

RIGHTS AND DUTIES OF MEN AND CITIZEN IN RUSSIA



By: Omar Elnobii Ahmed

• ***PLANE:-***

▪ **Rights of Citizen:-**

- 1- Equal rights
- 2- The right to life
- 3- The protection of human dignity
- 4- The individual's right to the inviolability of his private life
- 5- Freedom of thought and expression
- 6- Participation in the management of state affairs
- 7- Protection of the motherhood, childhood and family
- 8- Protecting the rights of victims of crimes
- 9- Defending the homeland
- 10- Protecting private property



-ARTICLE FROM 17 TO 19:-

- Fundamental human rights and freedoms are inalienable and shall be enjoyed by everyone since the day of birth. The exercise of the rights and freedoms of man and citizen shall not violate the rights and freedoms of other people. In the Russian Federation recognition and guarantees shall be provided for the rights and freedoms of man and citizen according to the universally recognized principles and norms of international law and according to the present Constitution.
- The rights and freedoms of man and citizen shall be directly operative. They determine the essence, meaning and implementation of laws, the activities of the legislative and executive authorities, local self-government and shall be ensured by the administration of justice.
- The State shall guarantee the equality of rights and freedoms of man and citizen, regardless of sex, race, nationality, language, origin, property and official status, place of residence, religion, convictions, membership of public associations, and also of other circumstances. All forms of limitations of human rights on social, racial, national, linguistic or religious grounds shall be banned. Man and woman shall enjoy equal rights and freedoms and have equal possibilities to exercise them.



-ARTICLE FROM 20 TO 22:-

- Capital punishment until its complete elimination may be envisaged by a federal law as an exclusive penalty for especially grave crimes against life, and the accused shall be granted the right to have his case examined by jurytrial. Everyone shall have the right to life.
- No one shall be subject to torture, violence or other severe or humiliating treatment or punishment. No one may be subject to medical, scientific and other experiments without voluntary consent. Human dignity shall be protected by the State. Nothing may serve as a basis for its derogation.
- Arrest, detention and remanding in custody shall be allowed only by court decision. Without the court's decision a person may be detained for a term more than 48 hours. Everyone shall have the right to freedom and personal immunity.



-ARTICLE FROM 23 TO 25:-

- Everyone shall have the right to privacy of correspondence, of telephone conversations, postal, telegraph and other messages. Limitations of this right shall be allowed only by court decision. Everyone shall have the right to the inviolability of private life, personal and family secrets, the protection of honour and good name.
- The collection, keeping, use and dissemination of information about the private life of a person shall not be allowed without his or her consent. The bodies of state authority and local self-government, their officials shall ensure for everyone the possibility of acquainting with the documents and materials directly affecting his or her rights and freedoms, unless otherwise provided for by law.
- The home shall be inviolable. No one shall have the right to get into a house against the will of those living there, except for the cases established by a federal law or by court decision.



-ARTICLE FROM 26 TO 28:-

- Everyone shall have the right to use his or her native language, to a free choice of the language of communication, upbringing, education and creative work. and they have the right to determine and indicate his nationality. No one may be forced to determine and indicate his or her nationality.
- Everyone may freely leave the Russian Federation. Citizens of the Russian Federation shall have the right to freely return to the Russian Federation. who legally stays in the territory of the Russian Federation shall have the right to free travel, choice of place of stay or residence.
- Everyone shall be guaranteed the freedom of conscience, the freedom of religion, including the right to profess individually or together with other any religion or to profess no religion at all, to freely choose, possess and disseminate religious and other views and act according to them.



-ARTICLE FROM 29 TO 31:-

- Everyone shall have the right to freely look for, receive, transmit, produce and distribute information by any legal way. The list of data comprising state secrets shall be determined by a federal law. The propaganda or agitation instigating social, racial, national or religious hatred and strife shall not be allowed. The propaganda of social, racial, national, religious or linguistic supremacy shall be banned. No one may be forced to express his views and convictions or to reject them. Everyone shall be guaranteed the freedom of ideas and speech.
- No one may be compelled to join any association and remain in it. Everyone shall have the right to association, including the right to create trade unions for the protection of his or her interests. The freedom of activity of public association shall be guaranteed.
- Citizens of the Russian Federation shall have the right to assemble peacefully, without weapons, hold rallies, meetings and demonstrations, marches and pickets.



