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**GENERAL  
ASSEMBLY**

**EIGHTH SESSION**  
**Official Records**



**THIRD COMMITTEE, 512th  
MEETING**

**Wednesday, 4 November 1953,  
at 10.50 a.m.**

**New York**

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**Chairman: Mr. G. F. DAVIDSON (Canada).**

**Report of the Economic and Social Council (chapters IV and V) (A/2430, E/2447, A/C.3/L.364 and Add.1, A/C.3/L.366, A/C.3/L.367 and Add.1, A/C.3/L.368, A/C.3/L.369, A/C.3/L.371, A/C.3/L.372, A/C.3/L.373, A/C.3/L.374, A/C.3/L.375) (*continued*)**

[Item 12]\*

**RECOGNITION AND ENFORCEMENT ABROAD OF MAINTENANCE OBLIGATIONS (*concluded*)**

**DRAFT RESOLUTION SUBMITTED BY BRAZIL, DENMARK, GREECE, NETHERLANDS, NORWAY AND SWEDEN (A/C.3/L.373) (*concluded*)**

1. Mrs. DE VINK (Netherlands) said that no further time should be lost in solving the problem of enforcing maintenance obligations abroad. Undoubtedly the Economic and Social Council would have many important items on its agenda, but that particular item would probably not require much time as a great deal of work had already been done on it by highly qualified experts. The need for action was urgent.
2. Mrs. LORD (United States of America) said that she would support the joint draft resolution (A/C.3/L.373) since it left it to the Council to decide the best way of solving the problem and was, in fact, purely procedural.
3. Mrs. MARZUKI (Indonesia) supported the joint draft resolution, while reserving her delegation's position on the substance of the question.
4. Miss BERNARDINO (Dominican Republic) and Mr. TUNCEL (Turkey) also supported the joint draft resolution.
5. Mrs. PINTO DE VIDAL (Uruguay) said that a review of her country's legislation and the arguments adduced in the Committee had convinced her that she should vote for the joint draft resolution.
6. Mr. REYES (Philippines) favoured the joint draft resolution in principle but wondered whether it would be wise to set the Council an arbitrary time-limit, in view of the heavy agenda of its seventeenth session. The sponsors might perhaps retain the idea of requesting it to do its utmost to complete its work as speedily as possible but refrain from stipulating a time-limit.

7. Mrs. AFNAN (Iraq) observed that all agreed that the principle in the joint draft resolution was commendable. It did not, however, warrant such high priority as the sponsors wished to give it. It was of course an urgent matter, but all economic and social problems were urgent, and it behoved the Committee to exercise some discrimination. For that reason she could not vote for the draft resolution.

8. Mr. HAMBRO (Norway) said that the solution was urgently needed. The problem might not involve millions but it did affect the welfare of large numbers. In view of the facts that vast numbers were not concerned and that the ways and means of securing the solution had been agreed on, relatively fast action might be expected. He agreed with the Saudi Arabian representative that some complex problems were involved, but the substance was not under discussion. The draft conventions had been prepared; the sponsors were merely attempting to make certain that they would be discussed at the General Assembly's ninth session. No struggle for priorities was involved. It was surely not too much to ask that work which had gone on for more than twenty-five years should finally be completed.

9. He could not accept the amendment suggested by the Afghan representative, although he sympathized with his concern for the Council's agenda.

10. Mr. MUFTI (Syria) said that, although the joint draft resolution was eminently humanitarian in intention, he could not support it as it stood. Further consideration should have been given to the argument that more important items warranted higher priority on the Council's agenda.

11. He therefore proposed that the operative part should be deleted and the following wording substituted for it:

*"Requests the Economic and Social Council to complete its work on this question as soon as possible".*

12. Mr. BAROODY (Saudi Arabia) supported the Syrian amendment. The urgent recommendation remained, but the Committee would not be dictating priorities to the Council. The amendment left the Council some leeway; if it could find time to complete the work, it would do so.

13. The Committee should work out criteria on priorities for the Council's guidance. The Council seemed to be very erratic sometimes in choosing what items it would consider. If the draft resolution was transmitted to the Council unamended that item might well be given precedence over much more important items, or else much time might be wasted in procedural discussion. The Syrian amendment would make the Council's work easier; it was simple and reasonable. If it was not accepted he would ask for the draft resolutions dealing with the other subjects to be amended in such a way that they too would be given priority.

\* Indicates the item number on the agenda of the General Assembly.

14. Miss JOHNSEN (Denmark) urged the Committee to adopt the joint draft resolution without amendment.

15. Mr. DUNLOP (New Zealand) said that he was fully aware of the legal and other difficulties that might arise. He agreed that the Third Committee sometimes failed to pay sufficient attention to priorities, but work on the draft conventions might be expected to have immediate practical results, at any rate in the form of regional or bilateral agreements. The joint draft resolution did not ask for priority but left it to the Council's discretion. The sponsors were, indeed, to be congratulated on their restraint in refraining from asking for absolute priority.

