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Chairman: Mr. Jiří NOSEK (Czechoslovakia).

AGENDA ITEM 28

Freedom of information: report of the Economic and Social Council (A/2705, A/2686, chapter V, section VI, A/C.3/L.447, A/C.3/L.449) (*continued*)

DRAFT CONVENTION ON FREEDOM OF INFORMATION (A/C.3/L.449) (*concluded*)

Draft resolution submitted by Afghanistan (A/C.3/L.449)

1. Mr. EL-FARRA (Syria) said that he would abstain from voting on the Afghan draft resolution (A/C.3/L.449) because the right of every nation to nationalize any undertaking, irrespective of its nature or origin, was inherent and was recognized as such by international law. The principle should not be subject to discussion or analysis by any organ of the United Nations.

2. Mr. BAROODY (Saudi Arabia) observed that the principle of the sovereign right of every State to nationalize any resources or services was unexceptionable. His delegation would have no difficulty in voting for a reaffirmation of the right, but some representatives might be unwilling to support a resolution on the subject because their arrangements with private foreign enterprises might thereby be jeopardized. Other delegations might take the view that a request to the Economic and Social Council to consider the principle would weaken the right. The draft resolution as it stood might therefore not serve the cause of freedom of information. The Afghan representative might be content to accept the reaffirmation of the principle by the members of the Committee during the meeting, instead of insisting on a formal text which many representatives would find it difficult to support.

3. Mr. LEYNEN (Belgium) said that the Afghan proposal seemed to leave the door open to many interpretations. The right to nationalize any enterprise was obviously inherent; its incorporation in a resolution might be interpreted as intended to encourage national-

ization of enterprises under the auspices of the General Assembly. In view of that possibility, he would be obliged to vote against the Afghan draft resolution.

4. Mr. NUÑEZ (Costa Rica) said that, as the principle concerned was part of the social and political philosophy of Costa Rica, he would vote in favour of the principle whenever it was questioned. Nevertheless, since the Afghan draft resolution specified a single case in which the principle should be applied, he would be obliged to vote against it.

5. Mr. DE BARROS (Brazil) said that he could not support the Afghan draft resolution because the protection of the right to nationalize any enterprise fell within the national legislation of every country.

6. Mr. ROY (Haiti) pointed out a discrepancy between the last paragraph of the preamble and the operative paragraph; the former referred to "the purpose of preserving . . . full sovereignty", whereas the latter referred to "the purpose of preserving and protecting . . . national information enterprises . . ."

7. He would abstain from voting on the Afghan draft resolution as it stood.

8. Mr. ABDEL GHANI (Egypt) said that the principle of nationalization of foreign enterprises was especially interesting to his country because many foreign communities in Egypt peacefully exercised social and cultural rights. Nevertheless, the Egyptian delegation considered that the right of every nation to protect its national culture was undeniable and inherent and therefore should not be the subject of controversial debate. He appealed to the Afghan representative not to press a resolution of principle which might not be adopted unanimously and would weaken the principle by a divided vote.

9. Mr. LUCIO (Mexico) said that, if the Afghan draft resolution were put to the vote, he would be obliged to abstain, since he believed that, although it was procedural, it referred in substance to the right to expropriate, the exercise of which followed from the incontrovertible principle of the eminent domain of States and which was therefore a matter for their domestic legislation. He associated himself with the Egyptian representative's appeal.

10. Mrs. MARZUKI (Indonesia) considered that as many representatives, including the sponsor of the draft resolution, seemed to agree that the right to nationalize certain enterprises was inviolable, there was no need to reaffirm it in a resolution. She could not therefore support the draft resolution and would be glad if the Afghan representative would comply with the appeals that had been made to him to withdraw it.

