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**MONOGRAPH**

**“History and origin of human rights. Declaration and importance”**

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## Gratitude

First, I would like to thank God and the Virgin Mary for the wisdom and perseverance with which they have filled me, and I want to thank all my teachers and tutors who have taught me to value my studies and with that to improve each day more, being there every time, I needed them. Being day by day great leaders, guiding me on the right path, clearing up doubts, even the smallest ones.

Finally, and without hesitation I want to thank my parents, who always showed up on the most difficult days of my life as a student and supported me reminding me every day that I can do better and do everything I've written in this monograph. The work and effort are what helped me to grow forever in the future, to register, although I thought it was enough to do so. Be better every day at school and wherever you go, without forgetting respect for others. I know more to serve better.

## Summary

The present monographic work deals with Human Rights, explaining that they are fundamental for life and that it is necessary that human beings respect them, since they are obtained simply because they are human, regardless of their religion, race or sex, it is not like that. It matters at all These rights are so basic and important that without them society would be in conflict most of the time, because they would not know how to build good justice, peace and harmony in the world.

After all that the states had to do and, above all, the UN to recognize human rights, the Universal Declaration of Human Rights was finally created, which in turn is the most translated document in the world. Through this, a great evolution has been obtained that makes the states use them and value them, so that there is an equity in all the states and in the people because this helps the country to advance.

If we review our life or reflect on it, we will find circumstances of mistreatment of other people, perhaps we have done it or we see that others do it; we ask ourselves, why don't we do something to help? or what should we do?

Therefore, when I write these pages, I think about the current situation both in the country and globally, because there is still slavery although many do not want to believe it. The world is not totally free and little by little with further promoting human rights the world will improve.

I want to show and contribute by doing something about this world catastrophe not only with words but also with real and tangible facts for humanity; this goes for all those who want to transform this world of resentment to something free for any being.

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## **Introduction**

It is the purpose of the author to expose in this monograph an open investigation in which doubts could be clarified about the history and origin of the human rights and likewise its declaration and importance. Human rights should not be suppressed except on certain occasions and when that happens a process that is already established is followed, for example, when the right to freedom is restricted without a judgment to see if the person is guilty of having committed that right crime. On December 10, 1948 the General Assembly of the United Nations approved in Paris the Declaration of Human Rights, a document promoted by Eleanor Roosevelt, where they are written how people will have equal rights for a better humanity.

Likewise, the declaration establishes that human rights must be protected throughout the world, this declaration was projected with different regions of the world that had a legal and cultural background.

Nowadays, human rights have acquired a certain importance, but still a large part of the world population is still asking: What are human rights exactly? Are all those elementary principles that are obtained only by the fact of being a person regardless of sex, race, nationality, religion, ideology, or politics. Likewise, there are people who only have one concept, but it is not well defined, and is not aware of how important it is to respect them. All these people have answers, but you must see things from another

perspective which has to be impartial to the human reality that is lived in this era. These are contemplated with a law and guaranteed by it through all the treaties that have been made. Human rights are indispensable because without them every citizen will not be able to have a dignified on.

In the next three chapters of the monograph you can find an exact definition of Human Rights. In the first chapter we can see the history of human rights, what they are, their characteristics and mention the Universal Declaration of Human Rights. The second chapter will be written about Human Rights in Ecuador, if they are really respected and if they are not violated, also how the Ecuadorian constitution defends and protects them. The third and final chapter mentions the international norms of human rights, the associations that defend them worldwide, and the differences between international humanitarian law and human rights.

Concluding human rights are all those that we obtain by the simple fact of being human beings and that nothing else matters, these rights promote a better lifestyle among citizens and for a better life.

## **Chapter I**

### **Human rights**

#### **1.1 Definition of human rights**

To study the subject of human rights it is important to have knowledge of the meaning of human rights. There are several types of rights which most are applied in certain groups, but human rights are the only ones that all possess just by the fact they're a citizen. The word human rights come from and means the following.

Human means the member of the species Homo Sapiens, which means man, woman, children. Rights means the freedoms that are guaranteed. So human rights refer to the permissible guarantees that each person has regardless of who is.

As Annan (1997), human rights are not alien to any culture and are natural to all nations; they are universal. The government must be the guarantor that all people have the rights. Just as men have rights, always a state or another man, they have a behavior against these rights. Before all these rights, the state must be a good democracy. So that in states or countries that do not excite democracy there is no good equity.

