# Collapse Headings

# What is the difference between Bill of Rights and Human Rights?

The universalists argue that human rights belong to all humans on account of their humanity rather than membership of narrower categories such as citizenship, ethnicity or class. Bills of rights on the other hand tend to exclude by definition non-citizens from their protections.

# How might Brexit affect human rights in the UK?

# Ex post facto law

* Demeanour

A law that makes illegal an act that was legal when committed, increases the penalties for an infraction after it has been committed, or changes the rules of evidence to make conviction easier. The Constitution prohibits the making of ex post facto law.

* Law

**Acts of Parliament (Commencement) Act 1793**

<https://www.legislation.gov.uk/apgb/Geo3/33/13/contents>

The Acts of Parliament (Commencement) Act 1793 (33 Geo. 3 c. 13) is an Act of the Parliament of the Kingdom of Great Britain which provided that Acts of Parliament would come into force on the date on which they received royal assent, unless they specified some other date, instead of the first day of the session in which they were passed.

* Penalty

**Ex post facto law**

<https://en.wikipedia.org/wiki/Ex_post_facto_law>

# The Universal Declaration of Human Rights (UDHR) + International Human Rights / Law “1948”

<https://serverone.hopto.org/The%20Universal%20Declaration%20of%20Human%20Rights%20Yes/>

# Article 1:

All human beings are free and equal

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:

No discrimination

Everyone is entitled to all the rights and freedoms, 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.

# Article 3:

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

**Si Notes;**

**1.**My Right to Life has been violated

**2.**My Right to Liberty has gotten Violated

**3.**My Right to Security Has gotten violated

**4.**Article 3 means that nobody, in the United Kingdom including the Government, can try to end life.

It also means the Government should take appropriate measures to safeguard life by making laws to protect us and in most circumstances, by taking the correct steps to protect humanity, when life is at risk.

Public authorities should also consider our right to life when making decisions that might put us in danger or that would affect life expectancy.

If a member of your family dies in circumstances that involve the state, you must have the right to an investigation.

**Ø Example**

A social worker from the domestic violence team in a local authority used human rights arguments to get new accommodation for a woman and her family at risk of serious harm from a violent ex-partner. She based her case on the local authority’s obligation to protect the family’s right to life and the right not to be treated in an inhuman or degrading way.

It is mandatory that no person must suffer from the use of force which is no more than absolutely necessary: as a result of defence from unlawful violence.

# Article 4:

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

**Slavery**

I Mr. Simon Paul Cordell have been kept in servitude unlawfully while being alive in today’s modern society. “12/03/2021”

**1.**Forced labour is an important aspect of modern-day slavery. The term ‘forced labour describes work or services that a person is forced to do against their will or under the threat of punishment.

**2.**The legal definition of forced labour is set out in the ILO’s Forced Labour Convention, (no. 29) 1930. It defines forced labour as: ‘all work or service which is exacted from any person under the menace of a penalty and for which the said person has not offered himself voluntarily’. Forced labour means you are forced to do work that you have not agreed to, under the threat of punishment and there are not any restrictions to this right.

**3.      The state fails to fulfil its positive obligations under human rights law when; --**

**(a)**A person gets wrongfully deprived of his or her personal liberty as to explain the right to move about geographically as they desire.

**(b)**If there were limits on his or her capacity to make choices with regard to occupation and sexual partners as well.

**(c)**Slave’s labour could also get claimed by someone, who also frequently had their right controlled as to his or her physical reproduction.

**(d)**Article 4 of our Human Rights protects our right not to be held in slavery or servitude, or made to do forced labour.

**4.**Slavery is when someone actually owns you like a piece of property.

**5.**Servitude is similar to slavery - you might live on the person’s premises, work for them and be unable to leave, when no person can be owned like property.

**6.**Your right to be protected against slavery and servitude is an absolute, which means it can never be restricted.

**7.      The prohibition of slavery and forced labour are; --**

**(a)**No one shall be held in slavery or servitude.

**(b)**No one shall be required to perform forced or compulsory labour.

# Article 5:

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

**1.**I continue to get subject to Torture.

**2.**I have gotten treated curly.

**3.**The way in which I have been tortured and treated curly is inhuman.

**4.**I continue to get degraded treatment.

**5.**I have been punished on a continuing basis unwarrantedly.

**6.      Article 5 protects you from: --**

**(a)**Torture (mental or physical.)

**(b)**Inhuman or degrading treatment or punishment.

**(c)**Public authorities must not inflict this sort of treatment on you. They must also protect you if someone else is treating you in this way. If they know this right is being breached, they must intervene to stop it. The state must also investigate credible allegations of such treatment.

**7.**Torture occurs when someone deliberately causes very serious and cruel suffering (physical or mental) to another person. This might be to punish someone, or to intimidate or obtain information from them.

**8.      Such treatment includes; --**

**(a)**Serious physical assault.

**(b)**Psychological interrogation.

**(c)**Cruel or barbaric detention conditions or restraints.

**(d)**Serious physical or psychological abuse in a health or care setting.

**(e)**Threatening to torture someone, if the threat is real and immediate.

**9.**Degrading treatment means treatment that is extremely humiliating and undignified. When treatment reaches a level that can be defined as degrading depends on a number of factors.

**These include: --**

**(a)**The duration of the treatment.

**(b)**Its physical or mental effects.

**(c)**Sex.

**(d)**Age.

**(e)**Vulnerability and health of the victim.

**10.**These concepts are based on the principle of dignity - the innate value of all human beings. There are no restrictions to these rights. Our Human Right not to be tortured or treated in an inhuman or degrading way is absolute. This means it must never be limited or restricted in any way. A public authority can never use lack of resources as a defence against an accusation that it has treated someone in an inhuman or degrading way.

