



## Yfirlýsing um mannréttindi, sem gengið var frá á 2. fundi nefndarinnar í desember 1947

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Bjarni Benediktsson – Yfirlýsing um mannréttindi desember 1947

## Tekið af vef Borgarskjalasafnsins

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## M a n n r é t t i n d i.

Á 2. fundi mannréttindanefndar Sameinuðu þjóðanna (Human Rights Commission), sem haldinn var í Genf, dagana 2.-17. desember 1947, var gengið frá svohljóðandi frumdrögum að alþjóða yfirlýsingu um mannréttindi (sbr. skýrslu nefndarinnar til Fjárhags- og félagsmálaráðsins, Economic and Social Council, Official Records, III. árg. 6. fundur, Fskj. nr. 1, bls. 15-19 (UN Doc. E/600)):

### Draft International Declaration on Human Rights.

#### Article 1

All men are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another like brothers.

#### Article 2

In the exercise of his rights every one is limited by the rights of others and by the just requirements of the democratic State. The individual owes duties to society through which he is enabled to develop his spirit, mind and body in wider freedom.

#### Article 3

1. Every one is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race (which includes colour), sex, language, religion, political or other opinion, property status, or national or social origin.

2. All are equal before the law regardless of office or status and entitled to equal protection of the law against any arbitrary discrimination, or against any incitement to

such discrimination, in violation of this Declaration.

Article 4

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

Article 5

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 rights to immediate judicial determination of the legality of any detention to which he may be subject and to trial within a reasonable time or to release.

Article 6

Every one shall have access to independent and impartial tribunals in the determination of any criminal charge against him, and of his rights and obligations. He shall be entitled to a fair hearing of his case and to have the aid of a qualified representative of his own choice, and if he appears in person to have the procedure explained to him in a manner in which he can understand it and to use a language which he can speak.

Article 7

1. Any person is presumed to be innocent until proved guilty. No one shall be convicted or punished for crime or other offence except after fair public trial at which he has been given all guarantees necessary for his defence. No person shall be held guilty of any offence on account of any act or omission which did not constitute such an offence at the time when it was committed, nor shall he be liable to any greater punishment than that prescribed for such offence by the law in force at the time when the offence was committed.

2. Nothing in this Article shall prejudice the trial and punishment of any person for the commission of any act which, at the time <sup>it</sup> was committed, was criminal according to the general principles of law recognized by civilized nations.

3. No one shall be subjected to torture, or to cruel or inhuman punishment or indignity.

#### Article 8

Slavery, in all its forms, being inconsistent with the dignity of man, shall be prohibited by law.

#### Article 9

Every one shall be entitled to protection under law from unreasonable interference with his reputation, his privacy and his family. His home and correspondence shall be inviolable.

#### Article 10

1. Subject to any general law not contrary to the purposes and principles of the United Nations Charter and adopted for specific reasons of security or in general interest, there shall be liberty of movement and free choice of residence within the border of each State.

2. Individuals shall have the right to leave their own country and, if they so desire, to acquire the nationality of any country willing to grant it.

#### Article 11

Every one shall have the right to seek and be granted asylum from persecution. This right will not be accorded to criminals nor to those whose acts are contrary to the principles and aims of the United Nations.

#### Article 12

Every one has the right, everywhere in the world, to recognition as a person before the law and to the enjoyment of

fundamental civil rights.

Article 13

1. The family deriving from marriage is the natural and fundamental unit of Society. Men and women shall have the same freedom to contract marriage in accordance with the law.

2. Marriage and the family shall be protected by the State and Society.

Article 14

1. Every one has the right to own property in conformity with the laws of the State in which such property is located.

2. No one shall be arbitrarily deprived of his property.

Article 15

Every one has the right to a nationality.

All persons who do not enjoy the protection of any Government shall be placed under the protection of the United Nations. This protection shall not be accorded to criminals nor to those whose acts are contrary to the principles and aims of the United Nations

Article 16

1. Individual freedom of thought and conscience, to hold and change beliefs, is an absolute and sacred right.

2. Every person has the right, either alone or in community with other persons of like mind and in public or private, to manifest his beliefs in worship, observance, teaching and practice.

