

THE RULE OF LAW

INALIENABLE RIGHTS

Inalienable, fundamental, natural Human Civil, Spiritual and other Rights and Liberties are **enshrined in the Rule of Law and binding on the Crown and its Successors in perpetuity and cannot be derogated from - even in a public health emergency threatening the life of the nation or in warfare - other than in lawful acts of war.**

These inalienable rights have been established by –

1. the Charter of Liberties (1100),
2. the Magna Carta (1297),
3. the Confirmation of the Charters (1297),
4. the Confirmation of the Charters and Statutes (1416),
5. Confirmation of Liberties (1423),
6. the Liberty of the Subject Act (1354),
7. the Habeus Corpus Act (1679),
8. the Bill of Rights/Act (1688),

9. the Human Rights Act (1998),
10. the Equality Act (2010),
11. the Health & Safety at Work Act (1974)
12. the Universal Declaration of Human Rights (1948),
13. the European Convention on Human Rights (1950),
14. the International Covenant on Civil and Political Rights (1966),
15. paragraph 58 of the Siracusa Principles,
16. the International Covenant on Cultural, Social and Economic Rights (1966),
17. the Oviedo Convention (1997),
18. the International Covenant on Human Rights and Bioethics (2005),
19. the Rome Statute of the International Criminal Court, the International Criminal Court Act (2001),
20. the Offences Against the Person Act (1861), the war Conventions.

<https://www.icj.org/wp-content/uploads/1984/07/Siracusa-principles-ICCPR-legal-submission-1985-eng.pdf>

These are ALL legally binding TODAY. I will go through each of these one by one, so you can understand your rights, and how these rights cannot possibly be overturned by any bureaucrat or elected government official or any monarch.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948)

On 10 December 1948, after the horrors of two world wars and tyrannical regimes that had blighted human freedom, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. That was that body's first step in the formulation of an international bill of human rights.

The Declaration included provisions that reflected what had been promised over 700 years earlier in Magna Carta, such as the **rights not to be subjected to cruel, inhuman or degrading treatment or punishment, arbitrary arrest, detention or deprivation of one's property, the rights to equal recognition before, and protection of, the law, and a fair and public hearing by an impartial tribunal in civil and criminal matters, and freedom of movement.**

International Law confirms that the individual has inalienable, fundamental human rights, as they are **born free and equal in dignity and rights** - as enshrined in Article 1 of the Universal Declaration on Human Rights [1948] which confirms this:

"All humans are born free and equal in dignity and rights."

"They are endowed with reason and conscience and should act towards each other in the spirit of brotherhood."

https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf;

Every individual **is entitled** to the rights and freedoms set out in the International Declaration - **without distinction of any kind.** Article 2 of the Universal Declaration on Human Rights confirms this:

"**Everyone is entitled to all the rights and freedoms set out 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.**" (emphasis added)

https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf; and

The Right not to be discriminated against - the absolute Prohibition of discrimination

It is a fundamental principle of law that equality before the law includes the **prohibition of discrimination** i.e. any discrimination is prohibited, for example, in access to education, to work, to medical care and so on, as well as in means and entitlements for achieving this access. **The legal and lawful principles of non-discrimination and equality requires you, every individual, the school and every organisation, including the Government, to address discrimination in guidance, policies, and practices.**

Discrimination is prohibited on the basis of race, colour, sex, language, religion, political or other opinion (**including opinions on medical or pharmaceutical or non-pharmaceutical interventions**), national or social origin, property, birth, physical or mental disability, **health status** (including HIV/AIDS or **vaccinated/unvaccinated or masked/unmasked or tested/untested**), sexual orientation and civil, political, social or other status, which has the intention or effect of impairing **the equal enjoyment or exercise of human rights** - including the right to education, the right to life, the right to health and other rights. Article 7 of the Universal Declaration of Human Rights confirms this, as it declares:

"All are equal before the law and are entitled without 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.**" (emphasis added)

https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf; and

Article 7 of the Universal Declaration of Human Rights [1948] is enshrined in Article 26 of the International Covenant on Civil and Political Rights (1996) which declares

"All persons are equal before the law and entitled without any discrimination to the equal protection of the law.

In this respect, the **law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination** on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." (emphasis added)

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx#:~:text=Article%2026>
HYPERLINK "https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx"& HYPERLINK "https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx" text=In%20this%20respect%2C%20the%20law,property%2C%20birth%20or%20other%20status.