**Ø Example; --**

A devastating catalogue of police failures meant black cab taxi driver John Worboys was left free to attack women in London for years before he was convicted in 2009.

Two of his victims fought a four-year legal battle to show police had a legal duty to properly investigate serious crimes under Article 3 – and to stop them failing victims in this way again.

The two women were raped by Worboys in 2003 and 2007. When they reported the attacks, police didn’t believe them and didn’t investigate properly.

In 2018, the Supreme Court ruled that the Metropolitan Police had breached the women’s rights by failing to properly investigate their reports of rape. This was a crucial victory in the battle to end violence against women and girls in the UK.

# Article 6:

Everyone has the right to recognition everywhere as a person before the law. “Recognition Act 2004”

**1.**The Declarations recognizes the human rights of individuals who are not nationals of the country in which they live and recognizes the need to expand the guarantee of human rights specifically to persons who live in countries without having citizenship.

**(a)   Article 6 of the UDHR** states that;

“Everyone has the right to recognition everywhere as a person before the law”, regardless of whether they are citizens or immigrants, students or tourists, workers or refugees, or any other group.

**(b)  HCHR**- **Section 15** of the **Human Rights Act 2019** says that;

“Every person has the right to recognition as a person before the law. Every person has the right to enjoy the person's human rights without discrimination. Every person is equal before the law and is entitled to the equal protection of the law without discrimination.”

**(c)**The right is enshrined in **Article 16** of the **International Covenant on Civil and Political Rights**:

“Everyone shall have the right to recognition everywhere as a person before the law.”

**(d)**The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families contains this right in **Article 24:**

**(e)**“Every migrant worker and every member of his or her family shall have the right to recognition everywhere as a person before the law.”

**(f)**The right is also contained in **Article 5 of the African Charter on Human and Peoples' Rights**:

“Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.”

**(g)**The Convention on the **Rights of Persons with Disabilities** contains this right in **Article 12**:

·         States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.

·         States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.

·         States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.

·         States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.

·         Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

# Article 7:

**Protection from discrimination in respect of these rights and freedoms**

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 in violation of this Declaration and against any incitement to such discrimination.

**1.**I get treated less favourably than other persons when the listed have been put in receipt of my situations to which my claim is based upon and this treatment cannot be objectively and reasonably justified.

**2.**The Human Rights Act makes it illegal to discriminate on a wide range of grounds including ‘sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority.

**3.**The European Convention of Human Rights. Article 14 is based on the core principle that all of us, no matter who we are, enjoy the same human rights and should have equal access to them.

**4.      Some of the Protected characteristics are; --**

**(a)**Age.

**(b)**Disability.

**(c)**Gender reassignment.

**(d)**Marriage and civil partnership.

**(e)**Pregnancy and maternity.

**(f)**Race.

**(g)**Religion or belief.

**(h)**Sex.

**(i)**Discrimination in the provision of accommodation and education.

**5.**Discrimination in the provision of goods and services.

**6.**Membership of the Traveller community.

**7.      Discrimination can occur when: --**

**(a)**You are disadvantaged.

**(b)**Discrimination has affected your enjoyment of one or more of the other rights in the Act.

**8.      Direct discrimination & Indirect discrimination results in: --**

**(a)**Direct discrimination occurs when somebody is treated unfavourably because of a protected attribute.

**(b)**Indirect discrimination occurs when a requirement (or rule) that appears to be neutral and the same for everyone in fact has the effect of disadvantaging someone because they have an attribute covered by the Act.

**9.**Article 7: Protection from discrimination obliges the local authority to take ‘all appropriate positive steps’ to enable reasonable adjustments for all.

**10.  EXAMPLES OF DISCRIMINATION**

Discrimination may be intentional or unintentional, direct or indirect. Discrimination can come in the form of jokes and offhand comments that seem harmless to or even go unnoticed by the perpetrator.

The below examples show some of the different ways in which discrimination can occur in the workplace.

**Ø Example 1**

Mary is six months pregnant. After ten years working at an accounting firm, she applies for a senior position that has just opened up. Despite having more experience and qualifications than the other applicants, she was passed over. When she asked the manager, he said: “I need someone who will be more dedicated to the position.”

**Ø Example 2**

Ryan works on a construction site. His co-workers recently found out he was gay and have started calling him “princess”.

**Ø Example 3**

Annie works in a toy store and has a physical disability preventing her from carrying heavy items. She recently found out her co-workers earn more than her despite having the same experience and working just as hard. When she asked her manager about it, she said it was because “you just don’t carry as much weight around here.”

# 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.

**1.**At no point in time have any of my complaint been investigated or even a statement taken of myself to give me an effective remedy.

**2.**Both the UN Human Rights Committee and the Committee on the Elimination of Racial Discrimination have stated that the right to an effective remedy encompasses an obligation to bring to justice perpetrators of human rights abuses, including discrimination, and also to provide appropriate reparation to victims.

**3.      The first paragraph in Article 8 of the UDHR states; --**

“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.”

**4.      And the first paragraph in Article 13 of the ECHR states; --**

‘Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.’

**5.**A remedy is a form of court enforcement of a legal right resulting from a successful civil lawsuit. Remedies fall into three general categories:

**(a)**Damages - monetary compensation for the plaintiff's losses, injury, and/or pain or restitutionary measures designed to restore the plaintiff's status to what it was prior to the violation of his or her rights,

**(b)**Coercive remedies - requiring a party to do or omit doing a specific act through injunctive relief or a court order of specific performance (a court mandates that the party fulfil contractual obligations.  See Contracts).

