

DISCRIMINATION

Human Rights - the Right to be recognised everywhere as a person before the law.

WHEREAS, Article 6 of the UDHR states:

"Everyone has the right to recognition everywhere as a person before the law."

Refusing to recognise an individual's fundamental, inalienable human rights, whether set out in the UDHR or in other laws, is a prima facie breach of Article 6 of the UDHR; and

WHEREAS, Article 6 of the UDHR is enshrined in Article 16 of the ICCPR, which states:

"Everyone shall have the right to recognition everywhere as a person before the law."; and

Human Rights - the Right to Equal Protection of the law against any discrimination in violation of international law.

WHEREAS, Article 7 of the UDHR states:

"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."

This Article enshrines the legal maxim that "all are equal before the law" and no one is above the Rule of law. As such, discrimination - including incitement to discrimination - in violation of the UDHR, is a prima facie breach of Article 7 ; and

WHEREAS, Article 7 of the UDHR is enshrined in Part II of the ICCPR, which states:

"Part II

1. Each State Party to the present Convention undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind such as race, colour, sex, language, religious, political or other opinions, national or social origin, property, birth or other status."

Article 7 of the UDHR is also enshrined in Article 3 of the ICCPR, which states:

"Article 3.

"The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant."; and

WHEREAS, Article 7 of the UDHR is enshrined in Article 26 of the ICCPR, which states:

"Article 26.

"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."; and

Human Rights - the Right of the Child not to be discriminated against.

WHEREAS, Article 7 of the UDHR is enshrined in Article 24 of the ICCPR, which states:

"Article 24.

1. "Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State."; and

WHEREAS, Article 7 of the UDHR is enshrined in the ECHR in Article 14. the "Prohibition of discrimination":

"Article 14.

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

Discriminating against an individual on the basis that they cannot or will not wear a mask, take a test or take an experimental COVID-19 vaccine by treating them differently to those who do wear a mask, take a test or take an experimental COVID-19 vaccine, is a prima facie breach of Article 14 of the ECHR in addition to Article 7 of the UDHR. Any form of medical apartheid is in prima facie breach of these Articles.; and

WHEREAS, the Fair Work Commission in Australia in the case of Kimber v Sapphire Coast Community Aged Care Ltd (C2021/2676), stated that all Australians should "**vigorously oppose the introduction of a system of medical apartheid and segregation in Australia**", and held it to be an "abhorrent concept" which is "morally and ethically wrong" and that such a system of medical apartheid is an "*antithesis of our democratic way of life and everything we value.*", inter alia:

[182] All Australians should vigorously oppose the introduction of a system of medical apartheid and segregation in Australia. It is an abhorrent concept and is morally and ethically wrong, and the antithesis of our democratic way of life and everything we value."

Kimber v Sapphire Coast Community Aged Care Ltd (C2021/2676) Australian Fair Work Commission, Sydney, 27th September 2021; and

Human Rights - the Right to a Social and International Order in which their Rights and Freedoms can be fully realized.

WHEREAS, Article 28 of the UDHR states:

"Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized."

A failure to provide a social order in which the rights and freedoms set forth in the UDHR, will be a prima facie breach of Article 28 of the UDHR. ; and

Human Rights - the Right to Exercise Rights and Freedoms - subject only to such limitations as are determined by law.

WHEREAS, Article 29 of the UDHR states:

- "(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.*
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."*

The limitations do NOT include a right for anyone else to harm another or to breach another's human rights, other than in accordance with the law. Any limitations/restrictions to the rights of individuals set out in the UDHR, can only be imposed if they are "determined by law" and SOLELY for the purpose of "securing due recognition and respect for the rights and freedoms of others" AND of meeting the "just requirements" of "morality", "public order" AND the "general welfare" in a "democratic society". In other words, the limitations must be lawful, legal, moral and SOLELY for the purposes set out. It is not legal, lawful or moral to limit an individual's human rights other than as prescribed. Any limitation/restriction that is not in accordance with these provisions, is a prima facie breach of the UDHR; and