**Arab Charter on Human Rights**

The Governments of:

The Hashemite Kingdom of Jordan

The United Arab Emirates

The State of Bahrain

The Tunisian Republic

The Algerian Democratic People's Republic

The Republic of Djibouti

The Kingdom of Saudi Arabia

The Republic of Sudan

The Syrian Arab Republic

The Democratic Republic of Somalia

The Republic of Iraq

The Sultanate of Oman

The State of Palestine

The State of Qatar

The Republic of the Comoros Islamic Union

The State of Kuwait

The Lebanese Republic

The Socialist Libyan People's Arab Jamahiriyya

The Arab Republic of Egypt

The Kingdom of Morocco

The Islamic Republic of Mauritania

The Republic of Yemen

**Preamble**

Stemming from the Arab Nation's faith in the dignity of man; from when God favoured it by making the Arab nation the cradle of monotheistic religions and the birthplace of civilisation; which has reaffirmed [man's] right to a life of dignity based on freedom, justice and peace.

Having achieved the everlasting principles established by the Islamic Shari'a and the other divine religions enshrined in brotherhood and equality amongst human beings.

Cherishing the humanitarian values and principles which [the Arab Nation] has established throughout its long history, having had a major role in spreading centres of knowledge between East and West, and made it the destination of people from all over the world and of those seeking knowledge, culture and wisdom.

For the Arab World, from one end to the other, has continued to call for preserving its belief, having faith in its unity, struggling for its freedom, defending the right of nations to self determination and to preserve their wealth, and believing in the Rule of Law, and that mankind's enjoyment of freedom, justice and equal opportunity is the hallmark of the profound essence of any society.

Rejecting racism and Zionism, both of which constitute a violation of human rights and a threat to world peace.

Recognising the close link between human rights and world peace.

Reaffirming the principles of the United Nations Charter, the Universal Declaration of Human Rights, the provisions of the two United Nations International Convenants, on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Cairo Declaration on Human Rights in Islam.

Affirming all the above, [these governments] agree to the following:

**Part One**

**Article 1**

A.All peoples have the right to self determination and to have control over their wealth and natural resources. By virtue of that right, they have the right to freely determine their political status and to freely pursue their economic, social and cultural development.

B.Racism, Zionism, occupation and foreign control constitute a challenge to human dignity and are a fundamental obstacle to the human rights of peoples. It is a duty to condemn all such practices and to work towards their abolishment.

**Part two**

**Article 2**

Each State party to the present Charter undertakes to ensure that every individual located within its territory and subject to its jurisdiction, shall have the right to enjoy all the rights and freedoms recognised in this [Charter], without distinction on the basis of race, colour sex, language, religion, political opinion, national or social origin, wealth, birth or other status, and without any discrimination between men and women.

**Article 3**

A.There will be no restriction of any basic human right which is recognised or existent in any State party to this Charter, by virtue of law, treaties or custom. Nor may [these rights] be derogated from under the pretext that they have not been recognised in this Charter, or recognised to a lesser degree.

B.No State party to this Charter shall derogate from the basic freedoms contained in [this Charter] and from which the citizens of another state benefit, which affords those freedoms to a lesser degree.

**Article 4**

A.It is prohibited to impose limitations on the rights and freedoms guaranteed by virtue of this Charter unless where prescribed by law and considered necessary to protect national and economic security, or public order, or public health, or morals, or the rights and freedoms of others.

B.State Parties may, in times of public emergencies which threaten the life of the nation, take measures that exonerate them from their obligations in accordance with this Charter to the extent strictly required by the circumstances.

C.The limitations or derogations shall not affect the prohibition from torture and degrading [treatment], the return to [one's] country, political asylum, trial, the prohibition against retrial of the same act, and the principle of the legality of the crime and punishment.

**Article 5**

Everyone has the right to life, liberty, and security of person; these rights are protected by law.

**Article 6**

There can be no crime, or punishment, except for what is stipulated in law. Nor can there be any punishment for any acts committed previous to the enactment of that law. The accused benefits from a subsequent law. if it is in his interest.

**Article 7**

The accused is presumed innocent until proven guilty in a lawful trial where defence rights are guaranteed.

**Article 8**

Every person has the right to liberty and security of person. No one shall be subjected to arrest or detention or stopped without legal basis and must be brought before the judiciary without delay.

**Article 9**

Everyone is equal before the judiciary, and the right to judicial recourse is guaranteed for every person, on the territory of a State.

**Article 10**

Sentence of death will be imposed only for the most serious crimes; every individual sentenced to death has the rights to seek pardon or commutation of the sentence.

**Article 11**

Under no circumstances may the death sentence be imposed for a political offence.

**Article 12**

Sentences of death shall not be carried-out on persons below eighteen years of age, or a pregnant woman, until she gives birth, or a nursing mother, until two years have passed from the date of [her child's] birth.

**Article 13**

A.The State parties shall protect every person in their territory from physical or psychological torture, or from cruel, inhuman, degrading treatment. [The State parties] shall take effective measures to prevent such acts; performing or participating in them shall be considered a crime punished by law.

B.No medical or scientific experimentation shall be carried-out on any person without his free consent.

**Article 14**

No one shall be imprisoned for proven inability to repay a debt or another civil obligation.

**Article 15**

Those punished with deprivation of liberty must be treated humanely.