**(c)**Declaratory judgment - the court determines individual rights in a specific situation without awarding damages or ordering particular action.

**6.**Because of their historical origins, monetary damages are often referred to as a legal remedy while coercive and declaratory remedies are termed equitable remedies.

**7.**European Union law is a system of rules operating within the member states of the European Union. However, in Union law the protection is more extensive since it guarantees the right to an effective remedy before a court.

Ø The Court of Justice enshrined that right in its judgment of 15 May 1986 as a general principle of Union law.

**(a) (**Case ***222/84 Johnston [1986] ECR 1651***; see also

**(b)**Judgment of 15 October 1987, Case ***222/86 Heylens [1987] ECR 4097*** and

**(c)**Judgment of 3 December 1992, Case ***C-97/91 Borelli [1992] ECR I-6313).***

**8.**The second paragraph corresponds to Article 6(1) of the ECHR which reads as follows: --

‘In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.’

**9.**In Union law, the right to a fair hearing is not confined to disputes relating to civil law rights and obligations. That is one of the consequences of the fact that the Union is a community based on the rule of law as stated by the Court in Case ***294/83, ‘Les Verts’ v European Parliament (judgment of 23 April 1986, [1986] ECR 1339)***. Nevertheless, in all respects other than their scope, the guarantees afforded by the ECHR apply in a similar way to the Union.

**10.**With regard to the third paragraph of the ECHR, it should be noted that in accordance with the case-law of the European Court of Human Rights, provision should be made for legal aid where the absence of such aid would make it impossible to ensure an effective remedy (ECHR judgment of 9 October 1979, ***Airey, Series A, Volume 32, p. 11)***. There is also a system of legal assistance for cases before the Court of Justice of the European Union.

**11.**UDHR / Access to justice is a vital human right and abuses of that right are a common subject for pro bono lawyers. The Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948 (the “Declaration”) includes several articles that highlight the importance of access to justice.1 Article 8 of the Declaration states that “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 10 of the Declaration states that “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 charges against him.” Accordingly, barriers to a fair and public hearing or to an effective remedy are contrary to human rights as described in the Declaration. The principle of access to justice for all under international law was further strengthened on March 23, 1976 when the International Covenant on Civil and Political Rights (the “Covenant”) entered into force.2 Article 2 of the Covenant states that each party to it will “ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy.” The Covenant also includes the obligation to “ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State.”

**12.**Also see; the Access to Justice Act 1999. **Access to justice means** being "treated fairly according to the law and if you are not treated fairly being able to get appropriate redress". "That doesn't just **mean access** to lawyers and courts. It **means access** to ombudsmen, advice agencies and the police law. It **means** public authorities behaving properly. <https://www.legislation.gov.uk/ukpga/1999/22/contents>

**Ø Examples**

**(a)**The rights: to be heard ***(Ridge v Baldwin***[***[1964] AC 40***](http://www.bailii.org/uk/cases/UKHL/1963/2.html)***)***

**(b)**To have notice of the case against you ***(R v Secretary of State for the Home Department ex p Doody***[***[1994] 1 AC 531***](http://www.bailii.org/uk/cases/UKHL/1993/8.html)***)***

**(c)**To have a hearing free from bias ***(Dimes v Proprietors of Grand Junction Canal (1852) 3 HL Cas 759)***

**(d)**To open justice ***(Scott v Scott***[***[1913] AC 417***](http://www.bailii.org/uk/cases/UKHL/1913/2.html)***)***

**(e)**The common law expressly recognises a fundamental right of access to justice and to the courts. In ***R v Secretary of State for the Home Department ex p Leech (No 2)***[***[1994] QB 198***](http://www.bailii.org/ew/cases/EWCA/Civ/1993/12.html)***, Steyn LJ held at 210A***

***(f)***It is a principle of our law that every citizen has a right of unimpeded access to a court.’ In ***R v Lord Chancellor exp Witham***[***[1998] QB 575***](http://www.bailii.org/ew/cases/EWHC/Admin/1997/237.html)***.***

# Article 9:

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

**1.**The Maximum custody sentence for the raves bill 1994 is six months and you would do three months with half time or maybe two months with good behaviour with a tagging system put into place and that would be if there was enough evidence for criminal convection. Even low there was not I received 7 years just for the Asbo without ever being arrested or having a fair interview / investigation take place, while getting refused my Legal Rights to Justice. The Asbo was a Standalone application what states it must not be a form of punishment just a deterrent.

**2.**I was told that if I don’t leave the United Kingdom within 48 hours that

**3.      Arbitrary arrest;**

Arbitrary arrest and arbitrary detention are the arrest or detention of an individual in a case in which there is no likelihood or evidence that they committed a crime against legal statute, or in which there has been no proper due process of law or order.

Arbitrary detention is the violation of the right to liberty. It is defined as the arrest and deprivation of liberty of a person outside of the confines of nationally recognized laws or international standards.

**4.      Detention**

The act or condition of being officially forced to stay in a place: **E.G.** He or she claimed that their detention by the authorities was unlawful. Detention is also a punishment in which a student must remain in school for a short time after classes have ended for the day.

**5.      Exile;**

The state of being barred from one's native country, typically for political or punitive reasons. "He knew now that he would die in exile"

**6.      ICCPR Article 9 states:**

**(a)**Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

**(b)**Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

**(c)**Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

**(d)**Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

**(e)**Anyone who has been the victim of unlawful arrest or ,ldetention shall have an enforceable right to compensation.

**7.**The Working Group on Arbitrary Detention is unique in that its mandate expressly provides for the consideration of individual complaints. The Working Group is the only non-treaty-based UN human rights mechanism to investigate and decide individual complaints.

