

# Правовой статус гражданина РФ



**Status** – (с латинского языка) состояние, положение.

**Социальный статус** – положение человека в обществе, совокупность его прав и обязанностей, социальных ролей, которые он выполняет.

**Правовой статус** – юридически закреплённое положение личности в государстве и обществе.



**Основу правового статуса личности определяет Конституция.**

# Основные принципы правового статуса гражданина РФ



Граждане пользуются всеми без исключения правами, перечисленными в Конституции.



Я – гражданин РФ.

Обязанность  
Я готов выполнять свои  
государства –  
обязанности.  
защищать мои права.



## Статья 2

3. Принадлежность к Российской Федерации и свобода быть человеком и гражданином Российской Федерации гарантируются.



Я – гражданин РФ.  
Я обладаю всеми  
правами.

Я – не гражданин  
РФ. У меня нет  
прав?



Жизнь, честь и имущество каждого  
человека находятся под защитой.





Я – гражданин РФ.  
Я обладаю всеми  
правами.

Я – не гражданин  
РФ. У меня нет  
прав?



- Каждый**      **Статья 20**
1. ~~Гражданин~~ Российской Федерации имеет право на жизнь.





Я – гражданин РФ.  
Я обладаю всеми правами.

Я – не гражданин РФ. У меня нет прав?



## Статья 19

- Все**
1. ~~Граждане~~ равны перед законом и судом.





Я – гражданин РФ.  
Я обладаю всеми  
правами.

Я – не гражданин  
РФ. У меня нет  
прав?



## Статья 21

1. Достоинство личности охраняется государством.





Я – гражданин РФ.  
Я обладаю всеми  
правами.

Я – не гражданин  
РФ. У меня нет  
прав?



## Статья 21

2. Никто  
униж

Мы – тоже!

м, ...  
нию.





Я – гражданин РФ.  
Я обладаю всеми  
правами.

Я – не гражданин  
РФ. У меня нет  
прав?



### Статья 57

Каждый  
ные на

овлен-

А нам не надо!





Я – гражданин РФ.  
Я обязан всеми  
проблемами.  
венником земли.

Я – не гражданин  
Ваша  
Отменяется прав?  
долг гражданина!



## Статья 32

2. Граждане Российской Федерации имеют право избирать и быть избранными ...





Президент

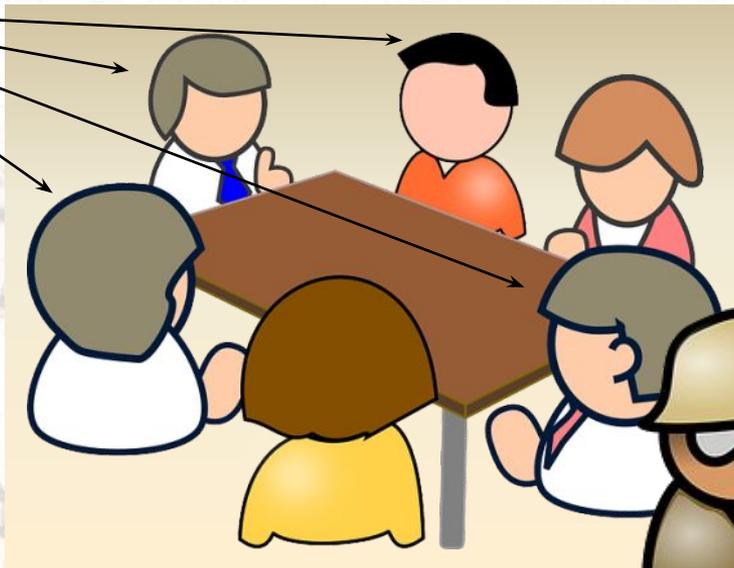


Госдума

# Акционерное общество

Владельцы  
обыкновенных

- ▶ дивиденды зависят от прибыли;
- ▶ голосуют на собраниях акционеров.



