

كلية المستقبل الجامعة

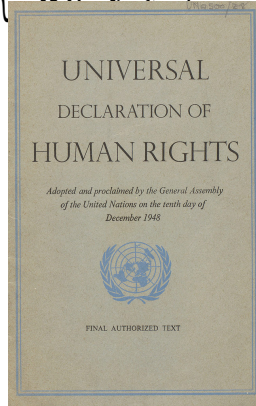
قسم الصيدلة

المرحلة الثانية

حقوق الانسان في المواثيق الدولية والاقليمية

و التشريعات الوطنية

الإعلان العالمي لحقوق الانسان (1948)



م.م فرقان علي حسين الخفاجي

ماجستير في القانون الخاص



THE UNIVERSAL DECLARATION OF Human Rights

1948 recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

1948 disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

1948 it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.

1948 it is essential to promote the development of friendly relations among nations.

1948 the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have

determined to promote social progress and better standards of life in larger freedom.

1948 Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

1948 a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.

1948 In its common declaration this Universal Declaration of Human Rights is a common standard of achievement for all peoples and all nations, in the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of nations under their jurisdiction.

1948 1. Everyone has the right to life, liberty and security of person.
2. No one shall be subjected to arbitrary arrest, detention or exile.
3. Everyone has the right to a fair and public hearing by an independent and impartial tribunal in the present of his rights.
4. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
5. No one shall be subjected to arbitrary arrest, detention or exile.
6. Everyone has the right to recognition as a person before the law.
7. All are equal before the law and entitled to equal protection of the law.
8. Everyone has the right to a fair and public hearing by an independent and impartial tribunal in the present of his rights.
9. No one shall be subjected to arbitrary arrest, detention or exile.
10. Everyone has the right to a fair and public hearing by an independent and impartial tribunal in the present of his rights.
11. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.
12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.
13. Everyone has the right to free movement and residence within the frontiers of each State.
14. Everyone has the right to leave any country, including his own, and to return to his country.
15. No one shall be denied the right to a nationality.
16. Men and women of full age, without any limitation based on race, nationality or religion, have the equal right to marry and to found a family. They are entitled to equal rights as regards marriage, during marriage and at its dissolution.
17. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.
18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief.
19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without restriction and to receive and impart information and ideas without regard to frontiers, race, nationality or religion.
20. Everyone has the right to freedom of peaceful assembly and association.
21. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
22. Everyone has the right to social security.
23. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to higher pay, to equality of pay for work of equal value, to a reasonable leisure time, to freedom of trade union membership, and to participation in the management of the enterprise.
24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.
25. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, medical care and necessary social services, and to education.
26. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and vocational education shall be made generally available and higher education shall be equally available to all on the basis of ability.
27. Everyone has the right to the free enjoyment of his cultural life, to take part in the cultural activities of the community, to enjoy the benefits of scientific progress and its applications, and to participate in the benefits of culture.
28. Everyone has the right to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.
29. Everyone has the right to the fulfilment of these rights and freedoms, but such exercise of them shall be subject only to such limitations as are necessary for the respect and the enjoyment by others of these rights and freedoms.
30. Nothing in this Declaration may be interpreted as authorizing any State, group or person to engage in any activity aimed at the destruction of any of the rights and freedoms set forth in this Declaration.

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الإعلان العالمي لحقوق الإنسان 1948

وثيقة تاريخية هامة في تاريخ حقوق الإنسان صاغها ممثلون من مختلف الخلفيات القانونية والثقافية من جميع أنحاء العالم، واعتمدت الجمعية العامة الإعلان العالمي لحقوق الإنسان في باريس في 10 كانون الأول/ ديسمبر 1948 بموجب القرار 217 ألف بوصفه أنه المعيار المشترك الذي ينبغي أن تستهدفه كافة الشعوب والأمم. وهو يحدد، وللمرة الأولى، حقوق الإنسان الأساسية التي يتعين حمايتها عالميا. وترجمت تلك الحقوق إلى 500 لغة من لغات العالم.



الديباجة



- كان من الضروري أن يتولى القانون حماية حقوق الإنسان لكيلا يضطر المرء آخر الأمر إلى التمرد
- ولما كان لتناهي حقوق الإنسان وازدراؤها قد أفضيا إلى أعمال همجية آذت الضمير الإنساني، وكان غاية ما يرنو إليه عامة البشر لنيل اتفاق عالمي يتمتع فيه الفرد بحرية القول والعقيدة ويتحرر من الفزع والفاقة
- الأهمية الكبرى للوفاء التام بهذا التعهد.

كانت شعوب الأمم المتحدة قد أكدت في الميثاق من جديد إيمانها بحقوق الإنسان الأساسية وبكرامة الفرد وقدره وبما للرجال والنساء من حقوق متساوية لما كان الاعتراف بالكرامة المتأصلة في جميع أعضاء الأسرة البشرية وبحقوقهم المتساوية الثابتة هو أساس الحرية والعدل والسلام في العالم.

الجمعية العامة تتنادي بهذا الإعلان العالمي لحقوق الإنسان على أنه المستوى المشترك الذي ينبغي أن تستهدفه كافة الشعوب والأمم حتى يسعى كل فرد وهيئة في المجتمع، واضعين على الدوام هذا الإعلان نصب

الإعلان العالمي لحقوق الانسان 1948 المادة: (4)



لا يجوز استرقاقُ
أحد أو استعباده،
ويُحظر الرق
والإتجار بالرقيق
بجميع صورهما.



الإعلان العالمي لحقوق الانسان 948 المادة: (5)

لا يجوز إخضاع

“

أحد للتعذيب ولا

للمعاملة أو العقوبة

القاسية أو

اللاإنسانية أو

الحاظة بالكرامة.



الإعلان العالمي لحقوق الانسان 1948 (المادة: 9)

لا يجوز
اعتقالُ أيِّ
إنسانٍ أو
حجزه أو نفيه
تعمُّقًا.



الإعلان العالمي لحقوق الانسان 1948 (مادة: 11) منهم

بجريمة يُعتبر بريئاً
إلى أن يثبت ارتكابه
لها قانوناً في محاكمة
علنية تكون قد وُقِّرت
له فيها جميعُ
الضمانات اللازمة
للدفاع عن نفسه.



الميثاق الدولي الخاص بالحقوق المدنية والسياسية (1966) (15)

“

(لأجريمة ولا عقوبه
مالم ينص عليها
القانون)



الإعلان العالمي لحقوق الانسان 1948مادة: (14) اولاً



لكلّ فرد حقّ التماس
ملجأ في بلدان أخرى
والتمتع به خلاصاً من
الاضطهاد.



الإعلان العالمي لحقوق الانسان 1948 المادة: (14) ثانياً

لا يمكن التذرع بهذا
الحقّ إذا كانت هناك
ملاحقة ناشئة بالفعل
عن جريمة غير
سياسية أو عن أعمال
تناقض مقاصد الأمم
المتحدة ومبادئها

