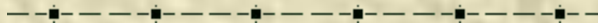




*Права и свободы человека
и гражданина*

Урок 17.



1. Правовой статус человека и гражданина

Правовой (юридический) статус личности - совокупность юридических норм, которые закрепляют **права, свободы и обязанности** личности (гражданина, иностранца, лица без гражданства) по отношению к обществу, государству и другим физическим лицам и одновременно права и обязанности последних в отношении данной личности.

Право (субъективное) - закрепленная за лицом мера возможного поведения, направленного на удовлетворение его интересов в конкретном правоотношении

Свобода — это наличие возможности выбора варианта и реализации исхода события

Юридическая обязанность - определенная законом мера должного поведения участника правоотношения – носителя этой обязанности.

1. Правовой статус человека и гражданина



2. Международные нормативно-правовые акты по правам человека

Всеобщая декларация прав человека -

рекомендованный для всех стран-членов ООН документ, принятый 10 декабря 1948

года
10 декабря - День прав человека

Декларация имеет только статус рекомендации

Конвенция - разновидность международного договора, в котором прописанные нормы являются юридически-обязующими для сторон, подписавших эту конвенцию



THE UNIVERSAL DECLARATION OF Human Rights

PREAMBLE 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.

PREAMBLE 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.

PREAMBLE 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.

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

PREAMBLE 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.

PREAMBLE 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.

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

NOW THEREFORE THE GENERAL ASSEMBLY PROCLAIMS this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to 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 territories under their jurisdiction.

ARTICLE 1 — All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ARTICLE 2 — Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

ARTICLE 3 — Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether the territory be an independent State, trust or Non-Self-Governing Territory, or under any other form of sovereignty.

ARTICLE 4 — Everyone has the right to life, liberty and the security of person.

ARTICLE 5 — No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 6 — No one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 7 — Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 8 — All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

ARTICLE 9 — Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 10 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 11 — Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 12 — Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

ARTICLE 13 — No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

ARTICLE 14 — No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 15 — Everyone has the right to freedom of movement and residence within the borders of each state.

ARTICLE 16 — Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 17 — Everyone has the right to own and to enjoy in other countries asylum from persecution.

ARTICLE 18 — This right may be invoked in the case of persecutions genuinely arising from non-political views or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 19 — Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

ARTICLE 20 — Everyone has the right to freedom of assembly and association.

ARTICLE 21 — Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

ARTICLE 22 — Everyone has the right of equal access to public service in his country.

ARTICLE 23 — The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by secret vote and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ARTICLE 24 — Everyone, as a member of society, has the right to security and is entitled to insurance, through national social security and international co-operation and in accordance with the organization and resources of each State, of economic, social and cultural rights indispensable for his dignity and the free development of his personality.

ARTICLE 25 — Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

ARTICLE 26 — Everyone, without any discrimination, has the right to education.

ARTICLE 27 — Everyone who works has the right to just and favourable conditions of work.

ARTICLE 28 — Everyone has the right to demand before the law.

ARTICLE 29 — Everyone has duties to the community in which alone the free and full development of his personality is possible.

ARTICLE 30 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

ARTICLE 31 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 32 — In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and meeting the just requirements of morality, public order and the general welfare in a democratic society.

ARTICLE 33 — These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

ARTICLE 34 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

ARTICLE 35 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 36 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

ARTICLE 37 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 38 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

ARTICLE 39 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 40 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



LIBRARY
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2. Международные нормативно-правовые акты по правам человека

1950 г. - Европейская конвенция о защите прав человека и основных свобод

1959 г. – Декларация прав ребенка

1989 г. – Конвенция о правах ребенка

1966 г. - «Международный пакт о гражданских и политических правах» и «Международный пакт об экономических, социальных и культурных правах»

Пакт - международный договор, имеющий большое политическое значение

3. Права и свободы гражданина РФ

Права и свободы человека и гражданина



4. Обязанности гражданина РФ

1) соблюдать Конституцию РФ и законы

5) заботиться о сохранении исторического и культурного наследия, беречь памятники истории и культуры

2) уважать права и свободы других лиц

6) платить законно установленные налоги и сборы

3) обязанность родителей заботиться о детях, их воспитании и обязанность совершеннолетних трудоспособных детей заботиться о своих нетрудоспособных родителях

7) сохранять природу и окружающую среду, бережно относиться к природным богатствам

4) обязанность каждого получить среднее общее образование

8) обязанность граждан Российской Федерации защищать Отечество