**Article 16**

No person can be tried twice for the same crime. Anyone against whom such a measure is taken has the right to challenge its legality and request his release. Anyone who is the victim of an illegal arrest or detention has the right to compensation.

**Article 17**

Private life is sacred, and violation of that sanctity is a crime. Private life includes family privacy, the sanctity of the home, and the secrecy of correspondence and other forms of private communication.

**Article 18**

The recognition of a person before the law is a character attached to every person.

**Article 19**

The people are the source of authority. Political capacity is a right for every citizen of a legal age to be exercised in accordance with the law.

**Article 20**

Everyone residing on the territory of a State shall have freedom of movement and freedom to choose the place of residence in any part of the territory, within the limits of the law.

**Article 21**

Citizens shall not be arbitrarily or illegally deprived from leaving any Arab country, including their own, or their residency restricted to a particular place, or forced to live in any area of their country.

**Article 22**

No citizen can be expelled from his own country, or deprived of the right to return to it.

**Article 23**

Every citizen has the right to seek political asylum in other countries, fleeing persecution. A person who was pursued for a common crime does not benefit from this right. Political refugees shall not be extradited.

**Article 24**

No citizen shall be arbitrarily denied of his original nationality, nor denied his right to acquire another nationality without legal basis.

**Article 25**

The right to private ownership is guaranteed to every citizen. Under no circumstances shall a citizen be arbitrarily or illegally deprived of all or part of his property.

**Article 26**

The freedom of thought, conscience and opinion is guaranteed to everyone.

**Article 27**

Persons from all religions have the right to practice their faith. They also have the right to manifest their opinions through worship, practice or teaching without jeopadising the rights of others. No restrictions of the exercise of the freedom of thought, conscience and opinion can be imposed except through what is prescribed by law.

**Article 28**

Citizens have the freedom of assembly and association in peaceful manner. No restrictions shall be imposed on either of these two freedoms except when it is necessary for national security, or public safety, or the protection of the rights and freedoms of others.

**Article 29**

The State shall ensure the right to form trade unions and the right to strike within the limits prescribed by law.

**Article 30**

The State shall ensure every citizen the right to work which guarantees a standard of living that provides the basic life necessities and ensures the rights to a comprehensive social security.

**Article 31**

The freedom to choose employment is guaranteed, and forced labour is prohibited. Forced labour does not include compelling a person to carry out work in execution a judicial decision.

**Article 32**

The State shall ensure to citizens equal opportunity in employment, and equal pay for work of equal value.

**Article 33**

Every citizen has the right to occupy public office in his country.

**Article 34**

Eradicating illiteracy is a commitment and an obligation. Education is a right for every citizen. Elementary education is compulsory and free. Secondary and university education shall be accessible to all.

**Article 35**

Citizens have the right to live in an intellectual and cultural atmosphere that reveres Arab nationalism and cherishes human rights. Racial, religious and other forms of discrimination are rejected, while international cooperation and world peace are upheld.

**Article 36**

Everyone has the right to participate in the cultural life, enjoy literary and artistic production, and be given the chance to advance his artistic thought and creative talent.

**Article 37**

Minorities shall not be deprived of their right to enjoy their own culture or follow their own religious teachings.

**Article 38**

A.The family is the fundamental unit of society, and enjoys its protection.

B.The State shall ensure special care and protection for the family, mothers, children and the elderly.

**Article 39**

The youth has the right to have greater opportunity to develop physical and mental abilities.

**Section three**

**Article 40**

A.The member States of the [Arab] League Council, which are parties to the Charter, shall elect a Committee of human rights experts by secret ballot.

B.The Committee shall consist of seven members nominated by State parties to the Charter. The primary elections for the Committee shall take place six months after the Charter enters into force. The Committee shall not include more than one person from the same State.

C.The Secretary-General shall request the State parties to present their nominees two months before the election date.

D.The nominees must have a high level of expertise and financial capability in the area of Committee work. Experts shall work in their individual capacity, and with total impartiality and integrity.

E.Members shall be elected for a period of three years, three of whose membership may be renewed one time only. The names of the latter shall be randomly drawn from the ballot box, and the principle of rotation will be followed whenever possible.

F.The Committee shall elect its Chairman and will draw up its own internal rules of procedure, outlining how it will function.

G.The Committee shall hold its meetings at the League's General Secretariat headquarters at the invitation of the Secretary-General. The Committee may, with his approval, hold its meetings in another Arab country if the work so requires.

**Article 41**

1.         State parties [to the Charter] shall submit reports to the Expert Human Rights Committee as follows:

a.An initial report one year from the date the Charter enters into force;

b.Periodic reports every three years;

c.Reports that contain the States responses to inquiries by the Committee.

2.         The Committee shall study the reports submitted by the State parties to the Charter in accordance with paragraph I of this article.

3.         The Committee will distribute a report accompanied by the opinions and comments of the States to the Human Rights Committee of the Arab League.

**Section Four**

**Article 42**

A.The Secretary-General of the League of Arab States shall submit this Charter after the League Council approves it to the State parties for signature, ratification or adherence.

B.This Charter takes effect two months after the seventh instrument of ratification or adherence has been deposited at the General Secretariat of the Arab League.

**Article 43**

This Charter takes effect in each State, after its coming into force, two months from the date of the deposit by that State of its instrument of ratification or adherence to the General Secretariat. The Secretary-General shall notify State parties upon receiving the ratification or adherence instrument.