Ø The Working Group has identified detention or imprisonment as arbitrary if it falls into one of the following categories;

**(a)**Imposed without any legal basis

**(b)**Imposed because of the exercise of human rights

**(c)**Imposed in violation of the principle of fair trial

**(d)**Prolonged administrative custody imposed on asylum seekers, immigrants or refugees

**(e)**Based on illegal discriminatory grounds

**8.      Study**

According to the Working Group on Arbitrary Detention (established by UN Human Rights Council Resolution 1991/42), deprivation of liberty is arbitrary if a case falls into one of the following three categories:

**(A)**When it is clearly impossible to invoke any legal basis justifying the deprivation of liberty (as when a person is kept in detention after the completion of his sentence or despite an amnesty law applicable to him) (Category I);

**(B)**When the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by articles 7, 13, 14, 18, 19, 10 and 21 of the Universal Declaration of Human Rights and, insofar as States parties are concerned, by articles 12, 18, 19, 21, 22, 25, 26 and 27 of the International Covenant on Civil and Political Rights (Category II);

**(C)**When the total or partial non-observance of the international norms relating to the right to a fair trial, spelled out in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity as to give the deprivation of liberty an arbitrary character (Category III).

**9.**Habeas corpus is recourse in law whereby a person can report an unlawful detention or imprisonment before a court, usually through a prison official. The writ of habeas corpus is known as the great and efficacious writ in all manner of illegal confinement being a remedy available to the meanest against the mightiest. <https://en.wikipedia.org/wiki/Habeas_corpus>

# 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.

**1.**Gg

**2.      Right to a fair and Speedy Trial**

The right to a fair trial has been defined in numerous regional and international human rights instruments. It is one of the most extensive human rights and all international human rights instruments enshrine it in more than one article.

**3.**We all have the right to a fair and public trial or hearing if: Any of us are charged with a criminal offence and have to go to court, or. a public authority is making a decision that will have an impact upon our civil rights or obligations.

**4.**The “Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems” is a key document that addresses the complex matter of legal aid on an international level. Adopted in 2012 jointly by the Economic and Social Council and General Assembly, they extend human rights specifically to persons who lack the financial means to pay for their own legal representation. The document is considered ground-breaking because it has moved the subject of legal aid from the country level towards an international framework that provides Member States with a basis for a legal aid system in criminal justice

**5.**In England and Wales, the origin of Right to Fair Trial & Right to Be Heard can be traced back in the Magna Carta Act, 1215. Art. 39 of the Act speaks about fair trial and punishment by a competent court after the trial.

**6.**The European Court of Human Rights and the Inter-American Court of Human Rights have clarified that the right to a fair trial applies to all types of judicial proceedings, whether civil or criminal. According to the European Court of Human Rights, Article 6 of the European Convention on Human Rights and the fair trial rights apply to all civil rights and obligations created under domestic law and therefore to all civil proceedings (see ***Apeh Uldozotteinek Szovetsege and Others v. Hungary 2000***)

**7.**In the United Kingdom the Right to a fair trial in the United Kingdom is guaranteed by the Article 6 of the Human Rights Act 1998.

**(1)**United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems ***(E/RES/2012/15, 2012.)***All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (order public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

**(2)**Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

**(3)**In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

**(a)**To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;

**(b)**To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;

**(c)**To be tried without undue delay;

**(d)**To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

**(e)**To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

**(f)**To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

**(g)**Not to be compelled to testify against himself or to confess guilt.

**(4)**In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

**(5)**Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

**(6)**When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

**(7)**No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

**(8)**In the United Kingdom a defendants' previous convictions may not be revealed to juries or the Court Bench unless a Bad Character Application is submitted by the prosecution and accepted by the Judge as submittable evidence. or a breach of Article 10 the Right to a fair Trial will prevail.

Ø Bad Character is defined in the Criminal Justice Act 2003

“s.98 “Bad character”

References ... to evidence of a person’s “bad character” are to evidence of, or of a disposition towards, misconduct on his part, other than evidence which—

**(a)**has to do with the alleged facts of the offence with which the defendant is charged, or

**(b)**is evidence of misconduct in connection with the investigation or prosecution of that offence.

s.112 Interpretation

“misconduct” means the commission of an offence or other reprehensible behaviour;”

Ø This means that Bad Character is evidence of:

·         Convictions or cautions; and/or

·         Other ‘reprehensible’ behaviour; and

·         Which in either case do not specifically relate to the facts of the offence being tried at court, or to the investigation or prosecution of that offence.

Ø Reprehensible **Behaviour**

‘Reprehensible behaviour’ is not specifically defined in the Criminal Justice Act 2003.

What could be considered reprehensible in one set of circumstances might not be so considered in another context, so each case is different and must be viewed on its own facts. Behaviour which amounts to criminal conduct, even though there is no formal criminal conviction (e.g., because it was not reported at the time) is likely to amount to reprehensible behaviour.

**Ø Examples**

**(A) Unreasonably long legal proceedings lead to reforms to speed up access to justice**

The European court identified numerous cases where legal proceedings in Lithuania had taken an unreasonably long time. One example was that of Donatas Šulcas, whose case lasted for almost nine years. Following rulings by the European court, a wide range of reforms were made to reduce delays in civil, commercial, administrative and criminal cases.

**Background**

In numerous cases brought before the European Court of Human Rights, applicants complained about the excessive length of legal proceedings in Lithuania.