Владелец  
привилегированных  
акций:

- ▶ доход фиксированный;
- ▶ не участвует в принятии решений.



Мы -  
акционеры  
государства.

# Основные принципы правового статуса гражданина РФ



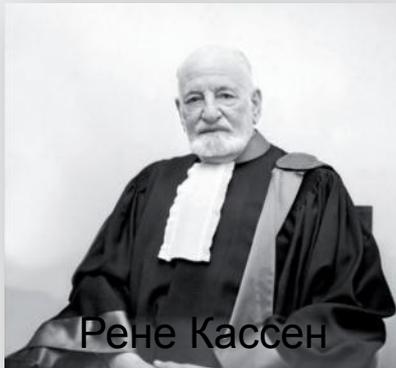
Граждане пользуются всеми без исключения правами, перечисленными в Конституции.



Права и свободы гражданина соответствуют общепризнанными международным нормам и международным договорам РФ.



# THE UNIVERSAL DECLARATION OF Human Rights



Рене Кассен

son and in the equal rights of men and women and have determined social progress and better standards of life in larger freedom,

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

A common understanding of these rights and freedoms is the basis for the full realization of the rights of all.

## THE GENERAL ASSEMBLY

has proclaimed this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual 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 by all Member States themselves and by the peoples and nations under their jurisdiction.

to enjoy in other States the benefit of the same rights and freedoms as in their own States.

Article 2(1) No one shall be subjected to discrimination on any basis such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 2(2) No one shall be subjected to discrimination on any basis such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 2(3) No one shall be subjected to discrimination on any basis such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

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10 декабря 1948 г. – принятие Всеобщей декларации прав человека



Article 3

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

Article 4

Article 4 No one shall be held in slavery or servitude; slavery or servitude shall be prohibited in all its forms and in any territory under the jurisdiction of any Member State.

Article 5

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

Article 6

Article 6 Everyone has the right to recognition before the law.

Article 7

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 protection against any discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 8

Article 8 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 the law.

Article 9

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

Article 10

Article 10 Everyone is entitled in law 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

Article 11 (1) Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty of the offence. (2) No one shall be held guilty of any criminal offence on account of acts or omissions which did not constitute a criminal offence at the time when they were committed.

Article 12

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

Article 13 (1) Everyone has the right to freedom of 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.



Элеонора Рузвельт

UNITED NATIONS

Adopted by the United Nations General Assembly at the twenty-ninth session on 10 December 1948.  
Approved by the Government of the United States of America on 10 December 1948.



Для нас неприемлема идея  
Возможность граждан обращаться в  
Неприкосновенности частной  
собственности. суды нарушает  
суверенитет государства  
Не могут все все свободно  
распространяться.

- ▶ В 1948 г. – в ООН  
56 государств.
- ▶ «За» принятие  
Декларации – 48.
- ▶ Воздержались от  
голосования – 8.
- ▶ «Против» – 0.



Андрей Вышинский



- ▶ В 1948 г. – в ООН  
56 государств.
- ▶ «За» принятие  
Декларации – 48.
- ▶ Воздержались от  
голосования – 8.
- ▶ «Против» – 0.



Сатирик Михаил Жванецкий  
с журналом «Новое время»

В СССР текст Всеобщей декларации  
прав человека был открыто напечатан  
лишь в 1988 году.



# 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 between 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 cooperation 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, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

**ARTICLE 3** Everyone has the right to life, liberty and security of person.

**ARTICLE 4** No one shall be held in slavery or servitude, and the slave trade shall be 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 everywhere 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 tribunals for acts violating the fundamental rights granted him by the constitution or by the law.

**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.

**ARTICLE 11** (1) Everyone has the right to a fair trial. (2) No one shall be presumed guilty until proven innocent.

**ARTICLE 12** No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, or 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 freedom of 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) No one shall be subjected to arbitrary arrest, detention or exile.

