

COMMISSION ON HUMAN RIGHTS

DRAFTING COMMITTEE

INTERNATIONAL BILL OF RIGHTS

Revised Suggestions Submitted by the Representative of France
for Articles of the International
Declaration of Rights

ARTICLE 1

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

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.

ARTICLE 3

Man is essentially social and has fundamental duties to society and to his fellow-men. The rights of each are therefore limited by the rights of others.

(alternative)

As human beings cannot live and develop themselves without the help and support of society, each one owes to society fundamental duties which are: obedience to law, exercise of a useful activity, willing acceptance of obligations and sacrifices demanded for the common good.

ARTICLE 4

In the exercise of his rights, every one is limited by the rights of others.

ARTICLE 5

All are equal before the law. It applies to public authorities and judges as well as to individuals. Everything that is not prohibited by law is legally permitted.

ARTICLE 6

Every one is entitled to the rights and freedoms hereunder declared, without distinction as to race, sex, language, religion, or political belief.

ARTICLE 7

Every one has the right to life, to personal liberty and to personal security.

ARTICLE 8

No one shall be deprived of his personal liberty or kept in custody except in cases prescribed by law and after due process. Every one 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.

ARTICLE 9

No one shall be held guilty of any offence until legally convicted.

No one shall be convicted 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 or has been legally summoned and has been given all guarantees necessary for his defence.

ARTICLE 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 commission of the offence.

No one, even if convicted for a crime, can be subject to torture.*

* Articles 8, 9 and 10 could be shortened in case of a convention being resorted to.

ARTICLE 11

Slavery, which is inconsistent with the dignity of man, is prohibited.

Public authority may impose a personal service or work only by application of a law and for the common interest.

ARTICLE 12

The inviolability of privacy, home, correspondence and reputation are inviolable and protected by law.

ARTICLE 13

Subject to any general law adopted in the interest of national welfare and security, there shall be liberty of movement and free choice of residence within the borders of each State; individuals may also freely emigrate or expatriate themselves.

ARTICLE 14

Every one has the right to escape persecution by seeking refuge on the territory of the State which would consent to grant him asylum.

ARTICLE 15

Every one has the right to a legal personality everywhere.

Every one has the right to contract marriage in accordance with the laws of the State.

Every one 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, eventually, be represented by counsel.

ARTICLE 16

There shall be equal opportunity to all vocations and professions not having a public character.

ARTICLE 17

Every one 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.

ARTICLE 18

Every State shall have the right to grant asylum to political refugees.

ARTICLE 19

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

ARTICLE 20

The individual freedom of conscience, belief and thought is an absolute and sacred right.

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

ARTICLE 21

No one can be molested by reason of his opinions.

Every one is free to hold or impart his opinion, or to receive the opinions of others, and to seek information from sources wherever situated.

ARTICLE 22

There shall be freedom of expression either by word, in writing, in the press, in books or by visual, auditive or other means; provided however that the user of those means shall be responsible for the abuse of this right.

ARTICLE 23

There shall be freedom of peaceful assembly and of association for political, religious, cultural, scientific, professional and other purposes compatible with this Declaration. No restriction shall be

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placed on the exercise of this right except for the protection of public order.

ARTICLE 24

No State shall deny to any individual the right, either individually or in association with others, to petition the government of his State or of his residence or the United Nations for redress of grievances.

ARTICLE 25

When a government seriously or systematically tramples the fundamental human rights and freedoms, individuals and peoples have the right to resist oppression and tyranny, without prejudice to their right of appeal to the United Nations.

ARTICLE 26

Every one has the right to take an equal part, directly or through his representatives, in the formation of law, the institution of taxes for public expense and the government of the State of which he is a citizen or of depending territories. Each citizen shall take his part of public expenses according to his means.

ARTICLE 27

The State can derive its authority only from the consent of the people and has a duty to conform to the wishes of the people. These wishes are manifested by democratic elections, which shall be periodic, free and fair.

ARTICLE 28

Every one shall have equal opportunity of occupying all public functions of the State of which he is a citizen. Such functions cannot be considered as privileges or favours.

ARTICLE 29

Every one has the right and the duty to perform socially useful work and to full development of his personality.

ARTICLE 30

Every one may hire his services for a time but may not either alienate his person nor place himself in state of servitude to another.

ARTICLE 31

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.

ARTICLE 32

Every one has the right to protect his professional interests, either by himself or through his representatives.

ARTICLE 33

Every one has a right to the best health conditions possible and to assistance to preserve them. The community shall promote public hygiene and the betterment of housing and food conditions.

ARTICLE 34

Every one has the right to social security. To the utmost of its possibilities, the State shall maintain effective arrangements for the prevention of unemployment and, with the participation of beneficiaries, shall organise insurance against invalidity, illness, old age and all other involuntary and undeserved losses of livelihood.

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

ARTICLE 35

Every one is entitled to learning and has the right to education. Primary education is obligatory for all children and must be provided for them free.

Access to technical, professional and higher education shall be promoted by giving equal chances to all youths and adults without distinction as to race, sex, language, religion, social standing or financial means of beneficiaries.

ARTICLE 36

Every one has the right to a fair share of rest and leisure and to the knowledge of the outside world.

ARTICLE 37

Every one has the right to participate in the cultural life of the community, to enjoy the arts and to share in the benefits of science.

ARTICLE 38

The authors of all artistic, literary, scientific works and inventors shall retain, in addition to the just remuneration of their labour, a moral right on their work and/or discovery which shall not disappear, even after such work and/or discovery shall have become the common property of mankind.

ARTICLE 39

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.

ARTICLE 40

There is no protection of human rights where the authors of tyrannical or arbitrary acts or their accomplices are not punished and where there is no provision for the liability of public authorities or their agents.

The provisions on nationality and the protection of aliens are transferred to the section on Freedoms and Legal Status.

/ARTICLE 41

ARTICLE 41

The provisions of this International Bill of Rights shall be deemed fundamental principles of international law and shall become part of the national law of each of the member States of the United Nations. Their observance is therefore a matter of international concern and it shall be within the jurisdiction of the United Nations to discuss any violation thereof.

ARTICLE 42

It is the duty of each Member State to take, within its jurisdiction, all measures and legal dispositions for the enactment and effective respect of the rights and freedoms proclaimed in this Declaration. The State shall, when necessary, co-operate with other States to that end.

The United Nations and their specialised agencies shall recommend all international conventions and shall take, each within their respective spheres, all measures for the implementation of the provisions of the Charter and of this Declaration, in view of protecting these rights and freedoms all over the world.
