Human Rights
Basic Concepts and Principles
Basic Concept

“HUMAN”

“RIGHTS”
Definition of Terms

*Human* – a person; living, breathing entities capable of feeling and showing emotions, such as love, hate, compassion, and indifference.
Definition of Terms

**Human Rights** – universal guarantees protecting individuals and groups against actions which interfere with fundamental freedoms and human dignity.

**Human Rights Law** – laws that obliges the government to do some things to prevent them from doing others.
Definition of Terms

**Customary International Law** – international law that develops through the general and consistent practice and is followed because of a sense of legal obligations (customs).

**Treaty Law** – laws that are set out in many international agreements that have been collectively developed, signed and ratified by members (human rights treaties, conventions, covenants).
Definition of Terms

*International Human Rights Instruments* – treaties and other international documents relevant to international human rights law and protection of human rights in general.
Definition of Terms

Categories:

*Declarations* – adopted by bodies such as United Nations General Assembly, not legally binding although may be politically so, as soft law.

*Conventions* – legally binding instruments concluded under international law.
BASIC PRINCIPLES OF HUMAN RIGHTS
1. Universal

“All human beings are born free and equal in dignity and rights.”

It is the duty of States to promote and protect all human rights and fundamental freedoms, regardless of their political, economic and cultural systems.
2. Equal and Non-discriminatory

The principle applies to everyone in relation to all human rights and freedoms and it prohibits discrimination on the basis of a list of non-exhaustive categories such as sex, race, colour and so on.

“All human are born free and equal in dignity and rights.”
3. Indivisible

Human rights are indivisible: civil and political rights: the right to life, equality of the law and freedom of expression; economic, social and cultural rights: the rights to work, social security and education, or collective rights: the rights to development and self-determination, are indivisible, interrelated and interdependent.
4. Interdependent

The improvement of one right facilitates advancement of the others.

The deprivation of one right adversely affects the others.
UNITED NATIONS CHARTER
UNITED NATIONS CHARTER

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

To save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind;

To reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small;
UNITED NATIONS CHARTER

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained; and

To promote social progress and better standards of life in larger freedom.
Creation of the United Nations

Representatives of 50 nations met in San Francisco April-June 1945 to complete the Charter of the United Nations.

In addition to the General Assembly of all member states and a Security Council of 5 permanent and 6 non-permanent members.
Creation of the United Nations

The Charter provided for an 18-member Economic and Social Council, an International Court of Justice.
United Nations Human Right Council (UNHRC)

- is a United Nations System inter-governmental body whose 47 member states are responsible for promoting and protecting human rights around the world.

- is the successor to the UN Commission on Human Rights (UNCHR or CHR), and is a subsidiary body of the UN General Assembly.
United Nations Human Right Council (UNHRC)

Works closely with the Office of the High Commissioner for Human Rights (OHCHR) and engages the United Nations’ special procedures.
The UNHRC has addressed conflicts including the Israeli-Palestinian conflict and also addresses rights-related situations in countries such as in Burma, Guinea, North Korea, Côte d'Ivoire, Kyrgyzstan, Syria, Libya, Iran, and Sri Lanka.
The UNHRC also addresses important thematic human rights issues such as freedom of association and assembly, freedom of expression, freedom of belief and religion, women's rights, LGBT rights, and the rights of racial and ethnic minorities.
THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
AND
THE UNITED NATIONS HUMAN RIGHTS COUNCIL
The Universal Declaration of Human Rights of 1948

- adopted unanimously by the General Assembly on 10 December 1948;
- common standard of achievement for all peoples and all nations
- Sets out fundamental human rights to be universally protected
Universal Declaration of Human Rights

Article 1

Right to equality
Universal Declaration of Human Rights

Article 2

Freedom from discrimination
Universal Declaration of Human Rights

Article 3

Right to life, liberty, personal security
Article 4

Freedom from slavery
Universal Declaration of Human Rights

Article 5

Freedom from torture and degrading treatment
Article 6

Right to recognition as a person before the law
Universal Declaration of Human Rights

Article 7

Right to equality before the law
Universal Declaration of Human Rights

Article 8

Right to remedy by competent tribunal
Universal Declaration of Human Rights

Article 9

Freedom from arbitrary arrest and exile
Universal Declaration of Human Rights

Article 10

Right to fair public hearing
Universal Declaration of Human Rights

Article 11

Right to be considered innocent until proven guilty
Universal Declaration of Human Rights

Article 12

Freedom from interference with privacy, family, home and correspondence
Universal Declaration of Human Rights

Article 13

Right to free movement in and out the country
Universal Declaration of Human Rights

Article 14

Right to asylum in other countries from persecution
Universal Declaration of Human Rights

Article 15

Right to a nationality and the freedom to change it
Universal Declaration of Human Rights

Article 16

Right to marriage and family
Universal Declaration of Human Rights

Article 17

Right to own property
Universal Declaration of Human Rights

Article 18

Freedom of belief and religion
Universal Declaration of Human Rights

Article 19

Freedom of opinion and information
Article 20

Right to peaceful assembly and association
Universal Declaration of Human Rights

Article 21

Right to participate in government and in free elections
Universal Declaration of Human Rights

Article 22

Right to social security
Universal Declaration of Human Rights

Article 23

Right to desirable work and to join trade unions
Universal Declaration of Human Rights

Article 24

Right to rest and leisure
Universal Declaration of Human Rights

Article 25

Right to adequate living standard
Universal Declaration of Human Rights

Article 26

Right to education
Universal Declaration of Human Rights

Article 27

Right to participate in the cultural life of the community
Universal Declaration of Human Rights

Article 28

Right to a social order that articulates this document
Universal Declaration of Human Rights

Article 29

Community duties essential to free and full development
Universal Declaration of Human Rights

Article 30

Freedom from State or personal interference in the above Rights
Both Rights and Obligations

• Human rights entail both rights and obligations.
• States assume obligations and duties under international law to respect, to protect and to fulfil human rights.

• At the individual level, while we are entitled to our human rights, we should also respect the human rights of others.
State Obligations

• **RESPECT**: States must refrain from interfering with or curtailing the enjoyment of human rights.

• **PROTECT**: States must protect individuals and groups against human rights abuses.

• **FULFILL**: States must take positive action to facilitate the enjoyment of basic human rights.
OUR ADVOCACY

“Respect for Human Rights is a Way of Life in the PNP.”

The filing of HRV Cases against law enforcers is imprescriptible.
END OF PRESENTATION

THANK YOU!

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“Your Comments, Suggestions and Recommendations are highly appreciated”