**ARTICLE 15** (1) Everyone has the right to a nationality. (2) No one shall be arbitrarily deprived of his nationality.

**ARTICLE 16** (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

**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.

**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 without regard to frontiers, race, nationality, sex, language or religion.

**ARTICLE 20** (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. (3) The will of the people shall be the basis of the authority of government. (4) This right shall be exercised through periodic and genuine elections which shall be by secret ballot and equal suffrage and shall be held by secret or by equivalent free voting procedures.

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**ARTICLE 22** Everyone has the right to social, economic and cultural rights and freedoms as a member of society, has the right to social security, and is entitled to realization, through national effort and international co-operation and the assistance of the United Nations, of the economic, social and cultural rights and freedoms of each State. (3) These rights and freedoms are indispensable for his dignity and the free development of his personality.

**ARTICLE 23** (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family

the means of a decent standard of living for himself and his family, including housing, food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (4) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

**ARTICLE 24** (1) Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

**ARTICLE 25** (1) Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

**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 and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. (2) Education shall be directed to the full development of his human personality, and to strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, friendship between nations, racial or ethnic groups, and peace among the peoples of the world. (3) The United Nations shall promote the realization of the right to education. (4) It is the duty of parents and the State to provide a free and compulsory education in the elementary and fundamental stages. (5) The State shall ensure that the kind of education that shall be given to their children

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**Пакт** – международный договор, положения которого подписавшие его государства обязаны выполнять.



## Международный билль о правах человека

▶ Всеобщая декларация прав человека

▶ Международный пакт о гражданских и политических правах

▶ Международный пакт об экономических, социальных и культурных



The background of the image is a diagonal split. The top-left portion features the stars and stripes of the United States flag. The bottom-right portion is a solid red field with a yellow hammer and sickle symbol in the lower right corner, representing the flag of the Soviet Union.

Граждане, а не государство  
несут ответственность за  
обеспечение достойного  
уровня жизни.

Право неприкосновенности  
частной собственности  
неприемлемо для социализма.



Не подписан  
Пакт об экономических,  
социальных и  
культурных правах

Не подписан  
Пакт о  
гражданских и  
политических  
правах



В 1998 году Россия присоединилась к  
Европейской  
конвенции защиты прав человека и  
основных свобод.

Европейский суд по правам человека в Страсбурге

# Основные принципы правового статуса гражданина РФ

- ✓ Граждане пользуются всеми без исключения правами, перечисленными в Конституции.
- ✓ Права и свободы гражданина соответствуют общепризнанными международным нормам и международным договорам РФ.
- ✓ Конституция РФ имеет прямое действие, права и свободы человека являются непосредственно действующими.

Право  
гражданина  
нарушено



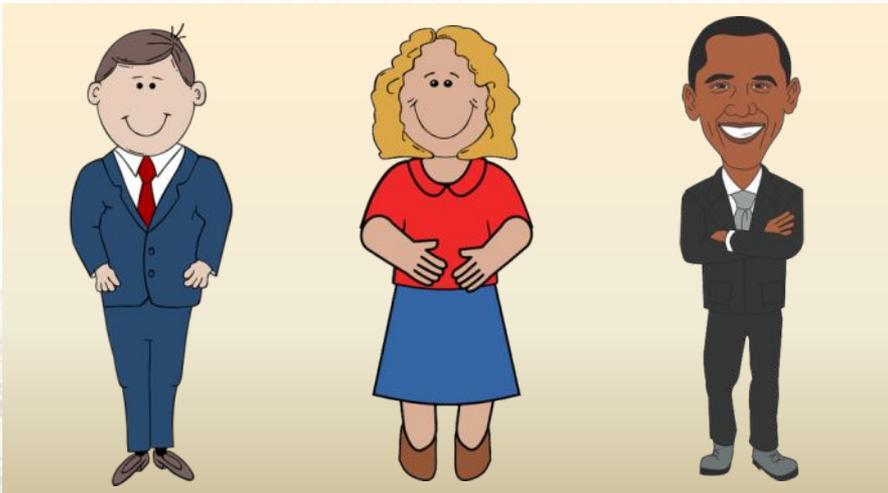
Закона  
для этой  
ситуации нет



Гражданин может подать судебный  
иск, ссылаясь непосредственно  
на текст Конституции