16. Mrs. AFNAN (Iraq) supported the Syrian amendment although she felt that the whole matter would be handled better on a bilateral or regional basis.

17. Mr. P. CHENG (China) said that the problem was generally recognized to be very complex; the Council might not be able to complete the work in time for the ninth session of the General Assembly. Many delegations, however, considered that it should be completed with all dispatch, while others feared that items to which they attached more importance might be crowded off the Council's agenda.

18. The joint draft resolution would gain in flexibility if the words "if possible" were inserted after the word "complete" in the operative paragraph.

19. Mrs. HARMAN (Israel) said she would have preferred the original text but was ready to accept the Chinese amendment. The Committee had been informed that the experts had already prepared an excellent report and the matter had been thoroughly studied. If rapid action was possible to relieve suffering in a relatively uncomplicated matter with no political implications, postponement would not be justified.

20. Mr. MUFTI (Syria) said that he would withdraw his amendment if the sponsors of the draft resolution accepted the Chinese amendment.

21. Mr. HAUCK (France) urged the Committee to agree on a text which could command unanimous support. He was glad to hear that the Syrian amendment might be withdrawn and asked the sponsors of the joint draft resolution to accept the Chinese amendment. It would not weaken the text, it gave the Council rather more latitude and it would provide wording on which all could agree.

22. Miss JOHNSEN (Denmark) said that she needed time to consult the other sponsors about the Chinese amendment.

23. Mr. P. CHENG (China) moved the suspension of the meeting for that purpose.

*The meeting was suspended at 11.40 a.m. and was resumed at 11.45 a.m.*

24. Miss JOHNSEN (Denmark) stated that the sponsors of the draft resolution had agreed to accept the Chinese amendment.

25. The CHAIRMAN announced that, in view of the acceptance of that amendment by the sponsors of the draft resolution, the Syrian amendment had been withdrawn.

26. Mr. PAZHWAK (Afghanistan) said that the sponsors' action would enable him to vote for the draft resolution; he would, however, reserve his position on the substance of the question.

27. Mrs. AFNAN (Iraq) said, in explanation of her vote, that she would abstain because she considered that better results could be achieved by bilateral or regional action than by the United Nations.

28. The CHAIRMAN put the joint draft resolution (A/C.3/L.373), as amended, to the vote.

*The draft resolution, as amended, was adopted by 43 votes to none, with 6 abstentions.*

#### FREEDOM OF INFORMATION

29. The CHAIRMAN asked the Committee to take action on the two draft resolutions on freedom of information (A/C.3/L.364 and Add.1 and A/C.3/L.375).

DRAFT RESOLUTION SUBMITTED BY CHILE, FRANCE, MEXICO, NETHERLANDS, PAKISTAN, UNITED KINGDOM, UNITED STATES AND URUGUAY (A/C.3/L.364 and Add.1)

30. The CHAIRMAN opened the discussion on the draft resolution submitted by Chile, France, Mexico, the Netherlands, Pakistan, the United Kingdom, the United States and Uruguay (A/C.3/L.364 and Add.1).

31. Mr. PAZHWAK (Afghanistan), introducing a series of amendments (A/C.3/L.377) to the draft resolution (A/C.3/L.364 and Add.1), pointed out that General Assembly resolutions 631 (VII) and 633 (VII) had not yet been considered by the Economic and Social Council. Therefore the Committee should not adopt any draft resolution on freedom of information which was less expressive than either of those General Assembly resolutions; to do so would merely weaken the influence of the Assembly resolutions on the Council.

32. The draft resolution (A/C.3/L.364 and Add.1) could have either or both of two functions: to reaffirm the two previous resolutions or to introduce new provisions. The only new element it contained was the expression of regret in the second paragraph of the preamble, and the reference there to the Rapporteur's report on freedom of information (E/2426) was less expressive than that in General Assembly resolution 631 (VII). Reaffirmation could take the form either of a complete textual reiteration or of a simple numerical reference to the measures concerned; but the draft resolution followed neither course. The first paragraph merely recalled the two resolutions, instead of reaffirming them, and singled out for reiteration only two of the important provisions they contained.

33. One of the two provisions quoted was the last paragraph of resolution 631 (VII); the rest of the contents of that resolution, notably the first and third paragraphs of the preamble and paragraph 2 of the operative part, were not specifically mentioned. Moreover, the previous records of the Third Committee, mentioned in paragraph 1 of the operative part of resolution 631 (VII) as a subject for consideration by the Council, were overshadowed by the exclusive reference, in paragraph 2 of the draft resolution, to the views expressed at the eighth session of the General Assembly.

