

**United Nations**

**Nations Unies**

UNRESTRICTED

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SOCIAL COUNCIL**

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ET SOCIAL**

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COMMISSION ON HUMAN RIGHTS

DRAFTING COMMITTEE

United States Suggestions for Redrafts of Certain Articles in the Draft  
Outline E/CN.4/AC.1/3

Article 2

DUTY OF THE INDIVIDUAL TOWARDS OTHER INDIVIDUALS

"The state is created by the people for the promotion of their welfare and the protection of their mutual rights. In the exercise of his rights everyone is limited by the rights of others. The state may impose only such limitations on such rights as are compatible with the freedom and welfare of all."

Article 3

RESPECT OF LIFE

"The right to life is fundamental and may not be denied to any person except upon conviction of the gravest of crimes under general law providing for the penalty of death."

Article 6

NEED FOR JUDGMENT OF A COURT OF LAW

"No one shall be deprived of life or personal liberty, or be convicted or punished for crime in any manner, save by judgment of a competent and impartial tribunal, in conformity with law, after a fair public trial at which he has had the opportunity for a full hearing, the right to be confronted with the witnesses against him, the right of compulsory process for obtaining witnesses in his favour, and the right to consult with and be represented by counsel."

/Article 7

Article 7

PROTECTION AGAINST ARBITRARY ARREST

"No person shall be subjected to arbitrary or unauthorized arrest or detention. Every person who is arrested or detained shall be immediately informed of the charges on which he is held, and shall have the right to prompt judicial determination of the legality of his detention. Trial of the charges must be afforded within a reasonable time, or he shall be released from detention. Every person shall be entitled to secure his release pending trial upon furnishing reasonable security for his appearance, except where such release would defeat the administering of justice. Detention by purely executive order shall be unlawful except in time of national emergency, proclaimed in accordance with law."

Article 8

PROHIBITION OF SLAVERY AND COMPULSORY LABOUR

"No one shall be held in slavery, nor be required to perform compulsory labour in any form other than public service equally incumbent by law upon all or as part of punishment pronounced by a competent judicial tribunal. No person shall be imprisoned or held in servitude in consequence of the mere breach of contractual obligations."

Article 9

LIBERTY OF MOVEMENT WITHIN THE BORDERS OF A STATE

"All persons shall equally enjoy the right to freedom of movement from one part of the territory of the state to another, and to free choice of residence in any part of the territory, subject to any general law adopted in the interest of national welfare or security.

"Every person shall, subject to equitable immigration and deportation laws, be free to enter, travel through or over, and remain temporarily in the territory of another state, provided always that he observes local laws and police regulations."

Article 11

LIBERTY AND RESPECT OF PRIVATE LIFE

"No one shall be subjected to arbitrary or unauthorized searches and seizures of his person, home, papers and effects, or to unreasonable interference with his person, home, family, relations with others, reputation, privacy, activities or property. The secrecy of correspondence shall be respected."

Article 12

RIGHT TO POSSESS LEGAL PERSONALITY  
AND EXERCISE ONE'S CIVIL RIGHTS

"Everyone has the right to a legal personality. No person shall be restricted in the exercise of his civil rights except under general law based on reasons of age or mental incompetence, or as punishment for a criminal offense, or as otherwise permitted in this bill."

Article 15

FREEDOM OF OPINION

"Everyone has the right to form and hold opinions and to receive them from, and impart them, within or beyond the borders of the State."

Article 16

FREEDOM OF ACCESS TO ALL SOURCES OF INFORMATION

"Freedom of everyone to receive, read and listen to all matters of information shall not be impaired, and there shall be free and equal access to all sources of information both within and beyond the border of a State."

Article 17

FREEDOM OF SPEECH AND FREEDOM OF EXPRESSION

"There shall be freedom of speech, of the press and of expression by any means whatsoever and there shall be reasonable access to all channels of communication."

Article 20

FREEDOM OF ASSOCIATION

"There shall be freedom to form associations."