# Основные принципы правового статуса гражданина РФ

- ✓ Граждане пользуются всеми без исключения правами, перечисленными в Конституции.
- ✓ Права и свободы гражданина соответствуют общепризнанными международным нормам и международным договорам РФ.
- ✓ Конституция РФ имеет прямое действие, права и свободы человека являются непосредственно действующими.
- ✓ Все граждане равны в своих правах и обязанностях.



Независимо от пола, национальности,  
религии...



Независимо от  
уровня доходов





**Статья 17:** Осуществление прав и свобод человека и гражданина не должно нарушать права и свободы других лиц.



*Право одного человека размахивать кулаком кончается там, где начинается нос другого человека.*

*Оливер Уэнделл Холмс*

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- ✓ Основные права и свободы человека неотчуждаемы, принадлежат ему от рождения.



**Статья 17:** Осуществление прав и свобод человека и гражданина не должно нарушать права и свободы других лиц.



**Статья 55:** Права и свободы человека и гражданина могут быть ограничены федеральным законом только в той мере, в какой это необходимо в целях защиты...

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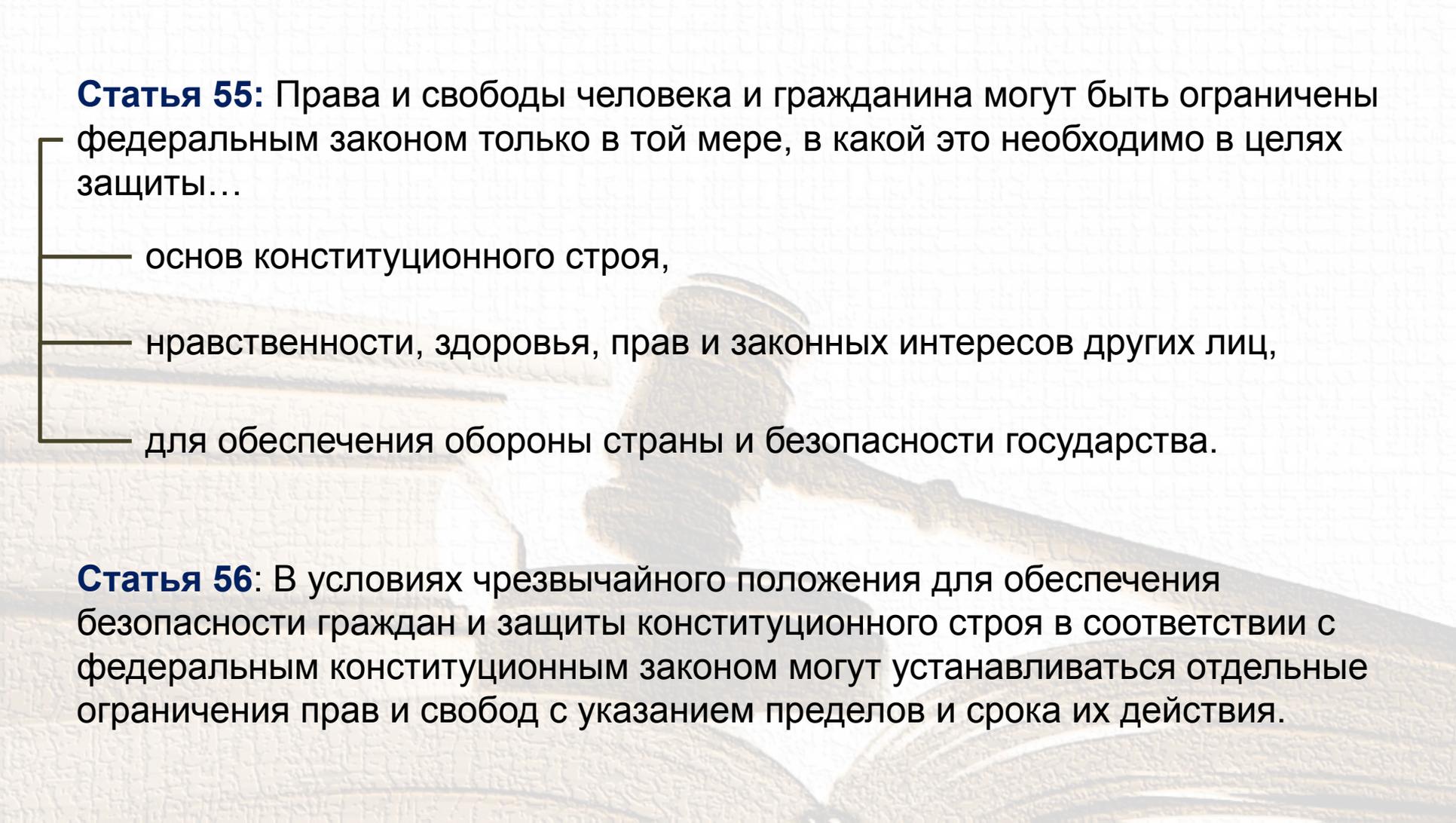
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— основ конституционного строя,

