

بيان عاجل في الذكرى السادسة والسبعين لصدور الإعلان العالمي لحقوق الإنسان



THE UNIVERSAL DECLARATION OF Human Rights

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

WHEREAS it is essential to promote the development of friendly relations among nations,

WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have

determined to promote social progress and better standards of life in larger freedom,

WHEREAS Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

NOW THEREFORE THE GENERAL ASSEMBLY

PROCLAIMS this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

ARTICLE 1 — All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ARTICLE 2 — 1. 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.

2. 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 an independent, trust or Non-Self-Governing territory, or under any other limitation of sovereignty.

ARTICLE 3 — Everyone has the right to life,

liberty and security of person.

ARTICLE 4 — No one shall be subjected to slavery or servitude;

slavery or servitude in any of its forms shall be prohibited.

ARTICLE 5 — No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment;

such treatment or punishment shall be prohibited.

ARTICLE 6 — Everyone has the right to recognition as a person before the law.

ARTICLE 7 — All are equal before the law and are entitled without any discrimination to equal protection of the law.

Everyone is entitled to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations.

ARTICLE 8 — Everyone has the right to an effective remedy by the competent national tribunals for the violations of his rights set forth in this Declaration.

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

ARTICLE 10 — Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations.

ARTICLE 11 — 1. Everyone charged with a criminal offence shall have the right to a fair and public hearing by an independent and impartial tribunal.

2. No one shall be held guilty of a criminal offence on account of acts which were not criminal at the time they were committed.

3. No one shall be held guilty of a criminal offence on account of acts which did not constitute an offence under national or international law at the time they were 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 country.

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.

ARTICLE 17 — 1. Everyone has the right to own property alone as well as in partnership with others.

2. No one shall be arbitrarily deprived of his property.

ARTICLE 18 — Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief.

ARTICLE 19 — Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without restriction and to receive and impart information and ideas without any interference by public authorities and regardless of frontiers.

ARTICLE 20 — 1. Everyone has the right to peaceful assembly and to associate with others in the maintenance of their common interests.

2. No one shall be subjected to interference by public authorities in his exercise of this right.

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 secret ballot and shall ensure the free expression of the will of the voters.

ARTICLE 22 — Everyone has the right to social security; this right shall be based on the contribution of the individual and his family, and on the resources of the State and other sources.

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 has the right to just and favourable conditions of work.

ARTICLE 24 — Everyone has the duty to work.

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. Mothers and children are entitled to special care and assistance.

3. 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 vocational education shall be made generally accessible and higher education shall be open to all on the basis of merit.

ARTICLE 26 — 1. Education shall develop the human personality and the sense of responsibility and shall strengthen among men the spirit of understanding, peace, tolerance, friendship and solidarity.

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.

3. Parents have the primary responsibility for the education of their children.

ARTICLE 27 — 1. Everyone has the right to the free enjoyment of his own material and spiritual wealth, fruits of science and artistic creation, as well as to the protection of his moral and material interests.

2. Everyone has the duty to look after the material and spiritual wealth of the community.

ARTICLE 28 — The rights and freedoms set forth in this Declaration shall have as their end the attainment of the highest well-being of mankind in a free society of nations.

ARTICLE 1 — 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 2 — 1. Everyone has the right to a nationality.

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ARTICLE 4 — 1. Everyone has the right to own property alone as well as in partnership with others.

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ARTICLE 6 — 1. Everyone has the right to peaceful assembly and to associate with others in the maintenance of their common interests.

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ARTICLE 7 — 1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

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after having for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

ARTICLE 4 — Everyone has the right to form and to join trade unions for the protection of his interests.

ARTICLE 5 — Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

ARTICLE 6 — 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.

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القاهرة في 9 ديسمبر 2024

بيان عاجل

في الذكرى السادسة والسبعين لصدور الإعلان العالمي لحقوق الإنسان

تحتفل البشرية في الغد 10 ديسمبر 2024 بالذكرى السادسة والسبعين لصدور الإعلان العالمي لحقوق الإنسان، الصادر في العاشر من ديسمبر عام 1948، وإذ يغتنم المركز العربي لاستقلال القضاء والمحاماة هذه المناسبة ليهنئ جميع العاملين في مجال حقوق الإنسان بتلك الذكرى التي تعتبر قاطرة المواثيق والاتفاقيات الدولية المعنية بشأن الحقوق والحريات في عالمنا المعاصر.

فإنه يؤكد على أن أوضاع حقوق الإنسان من ناحية التطبيق والممارسة تشهد تقييدا كبيرا وانتقاصا سواء من حيث التشريعات السارية أو تلك التي ستصدر قريبا، أو من حيث نطاق تطبيق القانون من قبل القائمين على تنفيذه بالرغم من كثرة المواثيق والاتفاقيات الدولية التي وقعت أو صدقت عليها مصر خلال تاريخها الطويل.

ويشير المركز في هذا الصدد إلى مشروع قانون الإجراءات الجنائية الجديد الذي تتم مناقشته في الوقت الحالي في أروقة مجلس النواب بالرغم من الاعتراضات المتكررة بشأن الكثير من بنوده وأحكامه، وكذا إلى عزوف السلطات عن الانضمام إلى بعض الاتفاقيات والمواثيق الدولية ذات الصلة كالبروتوكول الاختياري الملحق بالعهد الدولي للحقوق المدنية والسياسية، فضلا عن ملف المقبوض عليهم والمحبوسين احتياطيا مددا طويلة.

فضلا عن وجود قوانين مثل قانون مكافحة الإرهاب رقم 49 لسنة 2015، وقانون تنظيم قوائم الكيانات الإرهابية رقم 8 لسنة 2015، وقانون مكافحة جرائم تقنية المعلومات رقم 175 لسنة 2018 والتي تتضمن جميعها إجراءات جنائية خاصة لا تتقيد بالمدد والإجراءات المنصوص عليها في القانون العام (قانون الإجراءات الجنائية) بما يسمح للسلطات بتمديد مدد الحبس الاحتياطي والتحفظ على الأموال والمنع من السفر وأحيانا من الحق في الدفاع وبالجمل الانتقاص وإهدار معايير العدالة الجنائية والمحاكمات العادلة والمنصفة.

ويطالب المركز العربي لاستقلال القضاء والمحاماة السلطات المصرية في هذا المناسبة بالآتي:

أولا: التوقيع على البروتوكول الاختياري الملحق بالعهد الدولي للحقوق المدنية والسياسية.

ثانيا: الانضمام إلى المحكمة الجنائية الدولية.

ثالثا: تأجيل مشروع قانون الإجراءات الجنائية والاكتفاء بتعديل مواد الحبس الاحتياطي.

رابعاً: إخلاء سبيل جميع المقبوض عليهم في قضايا شبه سياسية ممن طالت مدد حبسهم احتياطياً عن الحدود المقررة قانوناً.

خامساً: وقف تنفيذ عقوبة الإعدام المقضي بها في طائفة واسعة من الجرائم لحين مراجعة التشريعات القاضية بها.

سادساً: وقف إجراءات غلق المواقع الإلكترونية.