The first humans who lived in civilizations had no rights comparable to ours, they were not important, and nobody respected them, if you weren't close to an important of influential person, you could have access to these rights and if not, your opinion simply did not matter. As Brenes (1992), rights are ideas armed with more forces than the most



efficient despotism; above all, they are more powerful in a democracy where the universal character or their application is the postulate on which they are based.

### **1.1.1 History of human rights.**

After all the wars, fights, deaths and struggles that took place in the Second World War, the concept of human rights was finally born and determined, all this began when in the year 549 A.C. Cyrus the great conquered Babylon thus allowing all slaves to be free and so that people can choose their religion no matter what group they formed. Cyrus the great left all this written on a tombstone, which got the name of Cyrus's cylinder.

In the year 1215 A.C. The king of England finally accepted the Magna Carta which meant that no one could invade the rights of the people but not everyone agreed with this and the wars and fights began. In the year 1915 Mahatma Gandhi who was a Hindu lawyer, thought that it was enough with all these fights that were causes between countries to see who had human rights, before all this violence that was happening made all the people of the earth had rights, citizens did not agree.

The world was extremely desperate for all the changes that were taking place and the rights were about to be extinguished. Until December 10, 1948, in Paris, with 58 members states of the United Nations (UN), they united to sign resolution 217, with the purpose of creating the declaration of human rights.

The objective of the UN was to ‘‘Reaffirm the faith in fundamental human rights in the dignity and value of the human person’’. There were historical precedents during accepting the declaration of human rights, 58-member states of the UN decided that this article be defined, 48 of those states voted for human rights to be finally accepted, 8 states refused to allow this article is accepted which were Soviet Union, Saudi Arabia, South Africa, countries of Eastern Europe, and 2 simply did no vote. When it was already defined in the declaration the general assembly of UN which was first formed by 18 representatives of the State’s members of the organization created a human rights commission, to develop series of codes and measures of the defense of those. Throughout this human right remain the same, and most of stated respect them.

#### **1.1.1.2 Characteristics of human rights.**

These rights have the following characteristics:

- Universal: which means that they are for everyone regardless of the condition, all rights are allowed for all people.
- Interdependent: imply that there are no more concepts towards human rights, there is only one, that is, all rights are equal. There is no division between rights.
- Progressive: they are first and foremost they seek to advance and provide a better quality of life to people.
- Irrevocable: you cannot give the, up, or by your own will.
- Protect the human condition: human rights have as a priority to consider supreme values such as freedom, equality and dignity therefore protect any person who is really doing the right thing.
- They protect especially the most vulnerable sectors: in the universal declaration of human rights, more attention is given to children, the elderly or pregnant women.

- Non-discrimination: human rights not only seek equality in gender and people, but also consider discrimination as a bad act, or something like that, whether between religion, nationality, sex, age, and among other differences.

- Equality of opportunity: the right to work is equalized, or to obtain something specific. Since we are all the same.

#### ***1.1.1.2.1 Violations of human rights.***

These rights are not always respected, there are times when they are violated, even at a minimum distance, for the simple fact of not taking personal integrity into account, since by not respecting this you are violating the rights of all people. There are acts that violate rights such as:

- School bullying.
- Racist intolerance.
- Domestic abuse.
- Not being able to express your own ideas freely.

Just as there are acts that are literally produced every day, and that are seen very often, there are also acts that are literally produced every day, and that are seen very often, there are also acts that occur at a distance that we do not consider.

- Slavery
- The genocide
- Apartheid

Not only do these violations exist, but also the way in which women and children are marginalized. After 70 years, human rights defenders do not fully agree with the declaration, as not everyone still respects human rights.

So as human rights now exist, there is also a big problem that, although everyone has human rights, if we look a little further, we see that although there is the right to food and more than 16.000 children die of hunger every day. There is also the right to freedom of expression, but thousands of persons are in prison for expressing their ideas. Or, as the right to education was established, because there are millions of adults who are unable to read. And if slavery is over, why more than 2700 people work daily as slaves. But despite all that happened that rights were universal and everything that was written was nothing more than papers, and still did not make all those words true one hundred percent.

## **1.2 Universal declaration of human rights.**

It is an article that establishes all the human rights of history. It was elaborated by the regions of the world with different legal and cultural backgrounds.

This declaration was finally accepted, on December 10, 1948 by the general assembly in Paris. It is Article 217, it is ideal for all peoples and nations. It establishes the rights that must be respected by the world and has been translated into more than 500 languages.

