

<p>The International Covenant on Civil and Political Rights (The U.S. signed in 1977 and ratified in 1992).</p>	<p>COMPARABLE UNDRIP ARTICLES</p>
<p>Article 1 1. All peoples have the right of self-determination, "By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.</p> <p>2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit and international law. In no case may a people be deprived of its own means of subsistence.</p> <p>3. The <u>States Parties</u> to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.</p>	<p>Right to full Employment Article 1</p> <p>Non-Discrimination Article 3 Article 4 Article 5 Article 18 Article 19 Article 20</p> <p>Economic Development Article 3 Article 4 Article 5 Article 20(1)(2) Article 23 Article 33(3)</p> <p>Discriminatory labor conditions Article 17(3)</p> <p>State Obligations Article 8(2)(a) Article 8(2)(b) Article 20(2) Article 23 Article 26(3) Article 27 Article 28(1) Article 28(2) Article 30(2) Article 32(2)</p>
<p>Article 2 1. Each <u>State Party</u> to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its Jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p>	<p>State Obligations Article 8(2)(b) Article 13(2) Article 15(2) Article 18 Article 19 Article 22(2) Article 26(3) Article 27</p>

<p>2. Where not already provided for by existing legislative or other measures, each <u>State Party</u> to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.</p> <p>3. Each <u>State Party</u> to the present Covenant undertakes:</p> <p>(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.</p> <p>(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of Judicial remedy.</p> <p>(c) To ensure that the competent authorities shall enforce such remedies when granted.</p>	<p>Article 28(1) Article 28(2) Article 31(2) Article 32(2)</p>
<p>Article 3 The <u>States Parties</u> to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.</p>	<p>State Obligation Article 22(2)</p> <p>Other Article 44</p>
<p>Article 4</p> <p>1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the <u>States Parties</u> to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.</p> <p>2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.</p> <p>3. Any <u>State Party</u> to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was</p>	<p>NA ??</p> <p>Possible Consultation & Free, Prior, and Informed Consent (FPIC)</p>

<p>actuated. A further communication shall be made, through the same Intermediary, on the date on which it terminates such derogation.</p>	
<p>Article 5</p> <p>1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.</p> <p>2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any <u>State Party</u> to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.</p>	<p>Interpretation & Recognition, Article 42 Article 45 Article 46</p>
<p>Article 6</p> <p>1, Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>2, In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final Judgement rendered by a competent court.</p> <p>3, When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any <u>State Party</u> to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.</p> <p>4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.</p>	<p>Right to Life Article 7(1)</p> <p>Right to Exist Article 7(2)</p> <p>Genocide Article 7(2)</p>

<p>5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women,</p> <p>6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.</p>	
<p>Article 7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.</p>	<p>Right to Exist Article 7(2)</p>
<p>Article 8 1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.</p> <p>2. No one shall be held in servitude.</p> <p>3. (a) No one shall be required to perform forced or compulsory labour; (b) Paragraph 5 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court; (c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include: (i) Any work or service, not referred to in sub-paragraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention; (ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors; (iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community; (iv) Any work or service which forms part of normal civil obligations.</p>	<p>Health Article 7(2)</p> <p>Labor and Employment Article 17(1)</p> <p>Child Welfare and Education Related to Labor Article 17(2)</p>
<p>Article 9 1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</p>	<p>UNDRIP has little in the way of dealing with Civil Rights and Fundamental Freedoms related to Criminal cases.</p>

<p>2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.</p> <p>3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and should occasion arise, for execution of the judgement.</p> <p>4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.</p> <p>5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.</p>	<p>Possibly the following articles apply:</p> <p>Individuals Article 1 Article 2 Article 7(1)</p> <p>Legal System Article 40</p>
<p>Article 10</p> <p>1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.</p> <p>2. (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons; (b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.</p> <p>3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.</p>	<p>UNDRIP has little in the way of dealing with Civil Rights and Fundamental Freedoms related to Criminal cases.</p> <p>Legal System Article 40</p>
<p>Article 11 No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.</p>	
<p>Article 12</p> <p>1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.</p>	<p>Lands, Territories, and Resources Article 8(2)(b) Article 8(2)(c) Article 10</p>

<p>2. Everyone shall be free to leave any country, including his own.</p> <p>3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Covenant.</p> <p>4. No one shall be arbitrarily deprived of the right to enter his own country.</p>	<p>Article 26(1) Article 26(2)</p> <p>Forced Assimilation Article 8(1) Article 8(2)(d)</p>
<p>Article 13 An alien lawfully in the territory of a <u>State Party</u> to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.</p>	
<p>Article 14. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The Press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes of the guardianship of children.</p> <p>2, Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.</p> <p>3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:</p>	<p>This article relates to Individual's rights and Fundamental Freedom, which UNDRIP does not address in detail.</p>

- (a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
- (b) To have adequate time and facilities for the preparation of his defense and to communicate with counsel of his own choosing;
- (c) To be tried without undue delay;
- (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
- (e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;
- (g) Not to be compelled to testify against himself or to confess guilt.