Article 22

RIGHT TO PROPERTY

"Everyone has the right to own and transfer property, subject to regulation, under general laws, governing the acquisition and use thereof, and determining, in the interest of national welfare and security, those things not susceptible of private ownership. No one shall be deprived of property except in accordance with law, nor suffer his property to be taken other than for public use with just compensation to him."

Article 24

FREEDOM TO ENGAGE IN PROFESSIONS

"There shall be equal opportunity to engage in any vocation or profession, not constituting public employment, subject to such reasonable qualifications as are inherent in the work to be performed."

Article 26

EVERY PENALTY MUST BE: A. PROVIDED FOR BY THE LAW  
WITHOUT RETROACTION B. INFLICTED BY A COURT OF LAW

"No one shall be convicted of crime except by judgment of a competent and impartial tribunal for violation of a law in effect at the time of the commission of the act charged as an offense, nor be subjected to a penalty greater than that applicable at the time of the commission of the offense. No one acquitted or convicted of a crime shall thereafter be again put in jeopardy of life or liberty for the offense of which he was acquitted or convicted."

Article 27

APPEAL TO TRIBUNALS FOR GUARANTEE OF THE RIGHTS OF INDIVIDUALS

"Every person has the right to have any civil claims or liabilities determined without undue delay by a competent and impartial tribunal, before which he has the opportunity for a fair hearing, and has the right to consult with and to be represented by counsel."

Article 28

RIGHT OF PETITION

"No state shall abridge the right of everyone, either individually or in association with others, to petition the government of his state or the United Nations for redress of grievance."

Article 30

RIGHT TO TAKE PART IN THE GOVERNMENT  
OF THE STATE - DEMOCRACY

"Government derives its just power from the consent of the governed. Everyone has the right to take an effective part in the government of the state or territory of which he is a citizen. The citizens of the state or territory are accordingly entitled to exercise self-government through representatives freely and fairly chosen by them in periodic democratic elections."

Article 31

RIGHT OF ACCESS TO ALL PUBLIC FUNCTIONS

"Everyone shall have equal opportunity to engage in public employment in the State of which he is a citizen."

Article 32

RIGHTS RELATING TO NATIONALITY

"Every person shall have the right to a nationality."

Article 35

RIGHT TO PROGRESS

"Everyone has the right to a fair and equal opportunity to advance his own physical, economic, and cultural well-being and to share in the benefits of civilization.

"It is the duty of the State, in accordance with the maximum use of its resources and with due regard for the liberties of individuals, to promote this purpose by legislation or by other appropriate means. Among the social rights thus to be achieved progressively by joint effort of the individual and the State are those defined in the following Articles."

Article 36

RIGHT TO HEALTH

"Everyone, without distinction of economic or social condition, has a right to the highest attainable standard of health.

"The responsibility of the State for the health and safety of its people can be fulfilled only by provision of adequate health and social measures."

Article 37

RIGHT TO EDUCATION

"Everyone has the right to education.

"Each State has the duty to require that each child within territories under its jurisdiction receive a fundamental education. The State shall maintain adequate and free facilities for such education. It shall also assure development of facilities for further, including higher, education, which are adequate and effectively available to all the people within such territories."

Article 38

RIGHT TO ECONOMIC SECURITY

"Everyone has a right to a decent standard of living; to a fair and equal opportunity to earn a livelihood; to wages and hours and conditions of

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work calculated to insure a just share of the benefits of progress to all; and to protection against loss of income on account of disability, unemployment, or old age.

"It is the duty of the State to undertake measures that will promote full employment and good working conditions; provide protection for wage-earners and dependents against lack of income for reasons beyond their control; and assure adequate food, housing, and community services necessary to the well-being of the people."

Article 39

RIGHT TO PARTICIPATE IN THE CULTURAL, SCIENTIFIC AND ARTISTIC LIFE

"Everyone has the right to participate in the cultural life of the community, to enjoy the arts and to share in the benefits of science."

Article 45

NO DISCRIMINATION

"There shall be equal protection before the law in the enjoyment of the rights enumerated in this bill of rights, without distinction as to race, sex, language or religion."

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