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COMMISSION ON HUMAN RIGHTS

SECOND SESSION

Parallel Passages in
Human Rights Drafting Committee Text and United
States Proposal (E/CN.4/36)

Section I. Drafting Committee Text com-
pared with United States
Short Form

Section II. United States Short Form com-
pared with Drafting Committee
Text

Legend:

DC - Human Rights Drafting Committee Text (Arabic numerals).
US - United States Proposal (Roman numerals).

SECTION I

Human Rights Drafting Com-
mittee Text

compared with United States Proposal

DC 1. All men are brothers,
Being endowed with reason
and conscience, they are
members of one family.
They are free, and
possess equal dignity and
rights.

US Preamble, first clause.
Whereas, by the Charter of
the UN, all members affirm
their faith in the dignity
and worth of the human
person

US X. Everyone, everywhere in the
world, is entitled to the
human rights and fundamental
freedoms set forth in this
Declaration

DC 2, 3, 4. First alternative -
Article 2. The object of
society is to afford each
of its members equal
opportunity for the full
development of his spirit,
mind and body.

US X, second clause.
The full exercise of these
rights requires recognition
of the rights of others and
protection by law of the
freedom, general welfare and
security of all.

Article 3. As human beings
cannot live and support
themselves without the
help and support of soc-
iety, each one owes to
society fundamental
duties which are

Article 4. In the exer-
cise of his rights, every-
one is limited by the
rights of others.

Second alternative
(one Article only)-
Article 2. These rights
are limited only by the
equal rights of others.
Man also owes duties to
society through which he
is enabled to develop his
spirit, mind and body in
wider freedom.

HRDC Text

U.S. Short Form

DC 5. All are equal before the law and entitled to equal protection of the law. Public authorities and judges, as well as individuals are subject to the rule of the law.

US I. Everyone is entitled to life, liberty and equal protection under law.

US VII. Everyone, regardless of office or status, is subject to the rule of law.

DC 6. Everyone is entitled to the rights and freedoms set forth in this Declaration, without distinction as to race, sex, language, or religion.

US X. Everyone everywhere in the world, is entitled to the human rights and fundamental freedoms set forth in this Declaration without distinction as to race, sex, language or religion

DC 7. Everyone has the right to life, to personal liberty and to personal security.

US I. Everyone is entitled to life, liberty, and equal protection under law.

US III. No one shall be subjected to unreasonable interference with his privacy

US VI. No one shall be subjected to arbitrary arrest or detention

DC 8. No one shall be deprived of his personal liberty or kept in custody except in cases prescribed by law and after due process. Everyone placed under arrest or detention shall have the right to immediate judicial determination of the legality of any detention to which he may be subject.

US VI. No one shall be subjected to arbitrary arrest or detention. Anyone who is arrested has the right to be promptly informed of the charges against him, and to trial within a reasonable time or to be released.

HRDC Text

U.S. Short Form.

DC 9. No one shall be held guilty of any offence until legally convicted. No one shall be convicted or punished for any offence except by judgment of an independent and impartial court of law, rendered in conformity with law after a fair and public trial at which he has had an opportunity for a full hearing and has been given all guarantees necessary for his defense.

US VII. Everyone, in the determination of his rights and obligations, is entitled to a fair hearing before an independent and impartial tribunal and to the aid of counsel

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DC 10. No one can be convicted of crime unless he has violated some law in effect at the time of the act charged as an offence nor be subjected to a penalty greater than that applicable at the time of the offence.

US VII.No one shall be convicted or punished for crime except after public trial pursuant to law in effect at the time of the commission of the act charged

No one, even if convicted of a crime, can be subjected to torture.

US V.No one shall be subjected to torture, or to cruel or inhuman punishment or indignity.

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DC 11. Slavery, which is inconsistent with the dignity of man, is prohibited in all its forms.

US V. No one shall be held in slavery or involuntary servitude. No one shall be subjected to torture, or to cruel or inhuman punishment or indignity.

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DC 12. The privacy of the home and of correspondence and respect for reputation shall be protected by law.

US III. No one shall be subjected to unreasonable interference with his privacy, family, home, correspondence, or reputation

HRDC Text

U.S. Short Form

DC 13. There shall be liberty of movement and free choice of residence within the borders of each State. This freedom may be regulated by any general law adopted in the interest of national welfare and security. Individuals may freely emigrate or renounce their nationality.

US IV. There shall be liberty to move freely from place to place within the State, to emigrate

US X. ..The full exercise of these rights requires recognition of the rights of others and protection by law of the freedom, general welfare, and security of all.

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14. Everyone has the right to escape persecution on grounds of political or other beliefs or on grounds of racial prejudice by taking refuge on the territory of any State willing to grant him asylum.

US IV. There shall be liberty to seek asylum from persecution.

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DC 15. Everyone has the right to a status in law and to the enjoyment of fundamental civil rights.

US I. Everyone is entitled to equal protection under law.

US X. Everyone, everywhere in the world, is entitled to the human rights and fundamental freedoms set forth in this Declaration

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Everyone shall have access to independent and impartial tribunals for the determination of his rights, liabilities and obligations under the law. He shall have the right to consult with and to be represented by counsel.

US VII. Everyone, in the determination of his rights and obligations, is entitled to a fair hearing before an independent and impartial tribunal and to the aid of counsel

HRDC Text

U.S. Short Form

DC 16. There shall be equal opportunity for all to engage in all vocations and professions not constituting public employment.