-ARTICLE FROM 32 TO 34:-

- Citizens of the Russian Federation shall have the right to elect and be elected to state bodies of power and local self-government bodies, and also to participate in referenda. and they have the right to participate in managing state affairs both directly and through their representatives, enjoy equal access to the state service. Citizens of the expenditures shall have the right to participate in administering justice.
- Citizens of the Russian Federation shall have the right to address personally, as well as to submit individual and collective appeals to state organs and local self-government bodies.
- The economic activity aimed at monopolization and unfair competition shall not be allowed. Everyone shall have the right to a free use of his abilities and property for entrepreneurial and economic activities not prohibited by law.



-ARTICLE 35 AND 36:-

- . Everyone shall have the right to have property, possess, use and dispose of it both personally and jointly with other people.No one may be deprived of property otherwise than by a court decision. Forced confiscation of property for state needs may be carried out only on the proviso of preliminary and complete compensation. The right of inheritance shall be guaranteed and The right of private property shall be protected by law.
- Possession, utilization and disposal of land and other natural resources shall be exercised by the owners freely, if it is not detrimental to the environment and does not violate the rights and lawful interests of other people.The terms and rules for the use of land shall be fixed by a federal law.



-ARTICLE 37 AND 38:-

- Everyone shall have the right to labour conditions meeting the safety and hygienic requirements, for labour remuneration without any discrimination whatsoever and not lower than minimum wages and salaries established by the federal law, as well as the right to protection against unemployment. Recognition shall be given to the right to individual and collective labour disputes with the use of methods of their adjustment fixed by the federal law, including the right to strike. Everyone shall have the right to rest and license. Those working by labour contracts shall be guaranteed the fixed duration of the working time, days off and holidays, and the annual paid leave established by the federal law. Forced labour shall be banned.
- Care for children, their upbringing shall be equally the right and obligation of parents. Able-bodied children over 18 years of age shall take care of disabled parents.



-ARTICLE FROM 39 TO 41:-

- Promotion shall be given to voluntary social insurance and the creation of additional forms of social security and charity. State pensions and social allowances shall be established by law. guaranteed social security at the expense of the State in old age, in case of an illness, disability, loss of the bread-winner, for upbringing of children and in other cases established by law.
- The bodies of state authority and local self-government shall encourage housing construction and create conditions for exercising the right to a home. Everyone have the right to a home. No one may be arbitrarily deprived of his or her home.
- In the Russian Federation federal programmes of protecting and strengthening the health of the population shall be financed by the State; measures shall be adopted to develop state, municipal and private health services; activities shall be promoted which facilitate the strengthening of health, the development of physical culture and sport, ecological and sanitary-epidemiological well-being. everyone have the right to health protection and medical aid. Medical aid in state and municipal health establishments shall be rendered to individuals gratis, at the expense of the corresponding budget, insurance contributions, and other proceeds.



-ARTICLE FROM 42 TO 44:-

- Everyone have the right to favourable environment, reliable information about its state and for a restitution of damage inflicted on his health and property by ecological transgressions.
- Everyone have the right to education. Guarantees shall be provided for general access to and free pre-school, secondary and high vocational education in state or municipal educational establishments and at enterprises. Everyone shall have the right to receive on a competitive basis a free higher education in a state or municipal educational establishment and at an enterprise. The Russian Federation shall establish federal state educational standards and support various forms of education and self-education.
- Everyone have the right to participate in cultural life and use cultural establishments and to an access to cultural values. Everyone obliged to care for the preservation of cultural and historical heritage and protect monuments of history and culture. Everyone shall be guaranteed the freedom of literary, artistic, scientific, technical and other types of creative activity, and teaching. Intellectual property shall be protected by law.



-ARTICLE FROM 45 TO 47:-

- Everyone shall be free to protect his rights and freedoms by all means not prohibited by law.
- Decisions and actions (or inaction) of bodies of state authority and local self-government, public associations and officials may be appealed against in court .Everyone shall have the right to appeal, according to international treaties of the Russian Federation, to international bodies for the protection of human rights and freedoms, if all the existing internal state means of legal protection have been exhausted.
- No one may be deprived of the right to the consideration of his or her case in that court and by that judge in whose cognizance the given case is according to law.The accused of committing a crime shall have the right to the examination of his case by a court of jury in cases envisaged by the federal law.



