



## **XAQUUQAHA AADANAHA MUHIIMKA AH EE MUXAABIISTA MUWAADANIINTA AJAANIBTA(FNPs)**

### **Warbixinta**

1. Xaquuqda lagu helayo xariga hadeer iyo bilaabida haynta ama xabsiyeynta, ama si dhaqsi ah halkaas kadib, warbixinta oo luuqad uu ku fahmo xaquudiisa iyo sida isticmaalka naftiisa ee xaquuq noocaas ah.(UN Principles 13-14, CoE Police 55)
2. Xaquuqda laguugu sheegsayo sababaha xariga iyo eedeymaha luuqada aad fahamtid maxbuuska fahmo.(ICCPR 14.3, UN Principles 10, EU2012 6)
3. Xaquuqda lagu ogeysiinayo qofka dooqiisa ee ku saabsan haynta.(UN Principle 16.1, CoE FNP 15.2, CoE Police 57, EU2012 4.2 c)
4. Xaquuqda lagu helayo warbixinta ku saabsan sharciyada xabsiga iyo xaquuqda iyo waajibaadyada maxaabuusta oo luuqad maxbuuska fahmayo. (UN Rec 4, SMR 54-55, EPR 30.1, CoE FNP 15.1)
5. Xaquuqda lagu ogeysiinayo wax ku saabsan xaq u lanaahshaha qunsuliyada, oo lagula xiriirayo maamulka qunsulka iyo in uu helo marti iyo caawinta qunsulka.(VCCR 36.1 b-c UN Principles 16.2, UN Res (e), UN Rec 4, SMR 62, CAT 6.3, EU Charter 46, EPR 37.1, CoE FNP 24)
6. Xaquuqda lagu ogeysiinayo wax ku saabsan wareejinta suurto galnimada wadanka asalka ah. (EPR 37.5, CoE FNP 15.3, CoE Transfer 4.1, EU909JHA 6.4)

### **Maxkamad cadaalad ah**

7. Xaquuqaha xalin wax ku ool ah ee maxkamad cadaalad ah. Qof walba oo la soo eedeeyay qaataa dabmi laawe ilaa lagu cadeeyo dambiga sida waafaqsan sharciga.(ICCPR 14, UDHR10-11.1, ECHR 6, EU Charter 46-47)
8. Xaquuqda aad ku heleyso caawinta sharciga ee dacwadaha dambiga.(ICCPR 14.3 d, SMR 61, UN Principles 17-18, EPR 23, CoE FNP 21)
9. Xaquuqda lagu helayo caawin bilaash ah ee turjubaanka goortii maxbuuska uu san fahmi karin ama uusan ku hadlin luuqada looga isticmaalo maxkamada. (ICCPR 14.3 f, UN Principles 14, UN Res (c))
10. Xaquuqda sinnaanta ee maxkamadaha horteeda iyo isku dayga daahitaan dartiisa.(ICCPR 14.1, 14.3 c)
11. Xaquuqda lagu siideynayo maxkamada la sugayo, ilaa garsooraha ama maamulka kale go'aansado haddii kale danaha maamulka cadaalada.(UN Principle 39, CoE FNP 5)
12. Xaquuqda lagu tixgelinayo isla aaga ee qeybaha aan haynta ahayn iyo tallaabooyinka shakiyada kale.(UN Rec 2, UN Res (d), CoE FNP 4, 14.1)
13. Xaquuqda aan loogu soo oogin ciqaabo badan oo haynta ah ama xabsiyada xaaladooda liidata kaliya sababtoo ah dhalashada ajaanibta.(UN Res (b))
14. Xaquuqda xaqa loogu lahaanayo tixgelin buuxdo oo siideynta hore.(CoE FNP 6)

### **Daaweynta**

15. Xaquuqda loogu daaweynayo bini aadinnimada iyo ixtiraamka sharafta jireenka ee qofka aadanaha.(ICCPR 10.1, UDHR 5, SMR 1, CAT 1-2, UN Basic Principles 1, ECHR 3, EU Charter 4, EPR 1)
16. Xaquuqaha looga ilaalinayo jirdilka ama bani'aadam darada ama kula dhaqanka sharaf dilka ama ciqaabta.(ICCPR 7, UDHR 5, CAT 7, ECHR 3, EU Charter 4)

