HUMAN RIGHTS

CHRISTIAN CEL W. JULIAN
Human rights are generally defined as those rights, which are inherent in our nature, and without which, we cannot live as human beings.

- United Nation
Human rights are supreme, inherent, and inalienable rights to life, dignity and self-development. It is the essence of these rights that makes man human.

- Philippine Commission on Human Right
Human Rights Defined

International norms that help to protect all people everywhere from severe political, legal, and social abuses.

http://plato.stanford.edu/entries/rights-human/
Basic Characteristics of Human Rights

Inherent

Fundamental

Inalienable

Indivisible

Universal

Interdependent

Imprescriptible
Categories of Human Rights

- As Fundamental Freedom in Political Rights
- As Democratic Rights
- As Mobility Rights
- As Right to Life, Liberty and the Security of the Person
- As Legal Rights
- As Rights of Equality
Categories of Human Rights

- As Economic, Social and Cultural Rights
- As Workers’ Rights
- As Aboriginal Rights
- As Reproductive Rights
- As Protective Rights of Persons in Armed Conflicts
- As Right of Self-determination
- As Minority Group Right
Categories of Human Rights

As Fundamental Freedom in Political Rights

- The Bill of Rights in the Philippine Constitution contains these fundamental freedoms
As Democratic Rights

- Rights that are commonly exercised in a democratic state
As Mobility Rights

- Right to travel and return to one’s country, and the freedom to movement within the country
- National as well as international in character
As Right to Life, Liberty and the Security of the Person

- Represents the core of fundamental rights which relate to the right to physical and personal integrity, consistent with human dignity.
Categories of Human Rights

As Legal Rights

- Rights that constitute due process that can be invoked by persons accused.
As Rights of Equality

- Right against discrimination
- Everyone is equal before the law and is entitled to equal protection or the equal benefit of the law.
As Economic, Social and Cultural Rights

- Considered to be more of standards to be observed by the State
  - Freedom from detention, torture and other forms of political repression will be meaningless when people are hostage to hunger, disease, ignorance and unemployment.
As Workers’ Rights

- Includes the right to association, the right to organize unions, to bargain collectively, the prohibition of employment of children, and the guarantee of minimum wages and other support.
As Aboriginal Rights

- Associated with the rights of indigenous cultural tribes or communities
As Reproductive Rights

- Includes the right to found a family and bear children, to gender sensitivity and the biomedical technology, and to family planning
As Protective Rights of Persons in Armed Conflicts

- Rights provided in the international humanitarian law for the protection of children, women and non-combatants during internal armed conflicts
As Right of Self-determination

- This right was asserted by colonial peoples in their struggle for independence.
- Right of people to be free from colonial rule and decide their own destiny (Article II, Section 7, Philippine Constitution).
As Minority Group Right

- These rights include the protection of ethnic, linguistic and religious minorities (Article XIV, Section 7, Philippine Constitution)
Origin of Human Rights in the Philippines

1896

- Educated Filipinos were already aware of the basic constitutional guarantees mentioned in the American and English Bill of Rights
Malolos Constitution was adopted, establishing a Republican government, contained several provisions on civil and political rights, guaranteeing freedom from arbitrary arrest and detention, freedom from searches and seizures, freedom to choose home and freedom of religion.
Origin of Human Rights in the Philippines

1901

- Upon assumption of U.S. sovereignty over the Philippines, President McKinley directed application of the American Bill of Rights through his Instruction to the Philippine Commission.
Said principles were reiterated in the Philippine Bill of 1902, the Philippine Autonomy Act of 1916 (Jones Law), and the Philippine Independence Act of 1934 (Tydings-McDuffee Law)
Origin of Human Rights in the Philippines

1935
- The first Philippine Constitution was adopted

1937
- Philippine constitution was reiterated
- Bill of Rights included which are now known as civil and political rights
Origin of Human Rights in the Philippines

1942-1944

- Filipinos were temporarily deprived of the enjoyment of the civil and political rights (military rule of Japan)

1945

- Civil and political rights of Filipinos restored
Origin of Human Rights in the Philippines

1970’s
- Rule of President Ferdinand Marcos
- Filipinos were again subjected to violation of human rights

1986
- EDSA Revolution
- A new resolution was adopted which took effect the following year
The new constitution categorically states that the State values dignity of every human person and guarantees full respect for human rights (Bill of Rights).