-ARTICLE FROM 48 TO 50:-

- Any person detained, taken into custody, accused of committing a crime shall have the right to receive assistance of a lawyer (counsel for the defence) from the moment of detention, confinement in custody or facing charges accordingly.
- Everyone accused of committing a crime shall be considered innocent until his guilt is proved according to the rules fixed by the federal law and confirmed by the sentence of a court which has come into legal force. The accused shall not be obliged to prove his innocence.
- Everyone convicted for a crime shall have the right to appeal against the judgement of a superior court according to the rules envisaged by the federal law, as well as to ask for pardon or a mitigation of punishment. In administering justice it shall not be allowed to use evidence received by violating the federal law.



-ARTICLE FROM 51 TO 53:-

- No one shall be obliged to give incriminating evidence, husband or wife and close relatives the range of whom is determined by the federal law. The federal law may envisage other cases of absolution from the obligation to testify.
- The rights of victims of crimes and of abuse of office shall be protected by law. The State shall provide access to justice for them and a compensation for sustained damage.
- Everyone shall have the right for a state compensation for damages caused by unlawful actions (inaction) of bodies of state authority and their officials.



-ARTICLE 54 AND 55:-

- No one may bear responsibility for the action which was not regarded as a crime when it was committed. If after violating law the responsibility for that is eliminated or mitigated, a new law shall be applied.
- The rights and freedoms of man and citizen may be limited by the federal law only to such an extent to which it is necessary for the protection of the fundamental principles of the constitutional system, morality, health, the rights and lawful interests of other people, for ensuring defence of the country and security of the State. In the Russian Federation no laws shall be adopted cancelling or derogating human rights and freedoms.



-ARTICLE 56 AND 57:-

- The rights and freedoms envisaged in Articles [20](#), [21](#), [23](#) (the first part), [24](#), [28](#), [34](#) (the first part), [40](#) (the first part), [46-54](#) of the Constitution of the Russian Federation, shall not be liable to limitations. A state of emergency may be introduced in the whole territory of the Russian Federation and in its certain parts in case there are circumstances and according to the rules fixed by the federal constitutional law. In conditions of a state of emergency in order to ensure the safety of citizens and the protection of the constitutional system and in accordance with the federal constitutional law certain limitations may be placed on human rights and freedoms with the establishment of their framework and time period.
- Everyone shall be obliged to pay the legally established taxes and dues. Laws introducing new taxes or deteriorating the position of taxpayers may not have retroactive effect.



-ARTICLE 58 AND 59:-

- Everyone shall be obliged to preserve nature and the environment, carefully treat the natural wealth.
- Defence of the Fatherland shall be a duty and obligation of citizens of the Russian Federation. A citizen shall carry out military service according to the federal law. A citizen of the Russian Federation shall have the right to replace military service by alternative civilian service in case his convictions or religious belief contradict military service and also in other cases envisaged by the federal law.



-ARTICLE 60 AND 61:-

- A citizen of the Russian Federation may exercise his or her rights and duties in full from the age of 18.
- The Russian Federation shall guarantee to its citizens protection and patronage abroad. A citizen of the Russian Federation may not be deported from Russia or extradited to another State.



-ARTICLE 62:-

- The possession of a foreign citizenship by a citizen of the Russian Federation shall not derogate his rights and freedoms and shall not free him from the obligations stipulated by the Russian citizenship, unless otherwise provided for by federal law or an international agreement of the Russian Federation.
- Foreign nationals and stateless persons shall enjoy in the Russian Federation the rights and bear the obligations of citizens of the Russian Federation, except for cases envisaged by the federal law or the international agreement of the Russian Federation.
- A citizen of the Russian Federation may have the citizenship of a foreign State (dual citizenship) according to the federal law or an international agreement of the Russian Federation.



-ARTICLE 63 AND 64:-

- In the Russian Federation it shall not be allowed to extradite to other States those people who are persecuted for political convictions, as well as for actions (or inaction) not recognized as a crime in the Russian Federation. The extradition of people accused of a crime, and also the handover of convicts for serving sentences in other States shall be carried out on the basis of the federal law or the international agreement of the Russian Federation.
- The Russian Federation shall grant political asylum to foreign nationals and stateless persons according to the universally recognized norms of international law.
- The provisions of the present chapter comprise the basis of the legal status of the individual in the Russian Federation and may not be changed otherwise than according to the rules introduced by the present Constitution.

