicit trade in archaeological artefacts, having already recovered several items that had been smuggled out of the country.

Despite the challenges associated with urban pressure, Algeria is continuing to step up its efforts. It is working to digitise its heritage through the creation of databases and 3D images, and is keen to integrate heritage education into school curricula, as well as promoting sustainable cultural tourism, so that archaeological sites become economic resources as much as they are cultural symbols.

Algeria considers heritage not merely as a past to be preserved, but as a lever for sustainable development and a bridge for dialogue between

peoples. With this in mind, our country continues to cooperate with UNESCO, ISESCO and the African Union to share expertise and build regional and international partnerships, recognising that humanity's cultural heritage is a shared responsibility.

We are accustomed to speaking of archaeological monuments, listed sites and museums. However, heritage is not limited to what we have inherited from the past. It is also what we continue to create, transmit and revive. Languages, narratives, music and traditional knowledge form an integral part of this collective memory. In other words, heritage is not static; it is alive and ever-evolving.

Yet today, this heritage is more fragile than ever.

It is vulnerable to armed conflict, when historical monuments become targets of barbarism, as was the case with the destruction of the Great Mosque of Timbuktu ().

It is vulnerable to climate change, when rising sea levels threaten entire cities such as Venice, Alexandria and some Pacific islands.

It is also fragile in the digital world, where memory is constructed or erased, amidst the risks of manipulation, monopoly and cultural erasure.

Faced with these challenges, it is time to change our perspective.

The protection of heritage should not be seen as a matter for archaeologists or historians alone, but as a fundamental right for future generations.

Just as we speak today of climate justice, we must speak of **heritage justice**.

In practical terms, we could envisage new legal instruments:

- Why not consider establishing a constitutional mechanism for cultural appeal, allowing citizens and associations to challenge any decision that threatens heritage with irreparable harm?
- And why not envisage, at the international level, a specialised court to hear cases of crimes committed against humanity's cultural memory and property?

Ladies and gentlemen,

The preservation of cultural heritage is not merely about protecting stones, manuscripts or museums; it is about safeguarding humanity's memory and preserving the right of future generations to inherit a world imbued with meaning.

True renewal does not lie in adding more sites to heritage lists, but in elevating heritage protection to the level of human rights and environmental protection.

We hope that this conference will serve as a solid bridge between the various experiences, expertise and practices in giving concrete expression to the concept of intergenerational justice, and that it will become a beacon of collective action and international cooperation in laying the foundations for a just, secure and sustainable future. We affirm that what brings us together today is not merely an exchange of views, but a living expression of a shared determination to shoulder our historical responsibilities and to establish new rules for global solidarity, making intergenerational justice an existential principle in public policy, national legislation and international practice. The recommendations of this conference and the constructive dialogue that will emerge from it constitute an open invitation to all partners—governments, institutions, and civil and academic bodies—to continue along this path and reinforce it with concrete, practical steps. We look forward to the period following this conference marking the beginning of a new phase, in which shared values are upheld and a solid edifice of cooperation is built to protect the rights of future generations and safeguard human dignity. May the spirit of this conference serve as a source of strength for us all, and as an incentive to move forward towards a world that is more just, more equitable, and more deeply committed to the responsibility of the present towards the future.

We would not wish to miss this opportunity to extend our sincere thanks and appreciation to the

host country for its excellent organisation, to the organisers for their tremendous efforts in ensuring the success of this gathering, and to all participants for their valuable contributions and fruitful enrichment of the discussion. The success of this conference is the fruit of this collaboration, and it is the best proof that sincere cooperation and a shared vision can make a difference, and express hope for a brighter future for coming generations.

It is this integrated vision, in our view, that must guide our joint efforts.

Thank you for your attention.