

United Nations

Nations Unies

UNRESTRICTED

GENERAL  
ASSEMBLY

ASSEMBLEE  
GENERALE

A/C.3/220  
4 October 1948

ORIGINAL: ENGLISH

Dual Distribution

Third session

THIRD COMMITTEE

DRAFT DECLARATION OF HUMAN RIGHTS

Panama: Amendments to the first nine  
articles of the Draft Declaration.

Article 1

It is proposed that it be eliminated.

Article 2

It is proposed that this article be merged with Article 6 in order to have one single article dealing with the right to equality, as proposed in connection with Article 6.

Article 3

Its total elimination is proposed.

It is proposed that the rights to life and liberty be defined as follows:

Article - Every human being has the right to exist and to maintain, develop, protect and defend his existence.

Article - No one shall be subjected to arbitrary arrest or detention.

Every person who has been detained has a right to have the legality of his detention judicially without any delay.

Neither shall any one be held in slavery or involuntary servitude (Paragraph 1, Article 4 of Draft).

An additional article is proposed containing the text of Paragraph 2 of Article 4 of the Draft, as follows:

Article - No one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment.

Article 4

It is proposed that this article be suppressed in its present form and that its text be used as stated above.

Article 6

It is proposed to have the text of this article combined with that of Articles 2 and 8, as follows:

29100  
Article - All are equal before the law and are entitled to equal protection of the law and to enjoy all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property or other status, or national or social origin.

Article 7

It is proposed that this article be replaced in the manner above stated in connection with Article 3.

Article 8

It is proposed that the phrase "in full equality" be eliminated from this article inasmuch as the subject of equality is covered by another article.

It is further proposed that an article dealing in toto with the subject of fair trial be made up of Article 8, modified as stated above, and the first paragraph of Article 9, as follows:

Article -

1. In the determination of his rights and obligations and of any criminal charge against him, every one is entitled to a fair hearing by an independent and impartial tribunal.
2. Every one charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

Article 9

It is proposed that the second paragraph of this article be made part of a separate article dealing with the right to security against ex post facto laws, as follows:

Article - No one shall be held guilty of any offence on account of any act or omission which did not constitute an offence, under national or international law, at the time when it was committed. Neither can anyone be imposed a heavier penalty than the one that was applicable at the time the offence was committed.