

COMMISSION ON HUMAN RIGHTS

DRAFTING COMMITTEE

AUSTRALIA: DRAFT OF ADDITIONAL ARTICLES FOR THE
DRAFT INTERNATIONAL COVENANT ON
HUMAN RIGHTS

These articles are designed to give effect to principles contained in the draft Declaration, but not, so far, in the draft Covenant. The article number refers to the corresponding article in the draft Declaration, (document E/600, Annex A).

In the Covenant, the first five draft articles below, since they deal with "legal" rights, could be placed after Article 15 of Annex B.

The remaining additional draft articles, since they deal with political economic and social rights, could be placed after Article 19 of Annex B.

Article 9

Every person shall be entitled to protection under law from unreasonable interference with his reputation, his privacy, his family, his home and correspondence.

Article 11

Every person (other than criminals or those whose acts are contrary to the purposes and principles embodied in the Charter of the United Nations) is entitled to seek asylum from persecution.

Article 13

Both men and women shall be entitled to the same freedom to contract marriage in accordance with the law.

Article 14

Every person has the right to own property in conformity with the laws of the State in which such property is located, and not to be arbitrarily deprived of it.

Article 15

1. Every person shall be entitled to a nationality, and no person shall be deprived of his nationality by way of punishment or deemed to have lost his nationality except concurrently with the acquisition of a new nationality.

/2. All persons

2. All persons (other than criminals or those whose acts are contrary to the purposes and principles embodied in the Charter of the United Nations) who do not enjoy the protection of any Government shall be placed under the protection of the United Nations.

Article 20

Every person has the right, either individually, or in association with others, to petition or to communicate with the public authorities of the State of which he is a national or in which he resides, or with the United Nations.

Article 21

No State shall deprive its citizens of the effective right to choose their governments and legislators on a footing of equality, in accordance with the law of the State, in free, fair, secret and periodic elections.

Article 22

Every person is entitled to equal opportunity to engage in public employment and to hold public office in the State of which he is a citizen or a national.

Article 23

Every person shall have the right to work, and each State shall take such measures as may be within its power to ensure that all persons ordinarily resident in its territory have an opportunity for useful work.

Article 24

Every person shall have the right to receive pay commensurate with his ability and skill, to work under just and favourable conditions and to join trade unions for the protection of his interests in securing a decent standard of living for himself and his family.

Article 26

Each State shall maintain and ensure the maintenance of comprehensive and effective measures for safeguarding every person against the consequences of unemployment, disability, old age and all other loss of livelihood for reasons beyond his control.

Article 29

Each State shall ensure by law that there shall be reasonable limitations on working hours and periodic vacations with full pay.

Article 25

Each State shall take such adequate health and social measures as will ensure that every person without distinction as to economic and social conditions has the right to the preservation of his health through the highest standard of food, clothing, housing and medical care which the resources of the State or community can provide.

Article 27

Each State shall take steps to ensure that free and compulsory elementary education is available to all persons, and that there shall be equal access to higher education as can be provided by the State or community on the basis of merit.

Article 30

Every person shall have 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.

Article 32

The laws of all States insofar as they deal with human rights shall be in conformity with the purposes and principles embodied in the Charter of the United Nations.