It has a preamble, and there are 30 human rights that talk about life, about how all human beings should be treated equally, how these rights should be respected, and how we must respect each other, without Import the color, sex, religion and among more things. It

also talks about when people say something bad, and that they also have the right to be defended by the law, at least to be heard. It is very important that this statement is created since everyone can have the right to defend themselves if the things they are doing are correct

## **Chapter II**

### **Human rights in Ecuador**

Just as mentioned Fellner, Gimbel, Garcia (1988), “Ecuadorians have been proud of their country’s human rights record. While there have been isolated instances of government abuse, the country has no tradition of massive of systematic human rights violations” (p. 2).

Ecuador has always agreed with respecting human rights and has had a great strengthening in the international human rights system, has complied with most of the international treaties of the United Nations and the InterAmerican system. Ecuador

complies with a letter called “Andean Charter for the promotion and protection of human rights”.

This letter was accepted during the meeting of the Andean presidential council, in Guayaquil, on July 26, 2002. The purpose of this letter was to establish the principles and thematic axes of a community policy on human rights, incorporating the universal principles.

### **2.1.1 The Ecuadorian constitution.**

The constitution of the republic of Ecuador, in the preamble invites us to build. “a society that respects, in all its dimensions, the dignity of people and communities”

The Ecuadorian constitution has been changing over the years, since the year 1830, which was a constitution like that of Colombia, and was changing for a good of the country, having better progress to reach the one we have today. Despite all the changes and that Ecuador had a constitution that protected human rights, they were exposed and not fully respected, because of the bad policy that has existed throughout these years.

It is important to take responsibility for the new legal and political characteristics of Ecuador as a constitutional state of rights and justice, intercultural, pluractional, the same that implies that the rights recognized in the constitution, in international instrument and own law of peoples and nationalities have the character normative (law) and of direct

and immediate application, without requirement of any requirement that is not contemplated in the constitution. (Serrano, 2016, p. 50)

#### **2.1.1.1 Protection of human rights in Ecuador**

Ecuador in the last review conducted by the United Nations, called the Universal Periodic Review (UPR), this examination is about each country being able to demonstrate if they really have a good protection of human rights.

Likewise, after this, Ecuador invited the countries to join voluntarily in the creation of a legally binding instrument on transnationals and human rights, as well as committing to provide a great collaboration in this movement.

Also, Ecuador after carrying out this examination pointed out that it was very important to take care of, and to protect the Human Rights, since in this way they advance in the reduction of poverty and inequalities.

The country has a series of recommendations related to the human rights situation, which were generated by some mechanisms. Some of these mechanisms are the following:

1. They allow to know the elements within the country that contribute to the violations of a specific right.
2. To know in what areas the mechanisms of protection of human rights have asked the government.

3. It serves to validate the programs or identify the areas where measures must be taken.
4. Access information about each right and help establish priorities.

#### *2.1.1.1 Universal Periodic review*

This test is the new way to see if countries are fulfilling the protection of human rights. It was created by the General Assembly in 2006. It is held every four years, by the Human Rights Council.

This examination seeks the improvement of human rights in the countries and helps to see the situation of the country. It es based on a national report. Which is divides into two parts.

- Information contained in reports of treaty bodies, producers, and other official documents
- Credible and reliable reports provided by other interlocutors.

It is carried out in working groups by the 47-member states of the council. The result is summarized in the actions of the process, the conclusions, recommendations and voluntary commitments of the state.

#### *2.1.1.1.2 human rights protection system*



Ecuadorian citizens can acquire the following mechanisms. If there is any case of being a victim of any violation of human rights. It is important to go to the international instances, legal processes, and internal constitutions in Ecuador.

- National mechanism
- Mechanism of the united nations
- Mechanism of the inter-American system
- Mechanism of the international criminal court

## **2.2 Obligations of the state against human rights**

The state oversees regulating the life o a nation, with the individuals that were in a certain territory. The state is obliged to make several demonstrations to keep the nation on high. Faced with this, it must respect, protect and guarantee human rights.

Likewise, the state is responsible for seeing violations of human rights, so that there is a good result in people. For that there are obligations which the most marked are the following:

- Obligation to respect: requires that the state and its agents do not violate established human rights.
- Obligation to guarantee: the state must adopt the necessary measures for human beings
- Obligation to protect: make states prevent human rights abuses
- Obligation of due diligence: investigate by the state with the means available to it
- Obligations to repair: help and guarantee when a human right is violated.

The state is forced to help people when there is a violation of human rights, as it is responsible for what is happening. There are several reparatory measures of non-pecuniary nature, the guarantees of non-repetition of the facts were those that gave rise to the claims.