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THE EUROPEAN CONVENTION OF HUMAN RIGHTS

The Convention for the Protection of Human Rights and Fundamental Freedoms - the European Convention on Human Rights [1950]

The European Convention on Human Rights (the "ECHR") agreed by the Council of Europe at Rome on 4th November 1950 (see below) enshrines the Universal Declaration on Human Rights **into European law**.

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HUMAN RIGHTS ACT 1998

The ECHR is enshrined in Statute law Human Rights Act 1998 CHAPTER 42.

The introduction to the Act states that it is "**An Act to give further effect to rights and freedoms guaranteed under the European Convention on Human Rights**" - the "Convention".

The "Convention" is defined under section 21 of the Human Rights Act as **the Convention for the Protection of Human Rights and Fundamental Freedoms**, agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation **to the United Kingdom**

<https://www.legislation.gov.uk/ukpga/1998/42/section/21>;

IT BINDS THE CROWN

Section 22 (5) of the Human Rights Act, states that **the Crown is bound by the Act**:

"22 (5) **This Act binds the Crown.**"
(emphasis added)

<https://www.legislation.gov.uk/ukpga/1998/42/section/22>; and

IT BINDS PUBLIC AUTHORITIES

Under section 6 of the Human Rights Act 1998, **public authorities must not act in contravention of the Rights set out in the ECHR**. Section 6 states, inter alia:

"6 **Acts of public authorities.**

(1) **It is unlawful for a public authority to act in a way which is incompatible with a Convention right.**"

A "public authority" is defined in section 6 (3) as "public authority" includes—

"6 (b) **any person certain of whose functions are functions of a public nature.**"

Under section 6 (6) "an act" includes **"a failure to act"** to prevent Convention rights being derogated from.

<https://www.legislation.gov.uk/ukpga/1998/42/section/6>; and

IT BINDS THE INTRODUCTION AND INTERPRETATION OF ALL OTHER LEGISLATION

Section 3 of the Human Rights Act 1998 requires that primary and subordinate legislation must be interpreted in a way which is compatible with the Rights set out in the ECHR:

"3 Interpretation of legislation.

(1) So far as it is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention rights."

You are therefore required to interpret the current legislation in a way which is compatible with the human rights as set out in the European Convention on Human Rights.

<https://www.legislation.gov.uk/ukpga/1998/42/introduction>

YOU CAN BRING PROCEEDINGS AGAINST AN AUTHORITY

Under section 7 of the Human Rights Act 1998, a victim of an unlawful act under section 6 (1) can bring proceedings against the authority, or rely on the ECHR Rights:

"7 Proceedings.

(1) A person who claims that a public authority has acted (or proposes to act) in a way which is made unlawful by section 6(1) may—

(a) bring proceedings against the authority under this Act in the appropriate court or tribunal, or

(b) rely on the Convention right or rights concerned in any legal proceedings, but only if he is (or would be) a victim of the unlawful act.

(7) For the purposes of this section, a person is a victim of an unlawful act only if he would be a victim for the purposes of Article 34 of the Convention if proceedings were brought in the European Court of Human Rights in respect of that act."

<https://www.legislation.gov.uk/ukpga/1998/42/section/7>; and

Section 8 of the Human Rights Act 1998 states:

"8 Judicial remedies.

(1) In relation to any act (or proposed act) of a public authority which the court finds is (or would be) unlawful, it may grant such relief or remedy, or make such order, within its powers as it considers just and appropriate."

<https://www.legislation.gov.uk/ukpga/1998/42/section/8>

SAFEGUARD FOR EXISTING HUMAN RIGHTS

Section 11 of the Human Rights Act 1998 provides a further safeguard for existing human rights conferred on him "by or under any law having effect in any part of the United Kingdom" as follows:

"11 Safeguard for existing human rights.

A person's reliance on a Convention right does not restrict—

(a) **any other right or freedom conferred on him by or under any law having effect in any part of the United Kingdom; or**

(b) his right to make any claim or bring any proceedings which he could make or bring apart from sections 7 to 9."

