

## Arab Charter on Human rights

Adopted in Cairo on 15 September 1994,  
translated from Arabic

The Governments of the member States of  
the League of Arab States

### Preamble

Given the Arab nation's belief in human  
dignity since God honoured it by making the  
Arab World the cradle of religions and the  
birthplace of civilizations which confirmed  
its right to a life of dignity based on free-  
dom, justice and peace,

Pursuant to the eternal principles of broth-  
erhood and equality among all human beings  
which were firmly established by the Islamic  
Shari'a and the other divinely-revealed relig-  
ions,

Being proud of the humanitarian values and  
principles which it firmly established in the  
course of its long history and which played a  
major role in disseminating centres of learn-  
ing between the East and the West, thereby  
making it an international focal point for  
seekers of knowledge, culture and wisdom,  
Conscious of the fact that the entire Arab  
World has always worked together to pre-  
serve its faith, believing in its unity, strug-  
gling to protect its freedom, defending the  
right of nations to self-determination and to  
safeguard their resources, believing in the  
rule of law and that every individual's en-  
joyment of freedom, justice and equality of  
opportunity is the yardstick by which the  
merits of any society are gauged,

Rejecting racism and zionism, which consti-  
tute a violation of human rights and pose a  
threat to world peace,

Acknowledging the close interrelationship  
between human rights and world peace,

Reaffirming the principles of the Charter of  
the United Nations and the Universal Decla-  
ration of Human Rights, as well as the pro-  
visions of the United Nations International  
Covenants on Civil and Political Rights and  
Economic, Social and Cultural Rights and  
the Cairo Declaration on Human Rights in  
Islam

In confirmation of all the above, have agreed  
as follows:

## Part I

### Article 1

- (a) All peoples have the right of self-  
determination and control over their  
natural wealth and resources and, accord-  
ingly, have the right to freely determine  
the form of their political structure and to  
freely pursue their economic, social and  
cultural development.
- (b) Racism, zionism, occupation and foreign  
domination pose a challenge to human  
dignity and constitute a fundamental ob-  
stacle to the realization of the basic rights  
of peoples. There is a need to condemn  
and endeavour to eliminate all such prac-  
tices.

## Part II

### Article 2

Each State Party to the present Charter un-  
dertakes to ensure to all individuals within its  
territory and subject to its Jurisdiction the  
right to enjoy all the rights and freedoms  
recognized herein, without any distinction  
on grounds of race, colour, sex, language,  
religion, political opinion, national or social  
origin, property, birth or other status and  
without any discrimination between men  
and women.

### Article 3

- (a) No restriction upon or derogation from  
any of the fundamental human rights  
recognized or existing in any State Party  
to the present Charter in virtue of law,  
conventions or custom shall be admitted  
on the pretext that the present Charter  
does not recognize such rights or that it  
recognizes them to a lesser extent.
- (b) No State Party to the present Charter  
shall derogate from the fundamental  
freedoms recognized herein and which  
are enjoyed by the nationals of another  
State that shows less respect for those  
freedoms.

*Article 4*

- (a) No restrictions shall be placed on the rights and freedoms recognized in the present Charter except where such is provided by law and deemed necessary to protect the national security and economy, public order, health or morals or the rights and freedoms of others.
- (b) In time of public emergency which threatens the life of the nation, the States Parties may take measures derogating from their obligations under the present Charter to the extent strictly required by the exigencies of the situation.
- (c) Such measures or derogations shall under no circumstances affect or apply to the rights and special guarantees concerning the prohibition of torture and degrading treatment, return to one's country, political asylum, trial, the inadmissibility of retrial for the same act, and the legal status of crime and punishment.

*Article 5*

Every individual has the right to life, liberty and security of person. These rights shall be protected by law.

*Article 6*

There shall be no crime or punishment except as provided by law and there shall be no punishment in respect of an act preceding the promulgation of that provision. The accused shall benefit from subsequent legislation if it is in his favour.

*Article 7*

The accused shall be presumed innocent until proved guilty at a lawful trial in which he has enjoyed the guarantees necessary for his defence.

*Article 8*

Everyone has the right to liberty and security of person and no one shall be arrested, held in custody or detained without a legal warrant and without being brought promptly before a judge.

*Article 9*

All persons are equal before the law and

everyone within the territory of the State has a guaranteed right to legal remedy.

*Article 10*

The death penalty may be imposed only for the most serious crimes and anyone sentenced to death shall have the right to seek pardon or commutation of the sentence.

*Article 11*

The death penalty shall under no circumstances be imposed for a political offence.

*Article 12*

The death penalty shall not be inflicted on a person under 18 years of age, on a pregnant woman prior to her delivery or on a nursing mother within two years from the date on which she gave birth.

*Article 13*

- (a) The States parties shall protect every person in their territory from being subjected to physical or mental torture or cruel, inhuman or degrading treatment. They shall take effective measures to prevent such acts and shall regard the practice thereof, or participation therein, as a punishable offence.
- (b) No medical or scientific experimentation shall be carried out on any person without his free consent.

*Article 14*

No one shall be imprisoned on the ground of his proven inability to meet a debt or fulfil any civil obligation.

*Article 15*

Persons sentenced to a penalty of deprivation of liberty shall be treated with humanity.

*Article 16*

No one shall be tried twice for the same offence.

Anyone against whom such proceedings are brought shall have the right to challenge their legality and to demand his release.

Anyone who is the victim of unlawful arrest or detention shall be entitled to compensation.

*Article 17*

Privacy shall be inviolable and any infringement thereof shall constitute an offence. This privacy includes private family affairs, the inviolability of the home and the confidentiality of correspondence and other private means of communication.

*Article 18*

Everyone shall have the inherent right to recognition as a person before the law.

