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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the International Society for Human Rights, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

International Bill of Rights**

Preamble

Standard Setting by the UN has been a continuous process since 1945 and a grandiose success story. The UDHR and subsequent Conventions have engendered consciousness of rights, strengthened through the establishment of monitoring, implementation and follow-up mechanisms. The UDHR was the first step, but it lacked many of the rights (minorities, environment, homeland) generally recognized today. Because of the multiplicity of instruments and considering that all women and men throughout the world should know their rights and how to claim them, a simpler, comprehensive code should be agreed upon by the HR Council that individuals would invoke before their domestic jurisdictions. In 2009 Dr. Kirk Boyd of Berkeley University launched a civil society project aimed at the adoption of such a code and the creation of an international court of human rights whose judgments shall be enforceable (<http://www.internationalbillofrights.org/home>). At a Berkeley workshop attended among others by UN High Commissioner for HR Jose Ayala Lasso, Acting HC Bertrand Ramcharan, Judge Theodor Meron, Prof. Manfred Nowak, and Prof. David Caron, both the code and the draft statute of the court were elaborated. Subsequent conferences and panels with civil society have produced a comprehensive code and the condensed text below.

We the people of our international community, our human family, declare that there are certain fundamental rights that are inherent in every human being, that they are inalienable for all people in all countries, and they are enforceable in the courts of all countries:

Each of us, by signing this document, agrees as follows:

Section I: Fundamental rights

Article 1 (human dignity)

Human dignity is the source of all human rights and every person can enforce in court the rights stated herein, whether they are in their homeland or any foreign land.

Article 2 (freedom of speech and the media)

Every person and the media has the right to freedom of speech and expression; this right includes freedom to see, receive and share information and ideas, whether the ideas are popular or not, and to freely criticize government, religious or business leaders through any media and regardless of borders.

Article 3 (education)

Everyone has the right to education, from pre-school through college, for free or low cost.

Article 4 (freedom of assembly and association)

Everyone has the right to gather peacefully, in small groups or large ones, without weapons, and to hold meetings, rallies, demonstrations, marches and pickets in public squares and other public places.

^{**} The International Bill of Rights Association, Geneva, an NGO without consultative status, also shares the views expressed in this statement.

Article 5 (health care)

Everyone has a right to free or low cost health care, including vision, dental and mental care, as well as sufficient food necessary for good health.

Article 6 (life)

States may not practice capital punishment, and given that weapons of mass destruction entail a grave threat to the right to life of all humanity, the use of weapons of mass destruction, including nuclear, chemical, biological or other similar types of weapons is prohibited.

Article 7 (physical integrity)

Torture, or cruel and degrading treatment are prohibited.

Article 8 (freedom of religion)

Everyone has the right to choose his or her own religious beliefs, including the right to change one's religion, or to have no religion, and government and religion shall remain separate.

Article 9 (equality)

Everyone is equal before the law and entitled to equal protection of the law, no one shall be prejudiced or favored because of his or her birth, race, sex, sexual orientation, marital status, pregnancy, age, color, disability, wealth, language, national origin, faith, religion or political opinion.

Article 10 (representation and voting)

All power to govern emanates from the people through their choice of representatives and not from military position, religion, caste, heredity or any non-elective title or position, therefore, anyone over 18 years old has the right to run for office and to have the chance for election through a secret ballot.

Article 11 (environment)

Everyone has the right to a clean and healthy environment, including water that is safe to drink, food that is safe to eat, and air that is safe to breathe, in addition, both for the benefit of future generations and for the species themselves, there is also a right to the preservation of species and their habitat.

Article 12 (shelter)

Everyone has the right, along with his or her family, to shelter with safe water, electricity, and sanitary conditions, but every person or family given assistance with shelter has a responsibility to temporarily work on behalf of society.

Article 13 (physical and intellectual property)

Everyone has the right to own, buy and sell property and the government may not take private property except for public use, and if it does, then it must pay market price for the property. Also, everyone engaged in cultural, artistic and scientific fields has the right to the protection of their intellectual property.

Article 14 (labor)

Everyone has the right to choose his or her occupation or profession and to a living wage for their work, as well as the right to form and join a union and to participate in the activities and programs of a union, including the right to strike and collective bargaining.

Article 15 (privacy and information)

Everyone shall have the right to privacy in his or her home, hotel room, vehicle, or vessel and to have interpersonal relations as they choose; therefore, eavesdropping or surveillance of private communications is forbidden without a court order as part of a criminal investigation. In addition, everyone has a right to access, obtain, and correct information collected about them unless such information is part of a criminal investigation or prosecution.

Article 16 (family life)

People of full age have the right to marry and men and women are entitled to equal rights at marriage, during marriage and at its dissolution.

Article 17 (children)

Every child has the right to a name and a nationality from birth and no child under 18 may be recruited as a soldier or otherwise used in armed conflict, even voluntarily.

