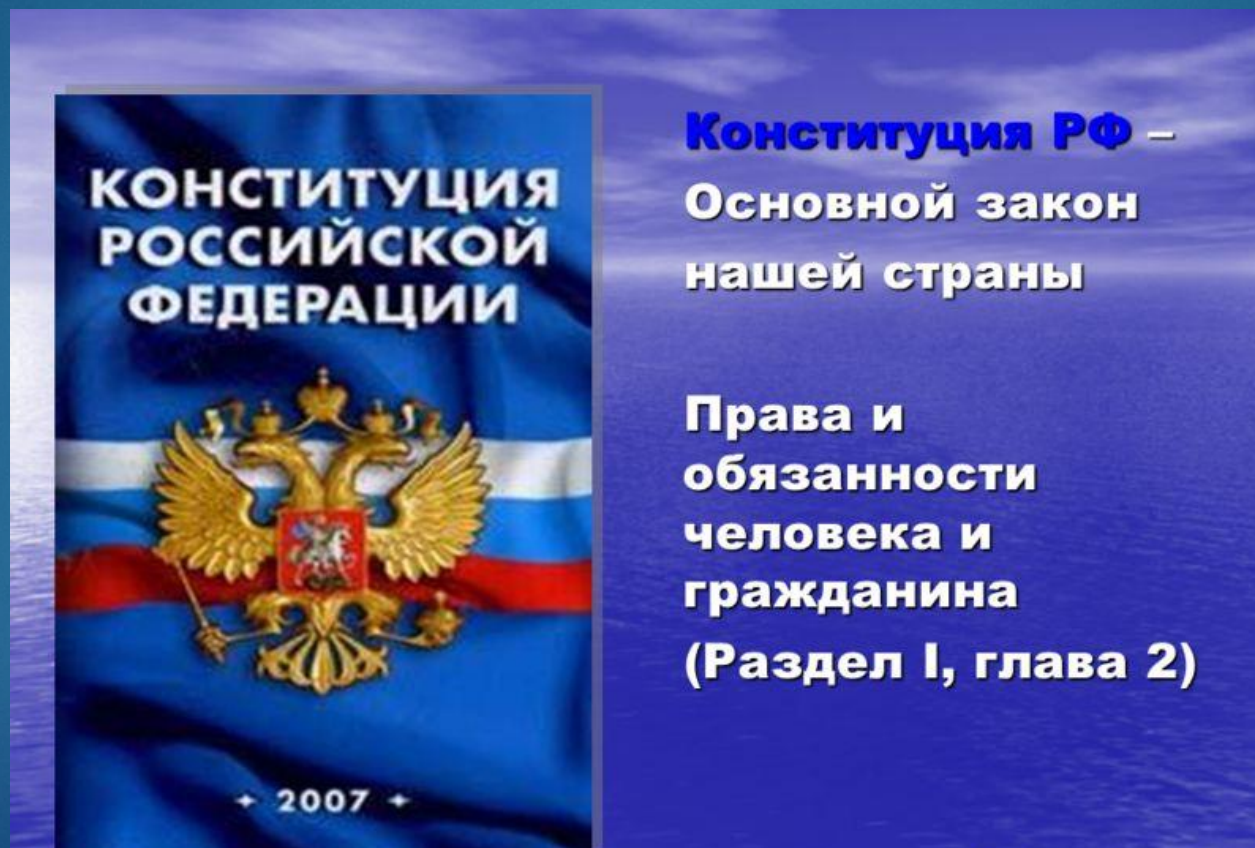


Права и свободы человека и гражданина



Права человека

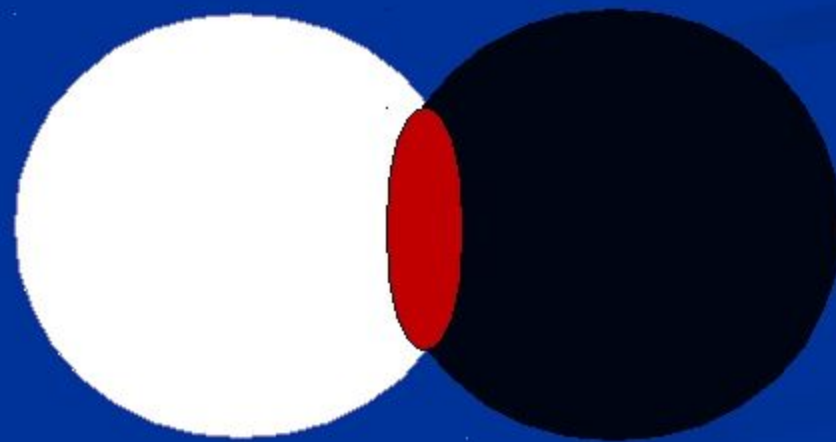
- ▶ 1. Естественная мера свободы и ответственности человека
- ▶ 2. Нормы, выражающие естественную (прирожденную, неотъемлемую) возможность человека свободно действовать в соответствии со своими интересами, претендовать на достойные условия жизни
- ▶ Они объективно необходимы каждому для нормального, полноценного развития личности, участия во всех сферах
- ▶ Совокупность таких норм называется **КАТАЛОГ ПРАВ ЧЕЛОВЕКА**

Свободы человека



- ▶ Это закреплённые в конституции или ином законодательном акте возможности определённого поведения человека (например, свобода слова, свобода вероисповедания и т. д.)
- ▶ Возможность делать все, что не вредит другому

- Свобода ограничена правами других людей. Свобода одного человека заканчивается там, где начинается свобода другого.





