

COMMISSION ON HUMAN RIGHTS

UNITED STATES PROPOSALS REGARDING AN
INTERNATIONAL BILL OF RIGHTS

I. PROPOSALS

The United States proposes:

1. That the Commission on Human Rights should consider the following questions at its present session before proceeding with the drafting of an international bill of rights:
 - (a) the legal form of the bill;
 - (b) the subject matter to be dealt with in the bill;
 - (c) the implementation of the bill;
2. That the Commission should, before adjourning,
 - (a) appoint a working group to draft an international bill of rights for submission to the Commission at its next session, following closely the Commission's decisions on the points listed in paragraph 1 above;
 - (b) suggest methods of consulting with interested agencies, commissions, and sub-commissions in the drafting of an international bill of rights.

II. SPECIFIC SUGGESTIONS

1. With regard to the legal form of an international bill of rights, the United States suggests that the Commission should first prepare it in the form of a Declaration on Human Rights and Fundamental Freedoms to be adopted as a General Assembly Resolution. This Declaration should be of such a character as to command the respect of people throughout the world and should be framed with a view to speedy adoption by the General
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Assembly. The resolution containing this Declaration should make provision for the subsequent preparation by the Commission on Human Rights of one or more conventions on human rights and fundamental freedoms. This course, it is thought, would permit prompt adoption of a broad statement of human rights and allow time for the working out of detailed treaty provisions on specific matters.

2. Among the categories of rights which, the United States suggests should be considered are the following:

- (a) personal rights, such as freedom of speech, information, religion and rights of property;
- (b) procedural rights, such as safeguards for persons accused of crime;
- (c) social rights such as the right to employment and social security and the right to enjoy minimum standards of economic, social and cultural well-being.
- (d) political rights, such as the right to citizenship and the right of citizens to participate in their government.

It is recognized that the definition of rights within these categories is a task of great difficulty, which cannot be performed by the Commission at its present session, but it is submitted that these categories taken together include the rights which persons of differing national, legal, economic, and social systems would regard as the human rights and fundamental freedoms to be promoted and respected by the United Nations.

3. With regard to implementation, the United States suggests that the General Assembly resolution setting forth the Declaration on Human Rights and Fundamental Freedoms should recommend the Declaration as a standard to be observed by Members. It might also recommend that these rights be incorporated in constitutions and in legislation, to be observed and enforced by administrative and judicial authorities.

The conventions suggested earlier might contain provisions for reporting by the signatories on the application of the convention and on

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the position of their law and practice regarding the rights stipulated in the convention. They might also, if feasible, empower the Commission on Human Rights to recommend to states measures to give effect to the convention.

4. The United States proposes the appointment of a working group to draft the Declaration since the Commission's agenda for the forthcoming meeting is long and the decisions to be reached with respect to the foregoing questions will require more extended consideration than will be possible at the present session of the Commission. The decisions with regard to subject matter to be included would furnish leads to the drafting group to guide it in formulating specific provisions or in evaluating proposals which may be made or referred to it.

All bills which have been submitted to the Commission should be referred to the working group for study in the light of the decisions of principle reached by the Commission.

The subsequent drafting of conventions for submission by the Economic and Social Council to the General Assembly and adoption by Members might be performed by the same working group, or one or more new ones might be formed.

5. The Commission may consider it desirable to consult with organs, commissions, or specialized agencies of the United Nations with regard to the drafting of certain provisions. It might, therefore, suggest to the Working group methods of consultation with these bodies.

6. In order to submit the Declaration on Human Rights, if possible, to the Second Session of the General Assembly, it is suggested that the working group complete its work in time for consideration by the Commission (possibly in June) and the Fifth Session of the Economic and Social Council (Summer 1947).