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COMMISSION ON HUMAN RIGHTS

THIRD SESSION

COMMENTS FROM GOVERNMENTS ON THE DRAFT INTERNATIONAL  
DECLARATION ON HUMAN RIGHTS, DRAFT INTERNATIONAL  
COVENANT ON HUMAN RIGHTS AND THE QUESTION  
OF IMPLEMENTATION

COMMUNICATION RECEIVED FROM NORWAY

With reference to your letter SOA 17/1/01 of 19 January 1948 concerning the Draft Articles for an International Declaration on Human Rights and Draft Articles for an International Covenant on Human Rights, I have the honor to submit the following observations from my government:

With regard to Article 9 in the Draft International Declaration, my government should like to suggest a limitation by adding the following: "except in cases prescribed by law and after due process". Furthermore, my government understands that it has been agreed, that the Declaration imposes no legal obligations.

As to Article 9, 2(a) in the Draft International Covenant, the provisions to arrest a person to prevent his committing a crime, might be open to objections on principle. As to Article 9, 2(b), it seems advisable to extend these measures to include also persons suffering from contagious diseases (confer Norwegian law of 12 December 1947 on measures against venereal diseases, article 8). In this connection I should also like to draw your attention to the fact that in Norway alcoholics may be subject to detention according to a Norwegian law of May 26, 1939, article 7.

Regarding Article 13, 2, it is presumed that this provision does not exclude punishment in those cases especially provided for by law, where fines may be imposed by the police.