— нравственности, здоровья, прав и законных интересов других лиц,

— для обеспечения обороны страны и безопасности государства.





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**Статья 56:** В условиях чрезвычайного положения для обеспечения безопасности граждан и защиты конституционного строя в соответствии с федеральным конституционным законом могут устанавливаться отдельные ограничения прав и свобод с указанием пределов и срока их действия.



# Чрезвычайное положение



## Не могут быть ограничены в условиях чрезвычайной ситуации:

- ✓ право на жизнь;
- ✓ защита достоинства личности, свобода от пыток и насилия;
- ✓ право на неприкосновенность частной жизни, личной и семейной тайны;
- ✓ запрещение распространения информации о частной жизни без согласия человека;
- ✓ свобода совести и свобода вероисповедания;
- ✓ свобода экономической деятельности, не запрещённой законом;
- ✓ право на жилище, запрещение произвольного лишения жилища;
- ✓ право на защиту прав и свобод в суде с соблюдением установленной процедуры;
- ✓ право на получение квалифицированной юридической помощи;
- ✓ презумпция невиновности;
- ✓ право не свидетельствовать против себя и своих близких;
- ✓ право на компенсацию для пострадавших от произвола властей.

# Классификация прав и свобод человека

**личные**

право на жизнь

**политические**

избирательное право

**социальные**

право на охрану здоровья

**экономические**

право собственности

**культурные**

право на образование

# Классификация прав и свобод человека



## «свобода от...»

Свобода от произвольного вмешательства других людей и государства

## «свобода для...»

Свобода действовать по своему усмотрению в рамках закона

## обязательства государства

Права, которые можно реализовать лишь при поддержке государства

# Классификация прав и свобод человека



## Статья 55

1. Перечисление в Конституции Российской Федерации основных прав и свобод не должно толковаться как отрицание или умаление других общепризнанных прав и свобод человека и гражданина.

Человек свободен



||  
Человек несет ответственность



Человек имеет права



Человек выполняет обязанности

## Конституционные обязанности гражданина РФ:

- ✓ соблюдать Конституцию и законы России;
- ✓ уважать права и свободы других людей;
- ✓ охранять окружающую среду;
- ✓ бережно относиться к историческому и культурному наследию страны;
- ✓ платить установленные законом налоги и сборы в государственный бюджет;
- ✓ защищать Отечество;
- ✓ получить основное общее образование.



**Как защитить  
свои права?**

Наши права не реализуются сами по себе.

Многие из них требуют наших активных действий.

Многие нуждаются в защите.