

وزارة التعليم العالي والبحث العلمي

جامعة الموصل

كلية الحقوق

اثر حماية الحق في الصحة خلال جائحة كورونا على حقوق الانسان وحياته

في العراق

بحث تقدم بها الطالب

مهند عبد المنعم عبد الله

إلى مجلس كلية الحقوق في جامعة الموصل

وهي جزء من متطلبات نيل درجة الدبلوم العالي في قانون حقوق

الانسان

بإشراف الدكتور

عدي محمد رضا يونس

أستاذ القانون الدولي

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المستخلص بلغة الرسالة

يعد الحق في الصحة من الموضوعات الأساسية وهو مطلب اساس لكل فرد ومجتمع و محددات الصحة منها توفير المياه النقية والصالحة للشرب والاغذية الصحية والمونة والسكن وظروف بيئية صحية وبناء المستشفيات والمراكز الصحية وتحسين النظافة البيئية. وارتباطها بحقوق الانسان الاخرى منها الحق في الغذاء والسكن والتعليم, وتتطلب حماية هذا الحق حماية دولية وحماية وطنية. وللسلطة الادارية دور مهم لتنظيم ممارسة هذا الحق من خلال الاجراءات المتمثلة بالقرارات الإدارية الصحية التنظيمية والقرارات الادارية الفردية الصحية. ودور وزارة الصحة وهي اجراءات علاجية ووقائية وكذلك اجراءات خلية الازمة التي اتخذت اجراءات عديدة وهي فرض التجوال لحضر حركة الناس واتخاذ اجراءات طبية للحد من انتشار الفايروس. واجراءات اللجنة العليا للصحة والسلامة والتي تتولى وضع السياسات والخطط العامة. ولهذه الاجراءات الخاصة تأثير على باقي الحقوق ومنها الحق في الحياة وحق التنقل وحق العمل وحق التعليم فلا بد من ان تكون مواءمه بين حماية حق الصحة وباقي حقوق الانسان.

Abstract

The right to health is one of the basic issues and it is a basic requirement of every individual and society, which all individuals have the right to enjoy. This right is fulfilled by access to affordable and acceptable health care. The right to health does not include the provision of health care services, but rather the determinants of health, including the provision of clean and potable water, healthy food, provisions, housing, healthy environmental conditions, building hospitals and health centers, and improving environmental hygiene. This right is linked to other human rights, including the right to food, housing and education. The right to health is considered to have two dimensions, the first is the individual dimension, which is the protection of the individual's being by protecting his life or his physical, mental and psychological integrity, and the second is the social dimension, which is represented by the obligations that this right imposes on the state to ensure the public health of all citizens. The protection of the right to health is one of the necessities of life and its preservation and falls within the circle of human rights protection. The protection of the human right to the availability of health is a necessary condition, and the protection of this right requires international protection and national protection. To create a general environment that guarantees the recognition and promotion of human rights. As for national protection, it is represented by national measures that are keen to ensure the protection of this right. The administrative authority has an important role to regulate the exercise of this right through the national procedures of the administrative authority to confront the Corona pandemic in normal

circumstances, represented by administrative, health-regulatory decisions, individual health administrative decisions, and the elements of administrative control, namely public security, public peace and morals, as well as national procedures. The administrative authority in exceptional circumstances represented by national procedures To the Ministry of Health, which are remedial and preventive measures, as well as the measures of the Crisis Cell, which in turn has taken many measures, namely, imposing wandering, mobility and travel To attend the movement of people and take the necessary medical measures to limit the spread of the virus and maintain the safety of society, as well as the procedures of the Supreme Committee for National Health and Safety, which is in charge of setting general policies and plans, overseeing their implementation, taking key decisions, enhancing integration between all executive bodies and coordinating with the legislative and judicial authorities. These procedures for protecting the right to health have an impact on the rest of the rights, including the right to life, the right to movement, the right to work, and the right to education. There must be a compatibility between the protection of the right to health and other human rights and fundamental freedoms

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**The effect of protecting the right to health of the
Coronavirus on human rights and freedoms in Iraq**

**Postgraduate Diploma Thesis specializing in
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**The student submitted it
Muhannad Abdel Moneim Abdullah**

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**Under the supervision of Dr
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Professor of Public International Law**

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