Известный
японский
писатель и
кинорежиссер

- *«Мы потеряли баланс между правами и обязанностями. Сегодня все говорят о правах, и никто не задумывается об обязанностях. Мы развиваемся в очень странном направлении.»*
Такеши Китано

Конституция РФ ст 2



- ▶ Человек, его права и свободы являются высшей ценностью

Государство обязано



Соблюдать права
человека

Гарантировать
права человека

Защищать
права человека



Права человека

ВСЕОБЩИЕ

НЕОТЧУЖДАЕМЫЕ

НЕДЕЛИМЫЕ

История прав человека

- Англия 1215г. – Великая хартия вольности.
- Англия 1689г. – Билль о правах
- США 1776г. – Декларация независимости.
- США 1787г. – Конституция США.
- Франция 1789г. – Декларация прав человека и гражданина.
- 10.12.1948г. – Всеобщая декларация прав человека.

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

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.

Recognized and affirmed for human rights have resulted in freedom, justice and peace in the world. The rights of man which have entered the conscience of mankind and the sense of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want have been proclaimed in the solemn declaration of these principles.

It is essential if man is not to be degraded to a mere animal, or a mere slave, or subjected to spiritual oppression, that his basic rights should be protected for the sake of his.

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

By the people of the United Nations, in the General Assembly, and by the people of the world, to affirm their faith in the rights and dignity of the human person, and to affirm their faith in the rights of man and women and

to secure for present and future generations the ability to enjoy these rights.

Member States have professed themselves to adhere to cooperation with the United Nations, the promotion of human rights and the maintenance of peace and justice in the world.

It is the solemn duty of all States and peoples to observe the rights and freedoms set forth in this Declaration to the full realization of this principle.

It is the duty of States to secure for everyone the rights and freedoms set forth in this Declaration, without distinction of race, color, sex, language, religion, political opinion, national or social origin, property, or birth.

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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 opinion, national or social origin, property, or birth.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude; slavery or the trade in slaves is prohibited in all its forms.

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6: Everyone has the right to recognition as a person before the law.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal treatment before the law.

Article 8: Everyone has the right to an effective remedy by the competent national authorities for the violations of his fundamental rights and freedoms recognized by this Declaration.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

Article 10: 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 11: 1. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law. 2. In the case of criminal offence, the accused shall enjoy the right to a fair and public hearing by an independent and impartial tribunal.

Article 12: 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 13: 1. Everyone has the right to free movement and residence within the borders of each State. 2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14: 1. Everyone has the right to seek and to enjoy in other countries asylum from persecution. 2. This right shall not be invoked in the case of prosecutions genuinely arising from non-political crimes and from conduct contrary to the accepted principles of international law.

Article 15: 1. Everyone has the right to a nationality. 2. No one shall be arbitrarily deprived of his nationality nor denied the right to acquire a new nationality.

Article 16: 1. Everyone has the right to marry and to found a family, which is the basis of the society. 2. Men and women of full age, without any limitation of race, nationality or religion, shall have equal rights in marriage, during marriage and at its dissolution.

Article 17: 1. Everyone has the right to own property alone as well as in association with others. 2. No one shall be arbitrarily deprived of his property.

Article 18: Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, of worship, teaching, practice and observance.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions and to receive and impart information and ideas without any interference by public authorities, by law or by any other authority.

Article 20: 1. Everyone has the right to peaceful assembly and to associate with other persons, to form and to join trade unions for the protection of his interests. 2. No restrictions may be placed upon the exercise of these rights other than those imposed by law.

Article 21: 1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. 2. Everyone has the right of equal access to public service in his country. 3. The will of the people shall be the basis of the authority of government; this will be expressed through periodic and genuine elections which shall be held by secret ballot and shall ensure the free expression of the will of the electors.

Article 22: Everyone has the right to social security, which includes the right to such measures as would reduce to zero the economic disparities that exist in the world and to the right to education, which is essential for the full development of the individual and for the well-being of the society.

Article 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, and to such other benefits as may be provided by law.

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay, and such other benefits as may be provided by law.

Article 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 social services, and the right to education. The higher the standard of living, the more extensive are these rights and obligations.

Article 26: 1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical, vocational and higher education shall be available to all on the basis of merit. 2. Education shall enable everyone to achieve his full development, to strengthen his respect for the human rights and freedoms set forth in this Declaration, and to promote understanding, peace, tolerance, friendship between nations, racial and religious groups, and to promote good will and brotherhood between all peoples.

Article 27: 1. Everyone has the right to take part in the cultural life of the community, to enjoy the arts, to share in the scientific advancement of man, and to benefit from the intellectual property of others. 2. Everyone has the duties towards the community which may arise from his freedom to take part in the cultural life of the community.

Article 28: Everyone has the right to a social order which makes possible the realization of the rights set forth in this Declaration.

Article 29: 1. Everyone has duties to the community in which alone the free and full development of his personality is possible. 2. In the exercise of his rights and freedoms, everyone shall be subject to such limitations as are necessary for the respect and the realization of the rights and freedoms of others and for the maintenance of the moral and social order of the community. 3. These rights and freedoms shall be exercised in full and free enjoyment of the rights and freedoms of others and in the spirit of brotherhood among men.

Article 30: Nothing shall be interpreted as authorizing any State, group or individual to engage in any activity aimed at the destruction of any of the rights and freedoms set forth in this Declaration, or at any other activity aimed at the destruction of the United Nations and its member States and at any other activity aimed at the destruction of the United Nations and its member States.





Всеобщая декларация прав и свобод человека

- Прочитаем документ на стр. 126 учебника
- О каких правах человека говорится в документе?

ЭМБЛЕМА ООН



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

