

ECONOMIC
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ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

DRAFTING COMMITTEE

SECOND SESSION

DRAFT COVENANT ON HUMAN RIGHTS

ARTICLE 9

List of items suggested by governments for addition to the enumeration contained in Article 9 (2) of the Draft Covenant (E/600)

1. Arrest and detention of persons suffering from serious contagious disease (Netherlands, United Kingdom, Norway)
2. Arrest and detention of alcoholics (Norway)
3. Arrest "flagrante delicto" (Brazil); probably covered by item (a) of Article 9 (2)
4. Arrest for the purpose of removal from one province to another (South Africa)
5. Arrest for the purpose of removal of persons other than aliens (South Africa)
6. Arrest of witnesses in order to bring them before a court (South Africa) or for their protection (United States)
7. Detention of children in need of care (South Africa)*
8. Arrests for breach of military discipline (Chile; oral observation in the 23rd meeting of the Committee on 5 May 1948)
9. Arrest in civil cases usually involving wrong-doing (fraud etc.), in the commencement of an action (United States; oral observations, 5 May 1948)
10. Arrest as a means of satisfaction of a judgment in such actions or by way of punishment in such cases (United States; oral observations, 5 May 1948)

* Comment by the Secretariat: This case might be covered by item (e) of Article 9 (2).

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/11. Detention

11. Detention of persons listed under Article 8, paragraph 3 of the Geneva draft of Covenant (this relates to the class of persons who may be subjected to forced or compulsory labour in connection with military or emergency service, etc.) (United States; oral observations, 5 May 1948)
 12. Detention of enemy aliens (United States; oral observations, 5 May 1948)
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