

United Nations

Nations Unies

GENERAL
ASSEMBLY

ASSEMBLEE
GENERALE

UNRESTRICTED
A/C.3/114
8 October 1958
ENGLISH
ORIGINAL FRENCH

Dual Distribution

Third Session

THIRD COMMITTEE

DRAFT INTERNATIONAL DECLARATION OF HUMAN RIGHTS

France: Amendments to the Draft Declaration (Document E/800)

Between Articles 2 and 3

Insert Article 27 of the Draft.

Note: It is essential that the social framework in which man lives and the limitations on his rights should appear in the first group of general theses, before enumeration of the rights themselves.

Article 7

Add a Paragraph 2 worded as follows:

"Any person arrested or detained is entitled to have the legality of the action taken against him confirmed without delay by a judge. He is also entitled to demand a verdict or release within a reasonable period."

Article 9, Paragraph 2

This amendment does not apply to the English text.

Article 12, Paragraph 1 (Right of Asylum)

Add the following sentence: "The United Nations, in concert with Countries concerned, is required to secure such asylum for him.

Note: There is no point in proclaiming a right without at the same time stating whose duty it is to give effect to that right.

Article 13

(a) Begin with a new paragraph 1 worded as follows:

"Every human being has the right to a nationality."

(b) The present Paragraph 1 should become Paragraph 2.

(c) Add a new Paragraph 3 worded as follows:

"It is the duty of the United Nations to approach States for the purpose of preventing statelessness and, where necessary, to concern itself with the fate of stateless persons."

Article 14

Word Paragraph 2 as follows:

"Marriage may be contracted only with the full consent of the intending spouses."

Note: There is no point in specifying "both" spouses.

Article 19

Reword Paragraph 3 as follows:

"The authority of the law and of any government is founded on the will of the people as expressed at free and genuine periodic elections."

Article 25

Add a Paragraph 2 in the following terms:

"Everyone has the same right to the protection of the moral and material interests that he may acquire through any inventions or literary, scientific or artistic works of which he is the author."