

COMMISSION ON HUMAN RIGHTS  
SECOND SESSION

PROPOSED AMENDMENTS TO THE DRAFT ARTICLES ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS CONTAINED IN ANNEX G OF THE REPORT OF THE DRAFTING COMMITTEE (DOC.E/CN.4/21)

SUBMITTED BY THE REPRESENTATIVE OF THE UNITED KINGDOM ON THE COMMISSION ON HUMAN RIGHTS.

1. Amend Article 2 to read "It shall be illegal for any person to be subjected to:-
  - (a) Torture in any form;
  - (b) Any form of physical mutilation or medical or scientific treatment or experimentation against his will.
2. Add a new Article 4(a) to read as follows:-

"(1) no person shall be convicted of, or punished for, crime save by judgment of a competent tribunal and in conformity with the law.

(2) any person accused of having committed a crime shall be entitled:-

  - (a) to a full hearing of his defence to the charge and of any plea which he may make in mitigation;
  - (b) to hear the testimony of all witnesses;
  - (c) to compulsory process for securing
    - (i) the attendance of witnesses whom he wishes to call and
    - (ii) the production of relevant documents.
  - (d) to consult with and to be represented by counsel."
3. Amend Article 7 to read "No person shall be prevented from having access to the Courts or entering into lawful contracts save in the case of:
  - (a) Minors;
  - (b) Persons of unsound mind;
  - (c) Persons undergoing imprisonment or subject to disabilities resulting from a conviction."