4. In the case of Juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

6. When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of Justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

7. No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

<p>Article 15</p> <p>1.No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.</p> <p>2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.</p>	<p>Same as Article 14 above</p>
<p>Article 16</p> <p>Everyone shall have the right to recognition everywhere as a person before the law.</p>	<p>Same as Article 14 above</p>
<p>Article 17</p> <p>1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.</p> <p>2. Everyone has the right to the protection of the law against such interference or attacks.</p>	<p>Individual Rights in General Article 1 Article 7(1)</p>
<p>Article 18</p> <p>1.Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.</p> <p>2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.</p> <p>3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.</p> <p>4. The <u>States Parties</u> to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.</p>	<p>Culture and Language Article 3 Article 11(1) Article 11(2) Article 12(1)(2) Article 13(1)(2) Article 25 Article 31(1)(2) Article 32(3) Article 34</p>

<p>Article 19</p> <p>1. Everyone shall have the right to hold opinions without interference.</p> <p>2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p> <p>3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restriction:</p> <p>(a) For respect of the rights or reputations of others;</p> <p>(b) For the protection of national security or of public order (ordre public), or of public health or morals.</p>	<p>Media in own language Article 16(1)</p> <p>Article 5</p>
<p>Article 20</p> <p>1. Any propaganda for war shall be prohibited by law.</p> <p>2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.</p>	<p>Non-Discrimination Article 8(2)(e) Article 9 Article 15(2)</p> <p>Forced Assimilation Article 8(1) Article 8(2)(d)</p> <p>Against violence Article 22(2)</p>
<p>Article 21</p> <p>The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.</p>	<p>NA</p>
<p>Article 22</p> <p>1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.</p> <p>2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national</p>	<p>Human Rights and Fundamental Freedoms Article 1 Article 45 Article 46(2)</p>

<p>security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.</p> <p>3. Nothing in this article shall authorize <u>States Parties</u> to the International Labour Organization Convention of concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.</p>	<p>FPIC Article 19</p>
<p>Article 23</p> <p>1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.</p> <p>2. The right of men and women of marriageable age to marry and to found a family shall be recognized.</p> <p>3. No marriage shall be entered into without the free and full consent of the intending spouses.</p> <p>4. <u>States Parties</u> to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.</p>	<p>State Obligations Article 18</p> <p>Child Welfare Article 7(2)</p>
<p>Article 24.</p> <p>1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.</p>	<p>Child Welfare Article 14(2)(3) Article 17(2) Article 21(2) Article 22(1)(2) Article 6</p> <p>Health, Social Welfare & Labor Laws Article 7(1)(2) Article 17(2) Article 20(1)(2) Article 21(1)(2) Article 23 Article 24(1)(2) Article 29(3) Article 31(1)(2)</p>

<p>2. Every child shall be registered immediately after birth and shall have a name.</p> <p>3. Every child has the right to acquire a nationality.</p>	<p>Housing Article 21(1)(2) Article 23</p> <p>Nationality Article 6</p>
<p>Article 25 Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:</p> <p>(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>(c) To have access, on general terms of equality, to public service in his country.</p>	<p>Individual Rights in general Article 1</p> <p>Self-Determination Article 3 Article 5 Article 20</p> <p>Citizenship & Civil Participation Article 18 Article 33 Article 35</p> <p>Access Article 5 Article 13(2)</p> <p>FPIC Article 19</p> <p>Social Welfare Article 23 Article 24(1)</p>
<p>Article 26 All-persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national, or social origin, property, birth or other status.</p>	<p>Non-Discrimination Article 2 Article 8(2)(e) Article 9 Article 14(2) Article 15(2) Article 16(1) Article 17(3)</p>

	<p>Article 21(1) Article 22(2) Article 24(1) Article 24(2) Article 29(1) Article 44 Article 46(2) Article 46(3)</p>
<p>Article 27 In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.</p>	<p>Culture and Language Article 3 Article 5 Article 8(1) Article 8(2)(a) Article 8(2)(d) Article 11(1) Article 11(2) Article 12(1)(2) Article 13(1)(2) Article 14(1)(3) Article 15(1) Article 16(1) Article 16(2) Article 25 Article 31(1)(2) Article 32(3) Article 34 Article 36(1) Article 36(2) Article 40</p>
<p>Articles 28-53 These articles deal with procedural issues of the Covenant Committee, membership, meetings, duties, elections, opinions, staff, reports vacancies, claims that another State Party is not fulfilling its obligations under the present Covenant, etc</p>	<p>NA</p>