According to Juan Carlos (2010), it is necessary to want that a violation of rights is done positively and negatively, because the first occurs when people who exercise their administrative or judicial functions operate through acts and actions, directly and with intent to violate the rights established in the constitution and international instrument; the second occurs when they omit to do something, refraining from doing or declaring something or not executing and order disposition, the omission being the insufficiency in the performance of public authority, which may obey in bad faith, the intention of cause harm or ignorance of the way in which the act should be performed.

### **2.1.1 Differences between crimes and violations of human rights**

Crime is understood to be an unlawful act, which is carried out with the intention of harming a person. The subject will be a person who violated the law, regardless of whether it is by will or obligation.

The first time you commit is with a knowledge of the action you are going to do, waiting for a result. The passive subject of the crime is the one who receives the damage and the consequences of the criminal behavior.

In contrast, human rights violations must be understood as positive or negative behavior by a direct or indirect agent of the state. This happens when it infringes on any person of any time of the rights mentioned and recognized by the constitution. It can be given in different ways:

- The act is performed by a state agent.
- The act of violence is carried out by individuals who act with the contribution.
- It occurs due to ignorance of obligations.

For all this to stop happening, the state must have a legal duty to prevent human rights violations, as they are extremely important for all beings.

As Enrique Bacigalupo (1996), mentioned illegality is the absence of type, this is when a behavior according to the popular concept is considered harmful socially and contrary to criminal law, but the legislator has not integrated in the catalog of criminal figures, so that the author of said conduct cannot be prosecuted for it.

## **Chapter III**

### **International human rights standards**

The universal declaration of Human Rights is known as the foundation of international human rights norms. These norms are often guaranteed of a government. This declaration has inspired the treaties and is a great support for the universe in problems of conflicts, more than anything in societies that suffer from injustices and repressions.

As Desmond Tutu (s.f.) mentions it, "For oppressed people it is very important to know that they are not alone. Never let anyone tell you that what you do is insignificant" (P.87).

#### **3.1 international human rights charter**

The International Bill of Human Rights includes the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and its two optional protocols.

Each of these letters has a definition, and helps all states improve daily.

The Declaration of Human Rights is the letter where the 30 articles are defined and aims at the common ideal in all peoples and nations. And in the 30 articles are the basic civil, cultural economic, political and social rights that human beings count on daily.

The international pacts are an intergovernmental organ within the United Nations and is what is established as protecting these rights. Since the General Assembly drafted two pacts, one is civil and political rights and the other economic, social and cultural rights.

### **3.2. organizations that defend human rights**

There are many organizations that defend human rights, but only 9 are the main ones, they promote and seek to defend, protect the rights of each person. The work of these organizations is established so that they define UDHR.

- Amnesty International: This is a movement that has more than 12 million members from 152 countries. This organization is responsible for conducting investigations into human rights violations.

According to Peter Benenson (s.f) the candle does not burn for us, but for all those who we cannot get out of prison, those who fired on the way to prison, who were tortured, kidnapped or made to disappear. That's what the candle is for.

- Human Rights Action Center: directed in the city of Washington, United States by a human rights activist, and the goal is to end human rights abuses, and seek to provide support to other human rights groups.

- Simon Wiesenthal Center: is an international Jewish organization that faces anti-Semitism, racism, discrimination and terrorism. It is intended to promote the dignity and security of Jewish people.

- The Children's Defense Fund: Private organization that consist in guaranteeing equal conditions for all children. Help and protect children who have been abused and abandoned,
- United Nations Children's Fund (UNICEF): They have more than 190 countries, with the objective of protecting the human rights of all children. Nowadays its main objective is to provide help in emergency situations.
- Human Rights Watch: advocates for human dignity and the fulfillment of rights for all. It also carries out investigations corresponding to abuses and violations of human rights, so that the perpetrators are punished.
- United Nations Organization: promoted assistance to find solutions to conflicts between countries. It is currently composed of 193 countries, thus being one of the most important organizations of human rights.
- United Nations Organization for Education, Science and Culture (UNESCO): it builds and promotes peace at the international level. Defend all the rights that are established in the Universal Declaration of Human Rights.
- World Health Organization (WHO): they're purpose is to from a healthier future for all the individuals of the world

### **3.3 Differences between international humanitarian law and human rights**

International humanitarian law is a set of rules that seeks to limit the effects of conflicts. It is also commonly known as the law of war or the law of armed conflict.

These rights regulate the relations between the states and is made up of agreements signed between states. And it is applied in armed situations. International Humanitarian Law has made it possible to change things, protecting civilians, prisoners of sick and wounded wars, limiting the use of inhumane weapons.

