

COMMISSION ON HUMAN RIGHTS

DRAFTING COMMITTEE

Second Session

REPORT OF THE DRAFTING SUB-COMMITTEE CONSISTING OF THE REPRESENTATIVES OF CHILE, CHINA, UNITED STATES OF AMERICA, UNION OF SOVIET SOCIALIST REPUBLICS, ON ARTICLES 5, 6, 7 OF THE DRAFT INTERNATIONAL DECLARATION ON HUMAN RIGHTS

(Document E/600)

No person may be arbitrarily deprived of his liberty. Arrest or detention may be allowed only in the cases, and according to procedures, established by pre-existing law.

Every one who has been deprived of his liberty has the right to be promptly informed of the charges against him and to have the legality of his arrest or detention ascertained in a fair hearing before a court within the shortest possible time or to release.

Every one is entitled to:

- (a) Freedom from torture or mutilation, or cruel or inhuman punishment or indignity;
- (b) The right to a fair hearing in conformity with law before an independent and impartial tribunal in the determination of his rights and obligations;
- (c) The right in all criminal cases to be presumed innocent until proved guilty, and to a public trial within a reasonable time in accordance with pre-existing law.
- (d) The right to compensation in respect of any unlawful arrest or deprivation of liberty.

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