One of the cases was brought by a businessman, Donatas Šulcas. When Mr Šulcas was involved in some litigation, it took the Lithuanian courts eight years and nine months to make a final ruling on it.

**Judgment of the European Court of Human Rights**

The European court ruled that numerous delays had been caused by mistakes or inertia on the part of the Lithuanian authorities. Overall, the length of the proceedings had been excessive. This had violated Mr Šulcas’ right to access a court in a reasonable time. The court also found that, under Lithuanian law at the time, Mr Šulcas had no access to an effective remedy for this delay.

**(B)  Suspicions of a biased judge led to reforms to protect a fair legal system**

**Background**

In the late 1990s the DMD Group was involved in an important legal claim against other companies, worth almost three million euros. The defending companies were suspected of manipulating at least one public officer to avoid paying their debts.

At first the claim succeeded in the Slovakian courts. However, suddenly the president of the district court arranged for the case to come to him. On the very same day he ordered that the claim should fail, in a decision which was only two pages long and which could not be appealed.

The DMD Group believed that the judge had deliberately taken over the case, so that he could arrange for it to fail. The judge had an almost unlimited power to distribute cases as he wished, without having to give any reasons. He had singled out the DMD Group case to be heard by himself, and dismissed it in an abrupt decision.

**Judgment of the European Court of Human Rights**

The European court ruled that when judges control who hears particular cases, there must be clear rules to prevent the abuse of this power.

However, there were no such rules in this case. There had been almost no criteria for why the judge should arrange to hear a certain case, and the judge did not have to give any proper reasons for doing so. As his decision on the DMD Group’s claim was also not subject to appeal, the company could not challenge the judge for being biased.

The European court held that the rules allowing the judge to assign the case to himself had been unfair.  They meant that the right to a fair trial had been violated.

**(C) Reforms introduced after police failed to properly investigate a racist attack**

**Background**

One night in the village of ***Gánovce-Filice*,** a group of non-Roma residents forcibly entered three Roma houses. They beat the inhabitants with baseball bats and iron bars, whilst allegedly shouting racist slogans.

The victims identified a number of people who they said were responsible for the attack. However, the authorities refused to charge anyone with a crime.

**Judgment of the European Court of Human Rights**

The Strasbourg court found that the authorities had failed to properly investigate the incident or punish those responsible. The court said it was particularly important for attacks with racist overtones to be properly investigated.

**Follow-up**

In 2014 the offence of extremism was created, to make it easier for the authorities to prosecute racially-motivated crimes. Specialised police units were set up to deal with such crimes, and new regulations were introduced covering the actions of the authorities.

Further legal changes in 2017 banned a wider range of extremist activities and made it easier for the authorities to prosecute violent racism. A specialised court and prosecution service took over responsibility for prosecuting such crimes.

“Where an individual raises an arguable claim that he has been seriously ill-treated … there should be an effective official investigation capable of leading to the identification and punishment of those responsible.”

# Article 11:

**1.**Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

**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.

**(1)**GG

**(2)**Article 11 requires that each person has access to a fair trial, which includes adequate legal protections and the right to a lawyer. Lawyers, therefore, must be able to perform their professional functions freely, independently, and effectively. Basic Principles on the Role of Lawyers, in: Report of the Committee on Crime Prevention and Control (***E/1990/31-E/AC.57/1990/8, 1990***)

**(3)**The Article 11 common set of legislative standards was written to ensure the appropriate role of lawyers and codes of professional conduct. Of the 29 Principles, eight focus on access to lawyers and legal services provided to defendants on trial.

**(4)**The presumption of innocence until proven guilty means that the burden of proof is always on the government to satisfy you that [defendant] is guilty of the crime with which [he/she] is charged beyond a reasonable doubt. The presumption of innocence is contained in article 14(2) of the International Covenant on Civil and Political Rights (ICCPR). ... The other guarantees are the right to a fair trial and fair hearing, and minimum guarantees in criminal proceedings, such as the right to counsel and not to be compelled to self-incriminate.

**(5)**At the end of a criminal trial, a finding by a judge or jury that a defendant is not guilty. An acquittal signifies that a prosecutor failed to prove his or her case beyond a reasonable doubt, not that a defendant is innocent.

**3.      The right is also enshrined in Article 14 of the International Covenant on Civil and Political Rights and states:**

**(1)**All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (order public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

**(2)**Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

**(3)**In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

**(c)**To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;

**(d)**To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;

**(e)**To be tried without undue delay;

**(f)**To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

**(g)**To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

**(h)**To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

**(i)**Not to be compelled to testify against himself or to confess guilt.

**5.**In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

**6.**Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

**7.**When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

**8.**No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

**9.**Despite this, in practice, violations of this important legal principle are common. Public appetite for sensation, real-crime, real-time stories place enormous pressure on public authorities and the media to violate the presumption of innocence.

**10.  Prejudicial statements**

Although it is a clear violation of the presumption of innocence for a public authority to make public statements implying the guilt of a suspect, such statements are a common occurrence in many countries across the globe. This is a particular problem where there is considerable public interest due to the nature of the offence or identity of the suspect. Furthermore, in many countries there is systemic press reliance on leaks of confidential information from public authorities, which are exceedingly hard to investigate and sanction.

**(a)**Clear legal regimes are required to prohibit public officials making public statements that imply the guilt of a suspect. Crucially, violations need to be investigated and enforced by impartial bodies, regardless of the seniority of the official in question.

**(b)**Journalists should not be required to reveal their sources but efforts.

**(c)**Where public officials make public statements implying the guilt of a suspect or leak information to the press, effective redress must be provided.

