

LEGAL RIGHTS OF HUMAN

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Based on the net I searched, that Human rights are rights which all persons hold by virtue of the human condition. They are thus not dependent upon grant or permission of the state and they cannot be withdrawn by fiat of the state. While laws under different national legal systems may vary, the human rights to which each person is entitled are rights in international law. For example, the human right to a fair trial is the same for a person who lives under a legal system of common law, civil law or Roman law. States have the obligation to ensure that their discrete legal systems reflect and protect the international human rights which those within their jurisdiction hold. Below are the different sets of articles on Human Rights, these are the laws that we humans should be aware of; we must follow for us not to commit actions that will break the laws of the land. These may somehow help people become aware of the different laws implemented to us by the government that we should tag along with us whether we are rich or poor, professional or unprofessional, educated or uneducated, illiterate or literate. Somehow, this may serve as a guide to us people that these laws are existing and these are; (The United Nations and Human Rights 1945-1995, Department of Public Information, United Nations, New York (ISBN 92-110560-4). (<http://www.cirp.org/library/ethics/UN-human/>) Article 1 of the Human Rights laws, says - 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. 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 it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 3 - Everyone has the right to life, liberty and the security of person. Article 4 - No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their 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 against any discrimination in violation of this Declaration and against any incitement to such discrimination. 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 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 and of any criminal charge against him. Article 11 1. Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense. 2. 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 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 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. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. 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 change 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, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. 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 1. Everyone has the right to freedom of peaceful assembly and association. 2. No one may be compelled to belong to an association. 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 shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures. Article 22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights 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 favorable 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 favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. 4. Everyone has the right to form and to join trade unions for the protection of his interests. Article 24 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 well-being 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 the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. 3. Parents have a prior right to choose the kind of education that shall be given to their children. Article 27 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. 2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. Article 28 Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. 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 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 of meeting the just requirements of morality, public order and the general welfare in a democratic society. 3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations. 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. (Created on July 6, 1994 / Last edited on January 27, 1997) According to the article I read from the net Post Published: 08 Nisan 2010, that, the content of human rights do not consist only of civil and political rights. There also exist economic, social and cultural rights, notably those reflected in the International Covenant on Economic, Social and Cultural Rights. It has also been suggested that if a stated obligation is not justifiable in the courts, it is not a legal right. Developing countries have been anxious about their ability to deliver these rights in the short term. However, the International Covenant on Economic, Social and Cultural Rights is now ratified by countries from all parts of the world. The work of its monitoring Committee has done much to address these concerns. It has made clear, for example, that while the full attainment of an economic right may not be immediate, there is an immediate obligation to take designated and agreed steps to that end. Economic, social and cultural rights entail immediate obligations of 'best efforts', coupled with obligations of result. All of these factors are to be taken into account in determining whether, at any given moment, a specific country is or is not in violation of its obligations regarding such rights. Certain aspects of this category of rights may be justifiable, for example, if housing is being provided in a discriminatory manner. But the absence of justifiability in any event reflects not an absence of entitlement but a need for diverse mechanisms for guaranteeing such entitlements. Individual and group rights The beneficiaries of human rights, as reflected in the major international instruments, are individuals. This is true even of minority rights, which are articulated as the right of individuals to pursue their culture, or speak their language, or engage in worship, with others from their group. The sole exception arises in relation to the right to self-determination, which stands in a separate part of each of the Covenants, and is a right of 'all peoples'. From the western perspective, the emphasis on the individual as the beneficiary of rights is a necessary antithesis to the power of the state, and also to the power of groups that serve the purposes of the state. Limitations on rights The balance between the rights of individuals and the legitimate

concerns of the state, which has to take into account the general good, is met through the device of permitted limitations. Very few human rights are absolute. The prohibition against torture is such a right. Most rights may be qualified, in a particular case, if certain conditions are met. A law prescribing the limitation must pre-exist its use and be accessible and known. A restriction upon the right must be shown to be necessary. There are usually further conditions to be met, for example, that a restriction be for reasons of public order, public health or state security. In times of national emergency states are permitted to derogate from human rights—that is to say, to suspend their obligations to guarantee these rights for the duration of the emergency. Again, certain rights may not be derogated from, whatever the circumstances. For example, no emergency justifies torture, nor can it remove a person's freedom of thought, conscience or of religion.