(With regard to the following two articles, 17 and 18, the Commission decided not to elaborate a final text, until it had before it the views of the Sub-Commission on Freedom of Information and of the Press and of the United Nations Conference on Freedom of Information).

(Article 17)

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

2. No persons may be interfered with an account of his opinions).

(Article 18)

(There shall be freedom of expression either by word, in writing, in the press, in books or by visual, auditive or other means. There shall be equal access to all channels of communication.)

Article 19

Every one has the right to freedom of peaceful assembly and to participate in local, national and international associations for purposes of a political, economic, religious, social, cultural, trade union or any other character, not inconsistent with this Declaration.

Article 20

Every one has the right, either individually, or in association with others, to petition or to communicate with the public authorities of the State of which he is a national or in which he resides, or with the United Nations.

Article 21

Every one without discrimination has the right to take an effective part in the government of his country. The State shall conform to the will of the people as manifested by elections which shall be periodic, free, fair and by secret ballot.

Article 22

1. Every one shall have equal opportunity to engage in public employment and to hold public office in the State of which he is a citizen or a national.

2. Access to public employment shall not be a matter of privilege or favour.

Article 23

1. Every one has the right to work.

2. The State has a duty to take such measures as may be

within its power to ensure that all persons ordinarily resident in its territory have an opportunity for useful work.

3. The State is bound to take all necessary steps to prevent unemployment.

#### Article 24

1. Everyone has the right to receive pay commensurate with his ability and skill, to work under just and favourable conditions and to join trade unions for the protection of his interests in securing a decent standard of living for himself and his family.

2. Women shall work with the same advantages as men and receive equal pay for equal work.

#### Article 25

Every one without distinction as to economic and social conditions has the right to the preservation of his health through the highest standard of food, clothing, housing and medical care which the resources of the State or community can provide. The responsibility of the State and community for the health and safety of its people can be fulfilled only by provision of adequate health and social measures.

#### Article 26

1. Every one has the right to social security. The State has a duty to maintain or ensure the maintenance of comprehensive measures for the security of the individual against the consequence of unemployment, disability, old age and all other loss of livelihood for reasons beyond his control.

2. Motherhood shall be granted special care and assistance. Children are similarly entitled to special care and assistance.

#### Article 27

Every one has the right to education. Fundamental education shall be free and compulsory. There shall be equal access for higher education as can be provided by the State or community on

the basis of merit and without distinction as to race, sex, language, religion, social standing, financial means, or political affiliation.

Article 28

Education will be directed to the full physical, intellectual, moral and spritual development of the human personality, to the strengthening of respect for human rights and fundamental freedoms and to the combating of the spirit of intolerance and hatred against other nations or racial or religious groups everywhere.

Article 29

1. Every one has the right to rest and leisure.
2. Rest and leisure should be ensured to every one by laws or contracts providing in particular for reasonable limitations on working hours and for periodic <sup>vacations</sup> ~~with~~ pay.

Article 30

Every one has the right to participate in the cultural life of the community, to enjoy the arts and to share in the benefits that result from scientific discoveries.

(Article 31)

(The Commission did not take a decision on the two texts that follow. They are reproduced here for further consideration.)

(Text proposed by the Drafting Committee:

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 schools and cultural or religious institutions, and <sup>to</sup> use their own language in the Press, in public assembly and before the courts and other authorities of the State.)



(Text proposed by the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities:

In States inhabited by well-defined ethnic , linguistic  
or religious groups which are clearly distinguished from the  
rest of the population, and which want to be accorded differential  
treatment, persons belonging to such groups shall have the right,  
as far as is compatible with public order and security, to establish  
and maintain their schools and cultural or religious institutions,  
and to use their own language and script in the Press, in public  
assembly and before the courts and other authorities of the  
State, if they so choose.)

Article 32

All laws in any State shall be in conformity with the  
purposes and principles of the United Nations as embodied in the  
Charter, insofar as they deal with human rights.

Article 33

Nothing in this Declaration shall be considered to  
recognize the right of any State or person to engage in any  
activity aimed at the destruction of any of the rights and  
freedoms prescribed herein.