“Television and newspapers are loaded with interviews of police officers who give journalists copies of arrest warrants and pictures. Police push their agenda with videos they took for the case file – giving the material to TV channels and websites.” – Italian lawyer.

**11.  Press coverage**

Media reporting on crime-related cases frequently violates the presumption of innocence. Suspects are commonly presented as though they are guilty and reporting is often unbalanced against the suspect. Some groups of social exclusion or social marginalisation who get classed as suspects are more likely to bear the brunt of these problems.

·         Where reporting is found to violate the presumption of innocence, appropriate measures should be taken to rectify this.

·         Access to and sharing of restricted information should be monitored where possible. **E.g.,**through technology which records who accesses electronic records); and

·         Leaks should be robustly investigated by an impartial body.

·         These issues can cause irreversible damage to a suspect’s reputation and can also affect judgments about a person’s guilt or innocence.

**12.**Public Statements

Where it is found that public officials have made public statements implying the guilt of a suspect, redress must be provided. In particularly severe cases, this threatens the chance of the suspect receiving a fair trial, or undermines the integrity of the justice system, it may be appropriate to drop criminal charges or quash a conviction. Other remedies might include the payment of compensation and/or a public apology to victims.

Ø Example

Ø Social **and Cultural Developments, Crime Prevention and Human Resources**

<https://www.unmultimedia.org/searchers/yearbook/page.jsp?volume=1990&bookpage=686>

# 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. Every-one has the right to the protection of the law against such interference or attacks.

Arbitrary inference is a classic tenet of cognitive therapy created by Aaron T. Beck in 1979. He defines the act of making an arbitrary inference as the process of drawing a conclusion without sufficient evidence, or without any evidence at all

ICCPR Article 17 states: No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on 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.

The right to freedom of movement includes the right to move freely within a country for those who are lawfully within the country

1a: a geographic area belonging to or under the jurisdiction of a governmental authority.

b: an administrative subdivision of a 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.

The right of asylum (sometimes called right of political asylum; from the Ancient Greek word ἄσυλον) is an ancient juridical concept, under which a person persecuted by one's own country may be protected by another sovereign authority, such as another country or church official, who in medieval times could offer sanctuary.

# 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.

Currently, there are two primary conditions under which citizenship can be deprived: if a person has gained citizenship through fraud or false representation; or when “the Secretary of State is satisfied that deprivation is conducive to the public good”

Home Secretary Theresa May has said that the UK will not remove citizenship from IS fighters born in the UK as "it is illegal for any country to make its citizens stateless". ... The law says that the Home Secretary should have a "reasonable belief" that those being stripped of their nationality will not become stateless.

# Article 16:

**1.**Men and women of full age, without any l imitation 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’s 12 /16 protects the right of men and women of marriageable age to marry and to start a family and it also protects the right for respect for your private and family life.

Men and women of marriageable age shall have the right to marry and to found a family, according to national laws governing the exercise of this right.

The law had the valid aim of protecting the family and any children of the couple.

# 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.

Everyone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions. No one may be deprived of his or her possessions, except in the public interest and in the cases and under the conditions provided for by law, subject to fair compensation being paid in good time for their loss.

To John Locke, the right to property belonged to the so-called natural rights such as life and liberty, which human beings could not be deprived of. ... Property is vital to society, since property and contracts jointly form the basis of exchange and trade, on which the market economy is built.

The term "arbitrarily" would seem to prohibit unreasonable interferences by states and the taking of property without compensation, but a precise and agreed upon definition does not appear in the preparatory documents. Article 17 should also be read in conjunction with other provisions of the UDHR.

# Article18:

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.

freedom of thought includes the right to change your religion or beliefs at any time.

Every person has the right to put their thoughts and beliefs into action. This could include your right to wear religious clothing, the right to talk about your beliefs or take part in religious worship.

Importantly, this right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism. For a belief to be protected under this article, it must be serious, concern important aspects of human life or behaviour, be sincerely held, and be worthy of respect in a democratic society.

# Article 19:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions with-out interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

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.

Freedom of expression refers to the ability of an individual or group of individuals to express their beliefs, thoughts, ideas, and emotions about different issues free from government censorship

# 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.

The right to freedom of assembly and association protects your right to peacefully protest, go to demonstrations as well as join political parties, trade unions and/or voluntary groups. It also means that nobody can force you to join a protest, trade union, political party or another association.

Freedom of assembly is explicitly guaranteed in the First Amendment, securing the right of people to meet for any purpose connected with government. Freedom of association protects the activities and composition of such meetings.

# 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 to 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.

**The Equality Strategy - Building a Fairer Britain**

Equality is at the heart of this Coalition Government. It is fundamental to building a strong economy and a fair society; and in these difficult economic times equality is even more important. As we rebuild our economy it is essential that we make sure we benefit from the talents of everyone in the

UK. As we take the difficult decisions necessary to tackle the UK’s record deficit we are determined to do so fairly, protecting the most vulnerable

and prioritising equal opportunities for all.

Theresa May

Home Secretary and Minister for

Women and Equalities

Documentation at <https://serverone.hopto.org/The%20Equality%20Strategy/>

# Article 22:

**1.**Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation 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.

Social services programs include social or income assistance, services for children and adults with development disabilities, community services for specific populations, as well as child and spousal support orders. Social services include the benefits and facilities like education, food subsidies, health care, police, fire service, job training and subsidized housing, adoption, community management, policy research, and lobbying.

In politics, lobbying, persuasion, or interest representation is the act of lawfully attempting to influence the actions, policies, or decisions of government officials, most often legislators or members of regulatory agencies.