11. Mr. PAZHWAK (Afghanistan) observed that the objections to his draft resolution had not related to the underlying principle and that all the representa-

tives who had spoken on it had declared their adherence to the principle. In view of the fact that the Economic and Social Council would be bound, under the draft resolution (A/C.3/L.451/Rev.1) adopted by the Committee at the 611th meeting, to discuss the draft convention in the light of the views expressed during the ninth session of the General Assembly, the importance attached to the principle would be made clear and the purposes of the Afghan draft resolution would be served better if a controversial vote were not taken.

12. He therefore withdrew his draft resolution.

AGENDA ITEM 29

Question of organizing an international professional conference to prepare the final text of an international code of ethics for the use of information personnel: report of the Secretary-General (A/2691 and Add.1 and 2)

13. Mr. DUNLOP (New Zealand), supported by Mrs. TSALDARIS (Greece), said that it did not appear to be necessary to hold a general debate on the professional conference.

14. Mr. NUÑEZ (Costa Rica) agreed. The matter was one for the professional organizations concerned to decide for themselves, and the Secretary-General's report (A/2691 and Add.1 and 2) gave a discouraging picture of their lack of interest. Even the comparatively few favourable replies received had not come from really representative organizations. It was possible, however, that some delegations might wish to propose a draft resolution suggesting that a last effort should be made by inviting those organizations which had shown interest to muster further support. If it was presented, it could be discussed and voted rapidly.

15. Mr. LOPEZ (Philippines) agreed that the matter was no longer feasible. But the General Assembly could hardly disregard the documents before it, based as they were on two Assembly resolutions (resolutions 635 (VII) and 736 B (VIII)). The least it could do would be to adopt a resolution, in which it might take note of the two previous resolutions on the subject, reaffirm its continued interest in the establishment of standards of conduct for information personnel through steps taken by the profession itself, take note of the Secretary-General's report (A/2691 and Add.1 and 2) listing the groups favouring the conference but noting also that they were not wholly representative of the profession, decide to take no further action, and request the Secretary-General to forward the draft code of ethics to the professional organizations for their information.

16. Mr. MEADE (United Kingdom) said that a code of ethics for the use of information personnel was

so delicate a matter that it could be handled only by the professional organizations themselves. To impose such a code from outside would be tantamount to censorship. The majority of the Third Committee had agreed with that view and had consequently adopted the relevant resolutions at previous sessions. The professional organizations seemed to lack interest; of more than four hundred consulted, only sixty-nine had replied, and only fifty-four of them, not representative of the profession at large, had favored the conference. The Secretary-General himself had stated (A/2691, paragraph 11) that there was no clear evidence that the preponderantly favourable professional opinion that was necessary if the conference were to achieve practical results existed at present. There would, therefore, be no purpose in pursuing the matter further at that stage; but he would not object to a proposal along the lines suggested by the Philippine representative.

17. Mr. PAZHWAK (Afghanistan) proposed that there should be no general debate on the item, delegations being free to make general remarks in commenting on any draft resolutions that might be proposed, and that draft resolutions should be submitted by 6 p.m. on Friday, 10 December 1954.

18. Mr. SAKSIN (Union of Soviet Socialist Republics) said that he would support that proposal, provided that it applied only to the item on the international professional conference.

19. Mr. PINTO (Chile) and Mr. MATTHEW (India) proposed that, as there would probably be no debate, the time limit should be set at noon on 10 December.

20. Mr. PAZHWAK (Afghanistan) accepted the amendment.

The Afghan proposal was adopted by 46 votes to none, with 1 abstention.

21. Mrs. TSALDARIS (Greece) proposed that a time limit should be set for the submission of draft resolutions on the two remaining agenda items so as to leave delegations time to submit amendments.

22. Mr. BAROODY (Saudi Arabia) pointed out that draft resolutions were usually submitted by the countries that had asked for the inclusion of the items to which they related in the agenda, and other delegations could not decide whether to submit other proposals until they had studied those draft resolutions. To set a time limit for the submission of draft resolutions at that point might prevent delegations from making further proposals or amendments.

23. The CHAIRMAN suggested that the question should be considered when it arose.

It was so agreed.

The meeting rose at 4.35 p.m.