(emphasis added)

<https://www.legislation.gov.uk/ukpga/1998/42/section/11>

THE RIGHT TO LIFE, LIBERTY AND SECURITY OF PERSON

The Universal Declaration of Human Rights [1948] confirms the "right to life, liberty and security of person" in Article 3 which states:

"Everyone has the **right to life, liberty and security of person**". (emphasis added)

https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

THE INHERENT RIGHT TO LIFE

Article 6 of the International Covenant on Civil and Political Rights (1966) also enshrines the "right to life" as follows:

- "1. **Every human being has the inherent right to life.**
This right shall be protected by law.
No one shall be arbitrarily deprived of his life.
3. When **deprivation of life constitutes the crime of genocide**, it is understood that nothing in this article shall authorise any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of this Convention and on the Prevention and Punishment of the Crime of Genocide." (emphasis added)

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<https://www.un.org/en/genocideprevention/genocide-convention.shtml#:~:text=The%20Convention%20on%20the%20Prevention%20and%20Punishment%20of,for%20the%20first%20time%20the%20crime%20of%20genocide.;> and

The Right to Life shall be protected by law.

Article 3 of the Universal Declaration of Human Rights [1948] is enshrined in Article 2 of the European Convention on Human Rights which confirms the "right to life" as follows:

"Everyone's **right to life shall be protected by law.**

No one shall be deprived of his life intentionally save in the execution of a sentence of court following his conviction for a crime for which this penalty is provided by law." (emphasis added)

https://www.echr.coe.int/Documents/Convention_ENG.pdf
https://echr.coe.int/Documents/Guide_Art_2_ENG.pdf

THE RIGHT NOT TO BE SUBJECT TO TORTURE, OR TO CRUEL, INHUMANE OR DEGRADING TREATMENT OR PUNISHMENT.

The inherent, inalienable, fundamental, "right to life" includes the "right not to be subject to torture or to cruel, inhumane or degrading treatment or punishment". This is enshrined in Article 5 of the Universal Declaration of Human Rights [1948]_which states:

"No one shall be subject to torture or to cruel, inhumane or degrading treatment or punishment." (emphasis added)

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>; and

Article 5 of the Universal Declaration of Human Rights [1948] is enshrined in Article 3 of the European Convention on Human Rights which states:

"No one shall be subjected to torture or to inhumane or degrading treatment". (emphasis added)

https://www.echr.coe.int/Documents/Convention_ENG.pdf

THE RIGHT NOT TO BE SUBJECTED – WITHOUT HIS OR HER FREE CONSENT – TO MEDICAL OR SCIENTIFIC EXPERIMENTATION

Article 5 of the Universal Declaration of Human Rights [1948] is enshrined in Article 7 of the International Covenant on Civil and Political Rights (1966), which states:

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

In particular, **no one shall be subjected without his free consent to medical or scientific experimentation.**" (emphasis added)

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

NON-DEROGABLE RIGHTS

Paragraph 58 of the Siracusa Principles under the heading of "Non-Derogable Rights" provides that the rights set out in the International Convention on Civil and Political Rights **cannot be derogated from - even "in time of emergency threatening the life of the nation."**:

"No state party shall, even in time of emergency threatening the life of the nation, derogate from the Covenant's guarantees of the right to life; freedom from torture, cruel, inhumane or degrading treatment or punishment, and from medical or scientific experimentation without free consent.....the right to recognition everywhere before the law; and freedom of thought, conscience and religion.

These rights are not derogable under any conditions even for the asserted purpose of preserving the life of the nation." (emphasis added)

<https://www.icj.org/wp-content/uploads/1984/07/Siracusa-principles-ICCPR-legal-submission-1985-eng.pdf>

INFORMED CONSENT IN MEDICINE

Informed Consent - the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine

Article 7 of the International Covenant on Civil and Political Rights (1966) is enshrined in Article 5 of the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (ETS No 164) (1997), Oviedo, Spain (the "Oviedo Convention").

The Oviedo Convention is a legally binding international legal instrument on the protection of human rights in the medical field. It sets out fundamental principles applicable to daily medical practice and is regarded as such in the European Treaty on patient's rights. Chapter II - Consent, Article 5 - General Rule states:

"Chapter II – Consent
Article 5 – General rule

An intervention in the health field may only be carried out after the person concerned has given free and informed consent to it.

This person shall beforehand be given appropriate information as to the purpose and nature of the intervention as well as on its consequences and risks.

The person concerned may freely withdraw consent at any time."
(emphasis added)

<https://rm.coe.int/168007cf98>