US IX. Everyone has the right to a decent living; to work and advance his well-being;....

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DC 17. Everyone has a right to own personal property. No one shall be deprived of his property except for public welfare and with just compensation. The State may determine those things, rights and enterprises, that are susceptible of private appropriation and regulate the acquisition and use of such property.

US III.No one shall be arbitrarily deprived of his property.

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DC 18. Everyone has the right to a nationality.

US VIII. Everyone has the right to a nationality....

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DC 19. No alien legally admitted to the territory of a State may be expelled therefrom without having a fair hearing

US VII. Everyone, in the determination of his rights and obligations, is entitled to a fair hearing

HRDC Text

US Short Form

DC 20. Individual freedom of thought and conscience, to hold and change beliefs, is an absolute and sacred right.

The practice of a private or public worship, religious observances, and manifestations of differing convictions, can be subject only to such limitations as are necessary to protect public order, morals and the rights and freedoms of others.

(UK alternative text, paragraph 3, emphasizes freedom of religious teaching)

US II. Everyone has the right... to freedom of religion, conscience, and belief ...

US X.The full exercise of these rights requires recognition of the rights of others and protection by law of the freedom, general welfare and security of all.

US II. Everyone has the right to freedom of information ...

DC 21. Everyone is free to hold or impart his opinion, or to receive and seek information and the opinion of others from sources wherever situated.

Personne ne peut être inquiète en raison de ses opinions.

US II. Everyone has the right to freedom of information, speech, and expression; to freedom of ... belief; ...

DC 22. There shall be freedom of expression either by word, in writing, in the press, in books or by visual, auditive or other means. There shall be equal access to all channels of communication.

US II. Everyone has the right to freedom of information, speech, and expression; ...

DC 23. There shall be freedom of peaceful assembly, and of association for political, religious, cultural, scientific, professional and other purposes.

US II. Everyone has the right ... to freedom of assembly and association.

HRDC Text

US Short Form

DC 24. No state shall deny to any individual the right, either individually or in association with others, to petition or to communicate with the Government of his state or of his residence or the United Nations.

US II. Everyone has the right ... to freedom to petition his Government and the United Nations.

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DC 25. When a government, group or individual seriously or systematically tramples the fundamental human rights and freedoms, individuals and peoples have the right to resist oppression and tyranny.

US II. (above)

US VIII. (below)

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DC 26. Everyone has the right to take an effective part in his Government directly or through his representatives.

US VIII. ...Everyone has a right to take an effective part in his Government directly or through his representatives.

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DC 27. The State can derive its just authority only from the will of the people and has a duty to conform to the wishes of the people. These wishes shall be manifested particularly by democratic elections, which shall be periodic, free, and by secret ballot.

US VIII. ...and to participate in elections, which shall be periodic, free, and by secret ballot.

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DC 28. Everyone shall have equal opportunity to engage in public employment and to hold public office in the State of which he is a citizen. Access to examinations for public employment shall not be a matter of privilege or favour.

US VIII. ...Everyone has a right to take an effective part in his Government ...

US IX. Everyone has the right... to work and advance his well-being ... There shall be equal opportunity for all to participate in the economic and cultural life of the community.

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HRDC Text

US Short Form

- DC 29. Everyone has the right to perform socially useful work. US IX. Everyone has the right to a decent living, to work and advance his well-being; ...
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- DC 30. Human labour is not a merchandise. It shall be performed in good conditions and shall secure a decent standard of living to the worker and his family. US IX. Everyone has the right to a decent living, to work and advance his well-being; ...
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- DC 31. Everyone has the right to education. Primary education shall be free and compulsory. There shall be equal access for all to such facilities for technical, cultural and higher education as can be provided by the State on the basis of merit and without distinction as to race, sex, language, religion, social standing, political affiliation or financial means. US IX. Everyone has the right ... to ... education ... There shall be equal opportunity for all to participate in the ... cultural life of the Community.
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- DC 32. Everyone has the right to a fair share of rest and leisure. US IX. Everyone has the right to a decent living; ...
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- DC 33. Everyone, without distinction as to economic and social conditions, has a right to the highest attainable standard of health. The responsibility of the State and community for the health and safety of its people can be fulfilled only by the provision of adequate health and social measures. US IX. Everyone has the right ... to health ...
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HRDC Text

US Short Form

DC 34. Everyone has the right to social security. To the utmost of its possibilities, the State shall undertake measures for the promotion of full employment and for the security of the individual against unemployment, disability, old age, and all other loss of livelihood for reasons beyond his control.

Mothers and children have the right to special regard, care and resources.

US IX. Everyone has the right ... to social security ...

DC 35. Everyone has the right to participate in the cultural life of the community, to enjoy the arts, and to share in the benefits that result from scientific discoveries.

US IX. ... There shall be equal opportunity for all to participate in the economic and cultural life of the community.

DC 36. In States inhabited by a substantial number of persons of a race, language or religion other than those of the majority of the population, persons belonging to such ethnic, linguistic or religious minorities shall have the right as far as compatible with public order to establish and maintain their schools and cultural or religious institutions, and to use their own language in the press, in public assembly and before the courts and other authorities of the State.

US II. Everyone has the right to freedom of information, speech and expression; to freedom of religion, conscience and belief; to freedom of assembly and association; ...

US IX. Everyone has the right to education ... There shall be equal opportunity for all to participate in the cultural life of the community.

US X. ... without distinction as to race, sex, language, or religion.