States must progressively realise the right to social security through measures to offer protection, through cash or in kind, which enables individuals and families to acquire at least essential health care, basic shelter and housing, water and sanitation, food, and the most basic forms of education.

# 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 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.

President Harry Truman in 1947 amended parts of the NLRA when he passed the Taft-Harley Act. This Act created the current right-to-work law, which allows states to prohibit compulsory membership with a union as a condition for employment in the public and private sectors of the country.

The right to work is a foundation for the realization of other human rights and for life with dignity. It includes the opportunity to earn a livelihood by work freely chosen or accepted. ... States are obliged to ensure fair wages, equal pay for equal work, and equal remuneration for work of equal value.

Decent work means opportunities for every- one to get work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration

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The right to work means that the individual should be able to choose employment without interference from authorities. ... The same can be said about the free choice of employment in relation to protection against unemployment. Free choice cannot exist if the unemployed are left unprotected.

We are entitled to our personal preferences and choices but only if they do not betray the human rights of others. ... Your freedom of choice (or mine) does not trump the human rights of another. It can be no other way in a civil society

Wagner Act (aka the National Labour Relations Act) gave most private sector employees the right to organize. ... Wagner Act employers were required to bargain in good faith; under the Taft-Hartley that duty was extended to unions. This protected the unions and employers from unfair labour practices.

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Income protection insurance is a policy that protects you against loss of income due to unemployment, illness or accident. It could provide you with a tax-free income and could continue to pay out until you are able to return back to work or retire.

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Domestic workers have the right to just and favourable conditions of work, including protection against abuse, harassment and violence, decent working conditions, paid annual leave, normal working hours, daily and weekly rest on the basis of equality with other workers, minimum wage coverage where this exists

# Article 24:

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

The right to rest and leisure is the economic, social and cultural right to adequate time away from work and other societal responsibilities. It is linked to the right to work and historical movements for legal limitations on working hours.

Linked to reasonable working hours, leisure time and paid vacations is the right of each person to self-development and education. This provision is one of many places where the UDHR aims to ensure the full development of people's personality. to ensure high productivity.

# 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.

The right to adequate housing derives from the right to an adequate standard of living and is of central importance for the enjoyment of all economic, social and cultural rights. ... It should be seen as the right to live somewhere in security, peace, and dignity.

What is the right to an adequate standard of living? ... Everyone has the right to an adequate standard of living including adequate food, water and housing and to the continuous improvement of living conditions.

Standard of living includes factors as a whole quality and availability of employment, class disparity, poverty rate, quality and housing affordability, hours of work are required to purchase necessities, gross domestic product, inflation rate, amount of leisure time, access to and quality of healthcare, quality

The definition of a standard of living is how well or how poorly a person or group of people live in terms of having their needs and wants met

A measurement of how well off a group of people or an individual perceive themselves to be. Standard of living takes into account the quality of housing, medical care, education, transportation, and entertainment opportunities. There is no objective, single measure of standard of living; rather, it is a value judgment made by individuals. However, to inject a degree of objectivity, sometimes annual per capita income figures are used to compare different standards of living.

A level of material comfort as measured by the goods, services, and luxuries available to an individual, group, or nation.

noun

A level of subsistence, as of a nation, social class, or person, with reference to the adequacy of necessities and comforts in daily life.

noun

A relative measure of the quality of life a person or group has.

# 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.

**Education a human right UK**

"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."

# 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.

The objective of these rights is to guarantee that people and communities have an access to culture and can participate in the culture of their election. Cultural rights are human rights that aim at assuring the enjoyment of culture and its components in conditions of equality, human dignity and non-discrimination.

The main difference between culture and tradition is that traditions describe a group's beliefs and behaviours that are passed down from one generation to another. Culture describes the shared characteristics of the entire group, which has been amassed throughout its history#

# Article 28:

**1.**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:

**1.**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.

# The Human Rights Act 1998 UK Bill of Rights

<https://serverone.hopto.org/Human%20Rights%20Act%20Yes/>

# Human Rights Act 1998 – Legislation

<https://www.legislation.gov.uk/ukpga/1998/42/contents>

The Human Rights Act 1998 (HRA) came into force in October 2000. It is one of the principal ways that internationally-recognised human rights are given legal effect in the UK. The Act means that vitally-important safeguards set out in the European Convention on Human Rights (ECHR) are available to everyone.

**Article 2:**[Right to life](https://serverone.hopto.org/Article%202%20Right%20to%20life/)

**Article 3:**[Freedom from torture and inhuman or degrading treatment](https://serverone.hopto.org/Article%203%20Freedom%20from%20torture%20and%20inhuman%20or%20degrading%20treatment/)

**Article 4:**[Freedom from slavery and forced labour](https://serverone.hopto.org/Article%204%20Freedom%20from%20slavery%20and%20forced%20labour/)

**Article 5:** [Right to liberty and security](https://serverone.hopto.org/Article%205%20Right%20to%20liberty%20and%20security/)

**Article 6:**[Right to a fair trial](https://serverone.hopto.org/Article%206%20Right%20to%20a%20fair%20trial/)

**Article 7:** [No punishment without law](https://serverone.hopto.org/Article%207%20No%20punishment%20without%20law/)

**Article 8:**[Respect for your private and family life, home and correspondence](https://serverone.hopto.org/Article%208%20Respect%20for%20your%20private%20and%20family%20life%20-%20home%20and%20correspondence/)

**Article 9:** [Freedom of thought, belief and religion](https://serverone.hopto.org/Article%209%20Freedom%20of%20thought%20-%20belief%20and%20religion/)