*Article 19*

The people are the source of authority and every citizen of full legal age shall have the right of political participation, which he shall exercise in accordance with the law.

*Article 20*

Every individual residing within the territory of a State shall have the right to liberty of movement and freedom to choose his place of residence in any part of the said territory, within the limits of the law.

*Article 21*

No citizen shall be arbitrarily or unlawfully prevented from leaving any Arab country, including his own, nor prohibited from residing, or compelled to reside, in any part of his country.

*Article 22*

No citizen shall be expelled from his country or prevented from returning thereto.

*Article 23*

Every citizen shall have the right to seek political asylum in other countries in order to escape persecution. This right shall not be enjoyed by persons facing prosecution for an offence under the ordinary law. Political refugees shall not be extraditable.

*Article 24*

No citizen shall be arbitrarily deprived of his original nationality, nor shall his right to acquire another nationality be denied without a legally valid reason.

*Article 25*

Every citizen has a guaranteed right to own

private property. No citizen shall under any circumstances be divested of all or any part of his property in an arbitrary or unlawful manner.

*Article 26*

Everyone has a guaranteed right to freedom of belief, thought and opinion.

*Article 27*

Adherents of every religion have the right to practise their religious observances and to manifest their views through expression, practice or teaching, without prejudice to the rights of others. No restrictions shall be imposed on the exercise of freedom of belief, thought and opinion except as provided by law.

*Article 28*

All citizens have the right to freedom of peaceful assembly and association. No restrictions shall be placed on the exercise of this right unless so required by the exigencies of national security, public safety or the need to protect the rights and freedoms of others.

*Article 29*

The State guarantees the right to form trade unions and the right to strike within the limits laid down by law.

*Article 30*

The State guarantees every citizen's right to work in order to secure for himself a standard of living that meets the basic requirements of life. The State also guarantees every citizen's right to comprehensive social security.

*Article 31*

Free choice of work is guaranteed and forced labour is prohibited. Compelling a person to perform work under the terms of a court judgement shall not be deemed to constitute forced labour.

*Article 32*

The State shall ensure that its citizens enjoy equality of opportunity in regard to work, as

well as a fair wage and equal remuneration for work of equal value.

*Article 33*

Every citizen shall have the right of access to public office in his country.

*Article 34*

The eradication of illiteracy is a binding obligation and every citizen has a right to education. Primary education, at the very least, shall be compulsory and free and both secondary and university education shall be made easily accessible to all.

*Article 35*

Citizens have a right to live in an intellectual and cultural environment in which Arab nationalism is a source of pride, in which human rights are sanctified and in which racial, religious and other forms of discrimination are rejected and international cooperation and the cause of world peace are supported.

*Article 36*

Everyone has the right to participate in cultural life, as well as the right to enjoy literary and artistic works and to be given opportunities to develop his artistic, intellectual and creative talents.

*Article 37*

Minorities shall not be deprived of their right to enjoy their culture or to follow the teachings of their religions.

*Article 38*

- (a) The family is the basic unit of society, whose protection it shall enjoy.
- (b) The State undertakes to provide outstanding care and special protection for the family, mothers, children and the aged.

*Article 39*

Young persons have the right to be afforded the most ample opportunities for physical and mental development.

**Part III**

*Article 40*

- (a) The States members of the League's Council which are parties to the Charter shall elect a Committee of Experts on Human Rights by secret ballot.
- (b) The Committee shall consist of seven members nominated by the member States Parties to the Charter. The initial elections to the Committee shall be held six months after the Charter's entry into force. The Committee shall not include more than one person from the same State.
- (c) The Secretary-General shall request the member States to submit their candidates two months before the scheduled date of the elections.
- (d) The candidates, who must be highly experienced and competent in the Committee's field of work, shall serve in their personal capacity with full impartiality and integrity.
- (e) The Committee's members shall be elected for a three-year term which, in the case of three of them, shall be renewable for one further term, their names being selected by lot. The principle of rotation shall be observed as far as possible.
- (f) The Committee shall elect its chairman and shall draw up its rules of procedure specifying its method of operation.
- (g) Meetings of the Committee shall be convened by the Secretary-General at the Headquarters of the League's Secretariat. With the Secretary-General's approval, the Committee may also meet in another Arab country if the exigencies of its work so require.

*Article 41*

1. The States Parties shall submit reports to the Committee of Experts on Human Rights in the following manner:
  - (a) An initial report one year after the date of the Charter's entry into force.
  - (b) Periodic reports every three years.
  - (c) Reports containing the replies of States to the Committee's questions.
2. The Committee shall consider the reports submitted by the member States Parties

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to the Charter in accordance with the provisions of paragraph 1 of this article.

3. The Committee shall submit a report, together with the views and comments of the States, to the Standing Committee on Human Rights at the Arab League.

### **Part IV**

#### *Article 42*

- (a) The Secretary-General of the League of Arab States shall submit the present Charter, after its approval by the Council of the League, to the member States for signature and ratification or accession.
- (b) The present Charter shall enter into effect two months after the date of deposit of the seventh instrument of ratification or accession with the Secretariat of the League of Arab States.

#### *Article 43*

Following its entry into force, the present Charter shall become binding on each State two months after the date of the deposit of its instrument of ratification or accession with the Secretariat. The Secretary-General shall notify the member States of the deposit of each instrument of ratification or accession."

(1) The 22 member States of the League of Arab States are : Jordan. United Arab Emirates, Bahrain, Tunisia, Algeria, Djibouti. Saudi Arabia, Sudan, Syrian Arab Republic. Somalia. Iraq, Oman. Palestine, Qatar, Comoros, Kuwait, Lebanon, Libyan Arab Jamahiriya, Egypt, Morocco, Mauritania, Yemen.

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