Article 18 (citizenship and movement)

No citizen may have his or her citizenship revoked, nor may any citizen be denied the right to enter freely and leave his or her country, but citizens also have the responsibility to share the costs of public expenditures, including the payment of taxes.

Article 19 (culture)

Everyone has a right to his or her cultural identity, including the right to use his or her own language and engage in his or her own cultural traditions, provided that such exercise does not hinder the traditions of others, or violate the rights embodied in this Bill of Rights.

Article 20 (arrest and fair trial)

No person shall be arrested or imprisoned without a judicial warrant and an arrestee has the right to counsel. Any charges shall be made in a courtroom open to the public, including the news media, and an arrestee has the right to have the validity of the arrest or detention determined within 72 hours by an independent judge. Everyone who is charged with any criminal offense has the right to be released prior to trial absent a showing that they will flee or are a danger to others. Trial includes a fair public hearing by an independent and impartial court within three months from arrest and to be presumed innocent until proven guilty according to law.

Article 21 (search and seizure)

Everyone is protected from unreasonable searches and seizures of his or her person, home, car and belongings, among other things therefore, a search warrant must be obtained from the court prior to the search unless the search occurs during or shortly after the commission of a crime and there is evidence linking the items seized to the crime.

Article 22 (due process of law)

Everyone is entitled to fair procedures to safeguard his or her rights, therefore, no one may be deprived of life, liberty, or property without due process of law.

Article 23 (responsibility for violation of rights)

Any private individual, private or public company, or public official, agent or employee of the government, who violates the rights set forth in this Bill of Rights is not immune from liability, qualified or otherwise, and is responsible to pay damages, including attorneys' fees and costs, to the person whose rights have been violated.

Article 24 (trial for violation of rights)

Any person, organization, or company who claims a violation of this Bill of Rights by government officials, agents, or employees or any private individual or private or public company shall have a right to trial by a jury of at least six of his or her fellow citizens to decide if these rights have been violated.

Article 25 (independent judiciary)

Judges must be independent and impartial at all times, therefore, no person shall give a judge any money, gift or service other than the judge's official salary, and no party to a case, nor any person acting on his or her behalf, may speak to a judge about a case without the presence of, or at least knowledge of, the other party.

Article 26 (funding rights and courts)

The rule of law and rights herein benefit the citizens and businesses of all countries, therefore, each country shall annually contribute one percent of its gross national product into an international fund for the use and support of educational, healthcare and judicial facilities and salaries internationally, including the Courts described in articles 27-34. The funding shall be distributed by an international non-governmental organization comprised of leaders appointed in a similar manner to the judges on the International Court of Human Rights described below.

Section II: International Court Of Human Rights¹

¹ **Article 27** (Composition of the Court) An International Court of Human Rights shall be created. The Court shall be comprised of one judge from each country that has ratified this Bill of Rights in its entirety, without reservation. Regional courts, subject to review by the International Court, and composed of one judge from each country in the region, shall also be organized through the continued operation of existing regional courts, or the creation of new ones.

Article 28 (Terms of Service for Justices) The judges' terms for the International Court of Human Rights and the regional courts shall be 6 years and no judge may serve more than two terms.

Article 29 (Application of the Bill of Rights in All Countries) The rights included in this Bill of Rights may be raised before the courts of all countries, as well as all regional courts.

Article 30 (Supremacy of Rights) This Bill of Rights establishes a minimum standard to which all people are entitled and are superior to any law that conflicts with them. Any country may enact a law or interpret its own Constitution to provide for rights greater than those guaranteed by this Bill of Rights.

Article 31 (Submission of Claims in Country of Origin) No claim for a violation of rights may be brought before the International Court of Human Rights until the claim has first been brought in the domestic courts of the country in which the claim arose, including an appeal to the highest domestic appellate court, as well as any regional court, however, a case may originate at the regional court if there is a showing of strong and convincing evidence that redress from the domestic court is untimely or impracticable.

Article 32 (Hearings at the International Court on Human Rights) Cases are heard by Chambers of fifteen judges, fourteen randomly selected, along with the judge from the country in which the case arose. A Chamber's decision may be reviewed by two thirds of the Court, randomly selected, along with the judge from the country in which the case arose, if a majority of the judges on the Court agree to review it.

Article 33 (Court Decisions) Once a case has been admitted, oral argument shall be the norm and a written decision by the majority of the Chamber shall be published in an official reporter. Dissenting opinions shall also be published and each judge may write separately or join in an opinion by a group.

Article 34 (Enforcement of Decisions) Decisions of the International Court of Human Rights are enforceable through the domestic courts in the country from which the case arose. Failure of any government to comply with the decisions of the Court may result in expulsion from the International Bill of Rights treaty following a vote of two thirds of the judges of the Court.