17. Xaquuqda loogu daaweynayo qaab tixgeliso xaalada gaarka ah iyo baahiyada gaarka ah ee maxaabuusta ajaanibta.(CoE FNP 3)
18. Xaquuqda aanan loogu takoorin (oo ay ku jiraan sababaha sida asalka dhalashada iyoluuqad) iyo si loo helo illaalo wax ku ool ah ee ka soo horjeedo takoorka.(ICCPR 26, UDHR 7, SMR 2, UN Principles 5, UN Basic Principle 2, EU Charter 21-22, EPR 13, CoE FNP 7)
19. Xaquuqda lagu helayo isla daryeelka caafimaadka iyo barnaamijyada daaweynta ee laga heli karo maxbuusta.(EU Charter 35, CoE FNP 31)
20. Xaquuqda xoriyada afkaarta, niyada iyo diinta iyo xoriyada loogu muujinayo midaan caabudaada iyo ku dhaqanka.(ICCPR 18.1, UDHR 18, SMR 65-66, UN Basic Principles 3, UN Rec 3, EU Charter 10.1, EPR 29, CoE FNP 30)
21. Xaquuqda lagu xoiranayo dhararka oo lagu joogteynayo nadaafada shaqsigaa oo qaab aanan ku xadgubdin dhaqanka iyo dareenka diinta ee maxbuuska iyo si loo helo cuntada ee tixgeliso sharuudaha dhaqanka iyo diinta.(UN Rec 4, CoE FNP 18,19)
22. Xaquuqda aanan lagu yeelan is dhaxgal sharci daro ah ee arimahiisa gaarka ah, waraaqaha nolosha qoyska iyo xiriir u sameeyo (sidoo kale dhinaca booqashooyinka) iyo qoyska iyo saaxibada oo joogta ah.(ICCPR 17, UDHR 12, SMR 58, UN Rec 5, EU Charter 7, EPR 24, CoE FNP 22)
23. Xaquuqda lagu helayo gelitaanka xabsiga ee turjumaada iyo xarumaha fasiraada iyo suurto galnimada lagu baranayo luuqada fududeyso xiriirka.(SMR 61.2, EPR 38.3, CoE FNP 8, 29.1)
24. Xaquuqda lagu helayo isla gelitaankaas sida waxbarashada maxaabuusta qaranka, shaqada iyo tababarada shaqada.(UN Rec 1, SMR 4.2, 71, EPR 26, 28, CoE FNP 27.1, 29)
25. Xaquuqda lagu sameynayo iyada oo aan laheyn faafreebka codsiga cabashada ee maamulka xabsiga dhexe, maamulka garsooraha ama maamulada kale ee ku haboon ee dhinaca kanaalada la ansixiyay.(SMR 56, UN Rec 4, EPR 70)

## **Dib u dajinta**

26. Xaquuqda lagu helayo daaweynta ee loogu talo galay aasaasida iyo dhaqancelinta bulshada si loo diyaariyo ku siideynta bulshada.(ICCPR 10.3, SMR 4, EPR 6, 107, CoE FNP 9, 29.2, 35)
27. Xaquuqda lagu ogeysiinayo sida ugu horeyso ee suurto galalka ah heerkooda sharciga iyo xaalada siideynta kadib. (CoE FNP 35.2 a)
28. Xaquuqaha looga illaalinayo ka saarida, celinta ('dib u celinta') ama ku celinta Wadanka ay ka jirto halis dhab ah ee u keeneyso qasaaraha dilka, jirdilka ama bani'aadam darada ama kula dhaqanka sharaf dilka ama ciqaabta.(UDHR 14, CAT 3, EU Charter 19.2)
29. Xaquuqda lagu helayo ogolaanshaha iyo isdhaxgalka bulshada ee maxbuuska oo lagu tixgelinayo go'aanka u wareejinta wadan kale.(UN Transfer 1, CoE Transfer 4, CoE FNP 10)
30. Xaquuqda lagu aasaasayo xiriirada iyada oo aan jirin hay'adaha dhinaca si loogu helo caawinta iyo taageerada dib u dajinta siideynta kadib.(SMR 107-108, 81, EPR 107, CoE FNP 37, CoE Probation 64)

## **Qaramada Midoobay**

- Baaqa Caalamiga ah ee Xaquuqda Aadanaha (UDHR)
- Heshiiska Caalaamiga ah ee xaquuqda Madaniga iyo Siyaasada (ICCPR)
- UN Heshiiska Ka soo horjeedo Jirdilka (CAT)
- Sharciyada Caadiga ah ee Ugu yar ee Daaweynta Maxbuusta (SMR)
- Heshiiska Vienna ee Xiriirada Qunsulka (VCCR)
- Nooca Heshiiska ee wareejinta Maxbuusta Ajaanibta (Wareejinta UN)
- Mabaadi'da Aasaaska Un-ka ee Daaweynta Maxbuusta (Mabaadi'da Aasaaska UN)

- Hay'ada UN ee Mabaadi'da Illaalada dadka oo dhan sida waafaqsan Qaab Walba oo Xiritaan ah ama Xabsiyeyn ah (Mabaad'ida UN)
- Tallooyinka Daaweynta Maxbuusta Ajaanibta (Tallooyinka UN)
- Xalinta UN 1998/22 Sharciga Mudaadinka ajaanibta ee ku jira dacwadaha dambiga (xalinta UN)

### **Gollaha Yurub**

- Heshiiska Yurubiyaanka ee Xaquuqda Aadanaha (ECHR)
- Sharciyada Xabsiga Yurubiyaanka (EPR)
- Tallada (2012)12 ee la xiriirto maxbuusta ajaanibta (CoE FNP)
- Heshiiska Wareejinta ee Dadka La tixaabay (Wareejinta CoE)
- Tallada CM/Rec(2010)1 Sharciyada Tijaabada (Tijaabada CoE)
- Tallada Rec (2001)10 Xeerka Yurubiyaanka ee Anshaxa Booliska (Siyaada CoE)

### **Midowga Yurub**

- Heshiiska Aasaaska Xaquuqaha Midowga Yurub (EU Charter)
- Go'aanka Naqshada Gollaha 2008/909/JHA (EU909JHA)
- Jaheynta 2010/64 ee xaquuqda lagu fasirayo iyo lagu turjumayo dacwadaha dambiga (EU2010)
- Jaheynta 2012/13 ee xaquuqda warbixinta dacwadaha dambiga (EU2012)