They have a lot to do with human rights since both protect humans. Only that they are applied in different ways. These are more detailed rules in IHL as it is for situations of armed conflict. But both are based on protecting humans.

The difference between them is that human rights are applied all the time no matter what, and IHL only in armed conflicts, thus protecting and individual in difficult situations and that human rights are in all nations and states, but IHL depend on the states.

## **Conclusions**

At the end of this monographic work it is concluded that:

- At the end of this monographic work, it is concluded that Human Rights are not always respected by people or nation states. Human rights should not be simple laws that are written on paper, or that only stay in campaigns, but should be essential for the lives of people, because society improves, and people's thoughts are respected. Since these are obligations and behaviors that a state should follow, likewise it is determined that everyone should have them, regardless of race, sex, religion, thinking and among other characteristics. Given that one of the essential characteristics of Human Rights is that they are inalienable
- Likewise, through a basic survey it was possible to conclude that Human Rights in Ecuador if they are really respected, since a test called Universal Periodic Exam is done to see how the state protects them. The state tries to ensure that citizens comply with them, regardless of how people respect them to have their freedoms, and not to have conflicts, it is important to keep Ecuador as a pluricultural and intercultural state, because in this way many elements are diminished that affect the country.
- In a society where they are respected, you can move forward as you take a good conscience, so that everyone respects each other. The rights of the people must be honored. The recognition of these rights must be on everyone's part. And the state must demand that if they are met so there are no problems.
- With this work it is also determined that the protection of Human Rights began in 1945 when the Declaration of Human Rights was created, approved by the UN, with several countries that agreed to build a prominent society.



- The purpose of Human Rights is to be able to guarantee people, in their freedoms, cultures, policies and thoughts. These rights are a way of life, and something extremely significant for society because it allows people to be free of opinion, but it is also necessary to know how to respect and fulfill them correctly.

### **Recommendations**

At the end of the next work it is recommended:

- That in the face of violations of Human Rights protections are created, through a support network in which it is advisable to conduct campaigns, or extremely important talks.
- Also make people begin to become aware of the importance of Human Rights for society. Giving them to understand that, respecting these rights, the construction of a good society and a much more advanced country will be strengthened.
- Promote a respect for human rights in society, giving out leaflets to the public, so that they realize the duties and obligations that we have as people.
- Therefore, the school could carry out training for students, thus promoting respect for Human Rights, so that students out of school implement them.

## **References**

Agudelo, L. (1984) *Realidad jurídica de los Derechos Humanos*. Editorial Nueva América. Bogotá.

Anna, K. (1997). The Universal Declaration of Human Rights.

<https://www.un.org/sg/en/content/sg/speeches/1997-12-10/universal-declaration-human-rights-enshrines-and-illuminates-global> [Consulta 20 de Julio de 2018]

Brenes, R. (1992). Introduction of human rights: anthology. Costa Rica. Editorial  
Universidad Estatal a Distancia

Fellner, G. (1998). Report of the truth commission.

<https://www.elcomercio.com/uploads/files/2018/01/08/IE-002.01-2016.pdf>

[Consulta 07 de agosto de 2018]

Savater, F. (1991). *Ética como amor propio*, México: 1991, pp. 163

Serrano. (2016). *Constitution of the Republic of Ecuador*. Ecuador.

## **ANEXOS**

### **Universal Declaration of Human Rights**

#### **Preamble**

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 between 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 cooperation 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 I**

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

### **Article 2**

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

### **Article 3**

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

### **Article 4**

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

**Article 5**

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

**Article 6**

Everyone has the right to recognition everywhere as a person before the law.

**Article 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

**Article 8**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

**Article 9**

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

**Article 10**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

**Article 11**

1. Everyone charged with a penal offence has the right to be presumed innocent until 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.

#### **Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

#### **Article 13**

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own, and to return to his country.

#### **Article 14**

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from nonpolitical crimes or from acts contrary to the purposes and principles of the United Nations.

## **Article 15**

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

## **Article 16**

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

## **Article 17**

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

## **Article 18**

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.



## **Article 19**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

## **Article 20**

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

## **Article 21**

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

## **Article 22**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

## **Article 23**

1. Everyone has the right to work, to free choice of employment, to just and 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.

#### **Article 24**

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

#### **Article 25**

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

#### **Article 26**

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical

and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

#### **Article 27**

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

#### **Article 28**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

#### **Article 29**

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and

respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

### **Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.