**Article 10:**[Freedom of expression](https://serverone.hopto.org/Article%2010%20Freedom%20of%20expression/)

**Article 11:** [Freedom of assembly and association](https://serverone.hopto.org/Article%2011%20Freedom%20of%20assembly%20and%20association/)

**Article 12:** [Right to marry and start a family](https://serverone.hopto.org/Article%2012%20Right%20to%20marry%20and%20start%20a%20family/)

Article 14: [Protection from discrimination in respect of these rights and freedoms](https://serverone.hopto.org/Article%2014%20Protection%20from%20discrimination%20in%20respect%20of%20these%20rights%20and%20freedoms/)

**Protocol 1, Article 1:**[Right to peaceful enjoyment of your property](https://serverone.hopto.org/Protocol%201%20Article%201%20Right%20to%20peaceful%20enjoyment%20of%20your%20property/)

**Protocol 1, Article 2:**[Right to education](https://serverone.hopto.org/Protocol%201%20Article%202%20Right%20to%20education/)

**Protocol 1, Article 3:**[Right to participate in free elections](https://serverone.hopto.org/Protocol%201%20Article%203%20Right%20to%20participate%20in%20free%20elections/)

**Protocol 13, Article 1:**[Abolition of the death penalty](https://serverone.hopto.org/Protocol%2013%20Article%201%20Abolition%20of%20the%20death%20penalty/)

# European Convention on Human Rights “ECHR”

<https://serverone.hopto.org/Convention%20for%20the%20Protection%20of%20Human%20Rights/>

# European Convention on Human Rights “ECHR “Treaty of London 5 May (1949)”

<https://serverone.hopto.org/European%20Convention%20on%20Human%20Rights%20Yes/>

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**Article 1:** [Respecting rights](https://serverone.hopto.org/ECHR%20Article%201_Respecting%20rights/)

**Article 2:** [Life](https://serverone.hopto.org/ECHR%20Article%202_Life/)

**Article 3:** [Torture](https://serverone.hopto.org/ECHR%20Article%203_Torture/)

**Article 4:** [Servitude](https://serverone.hopto.org/ECHR%20Article%204_Servitude/)

**Article 5:** [Liberty and security](https://serverone.hopto.org/ECHR%20Article%205_Liberty%20and%20security/)

**Article 6:** [Fair trial](https://serverone.hopto.org/ECHR%20Article%206_Fair%20trial/)

**Article 7:** [Retroactivity](https://serverone.hopto.org/ECHR%20Article%207_Retroactivity/)

**Article 8:** [Privacy](https://serverone.hopto.org/ECHR%20Article%208_Privacy/)

**Article 9:** [Conscience and religion](https://serverone.hopto.org/ECHR%20Article%209_Conscience%20and%20religion/)

**Article 10:** [Expression](https://serverone.hopto.org/ECHR%20Article%2010_Expression/)

**Article 11:** [Association](https://serverone.hopto.org/ECHR%20Article%2011_Association/)

**Article 12:** [Marriage](https://serverone.hopto.org/ECHR%20Article%2012_Marriage/)

**Article 13:** [Effective remedy](https://serverone.hopto.org/ECHR%20Article%2013_Effective%20remedy/)

**Article 14:** [Discrimination](https://serverone.hopto.org/ECHR%20Article%2014_Discrimination/)

**Article 15:** [Derogations](https://serverone.hopto.org/ECHR%20Article%2015_Derogations/)

**Article 16:** [Foreign parties](https://serverone.hopto.org/ECHR%20Article%2016_Foreign%20parties/)

**Article 17:** [Abuse of rights](https://serverone.hopto.org/ECHR%20Article%2017_Abuse%20of%20rights/)

**Article 18:** [Permitted restrictions](https://serverone.hopto.org/ECHR%20Article%2018_Permitted%20restrictions/)

**ECHR:**[Convention protocols](https://serverone.hopto.org/ECHR%20Convention%20protocols/)

**ECHR:** [Protocol 1](https://serverone.hopto.org/ECHR%20Protocol%201/)

**Article 1:** [Property](https://serverone.hopto.org/ECHR%20Article%201_Property/)

**Article 2:** [Education](https://serverone.hopto.org/ECHR%20Article%202_Education/)

**Article 3:** [Elections](https://serverone.hopto.org/ECHR%20Article%203_Elections/)

**Protocol 4:** [Civil imprisonment, free movement, expulsion](https://serverone.hopto.org/ECHR%20Protocol%204_Civil%20imprisonment%20free%20movement%20expulsion/)

**Protocol 6:** [Restriction of death penalty](https://serverone.hopto.org/ECHR%20Protocol%206_Restriction%20of%20death%20penalty/)

**Protocol 7:** [Crime and family](https://serverone.hopto.org/ECHR%20Protocol%207_Crime%20and%20family/)

**Protocol 12:** [Discrimination](https://serverone.hopto.org/ECHR%20Protocol%2012_Discrimination/)

**Protocol 13:** [Complete abolition of death penalty](https://serverone.hopto.org/ECHR%20Protocol%2013_Complete%20abolition%20of%20death%20penalty/)

**ECHR:** [Procedural and institutional protocols](https://serverone.hopto.org/ECHR%20Procedural%20and%20institutional%20protocols/)

**ECHR**[Protocol 11:](https://serverone.hopto.org/ECHR%20Protocol%2011/)

**ECHR**[Protocol 14:](https://serverone.hopto.org/ECHR%20Protocol%2014/)

# [International Covenant on Civil and Political Rights](http://www.claiminghumanrights.org/ccpr.html):