34. The only specific reference to resolution 633 (VII) in the first paragraph of the preamble to the draft resolution was that relating to the Council's recommendations concerning the developing of information facilities in under-developed regions of the world. The Council could scarcely fail to infer that the General Assembly was no longer interested in the provisions

of its resolution 633 (VII) in their entirety; even paragraph 4 of the operative part of that resolution, dealing with the implementation of the right of freedom of information, was not mentioned.

35. The purpose of his amendments was to strengthen the draft resolution by remedying the deficiencies to which he had referred and to add a paragraph on the question of false or distorted information. He asked the sponsors of the draft resolution to accept the amendments, and the Committee to consider them in the light of its discussions at the seventh session of the General Assembly and its future concern with freedom of information and of the Press.

36. He reserved the right to speak later on the Turkish amendments (A/C.3/L.365) to the draft resolution under discussion (A/C.3/L.364 and Add.1) and on the other draft resolution (A/C.3/L.375).

37. Mrs. LORD (United States of America) expressed her delegation's appreciation of the Rapporteur's report on freedom of information (E/2426) and its regret that the Economic and Social Council had not been able to discuss the report at its sixteenth session. It was also unfortunate that the Secretary-General's report on the development of information facilities had not been completed in time.

38. It was well known that freedom of the Press, speech and assembly was enshrined in the Constitution of the United States of America and informed an integral part of American life. Any complacency to which that situation might give rise was, however, dispelled by daily reminders from many parts of the world that freedoms could never be taken for granted. Only recently the editor of a newspaper in one country had been arrested for writing an article criticising the head of the State and in another country the government had confiscated a newspaper for expressing views distasteful to those in power. It was clear that large parts of the world had no free Press.

39. Commenting on the Saudi Arabian representative's reference at a previous (506th) meeting to an article containing adverse remarks about the Arabs in the *New York World-Telegram and Sun*, she recalled that, as the Saudi Arabian representative had acknowledged, the United States Government had no responsibility in the matter and was anxious to maintain friendly relations with the Arab States. The article concerned was not a news dispatch but a commentary. American newspapers regularly published such articles expressing individual views and representing a wide range of responsible and irresponsible journalism. One of the facts that had to be accepted with regard to a free Press was the existence of freedom to express differing views. The public was thus given an opportunity to form independent judgments. A system which allowed for some irresponsible newspapers and commentators was much better than government censorship and control of information media. Although the ill will and tension occasionally created by articles in the United States Press were regrettable, her delegation would oppose any restriction of the freedom of that Press and any international convention contributing towards such restriction.

40. The United States delegation would make some detailed recommendations on the Rapporteur's report in the Economic and Social Council. For example, the

suggestion in the report that the United States should make an annual survey of the general status of freedom of information, in order that restrictions and abuses might be brought to light, was in line with the views expressed by the United States delegation in the Council. That recommendation could be broadened to include many other aspects of the problem. The Rapporteur's suggestion that his work should be continued for another year was also wise. The question of freedom of information should be kept under constant study and review.

41. Her delegation had been one of the sponsors of the draft resolution (A/C.3/L.364 and Add.1) because it was anxious that the Council should give urgent priority to the question at its next session and that the Secretary-General should complete the study of concrete action for developing information media in under-developed regions of the world.

42. Mrs. PINTO DE VIDAL (Uruguay) regretted that the Council had not studied the Rapporteur's report. The purpose of discussions of the question was to obtain complete international guarantees of freedom of information and communication. National guarantees were becoming inadequate in an increasingly interdependent world.

43. It should be recognized that an effective system of guarantees could not be achieved overnight. Much remained to be done, but her delegation was confident that the difficulties would gradually disappear and that effective instruments would ultimately be prepared. It had therefore joined in sponsoring the draft resolution (A/C.3/L.364 and Add.1) and hoped that the Council at its seventeenth session would agree on some new and practical measures to solve that urgent problem.

44. Mr. JOUBLANC RIVAS (Mexico) said that his delegation had joined the sponsors of the draft resolution (A/C.3/L.364 and Add.1) because Mexico had recently achieved freedom of information after a long struggle and therefore understood the need for effective and universal application of the principle. It was vitally important for the Economic and Social Council to give special priority to the study of the whole problem, including the Rapporteur's report, which contained many noteworthy suggestions and recommendations.

45. He was therefore opposed to the deletion of paragraph 1 of the operative part of the joint draft resolution, as was proposed in the Turkish amendment (A/C.3/L.365, point 2), since the need for priority was stressed in that paragraph.

46. Mr. TUNCEL (Turkey) introduced his amendments (A/C.3/L.365) to the joint draft resolution (A/C.3/L.364 and Add.1).

47. The first amendment was self-explanatory.

48. The purpose of the second amendment, proposing the deletion of paragraph 1 of the operative part, was to eliminate a redundant emphasis on priority. The Council had not postponed the question indefinitely, but had decided to deal with it at its seventeenth session. Moreover, the President of the Council had made a statement<sup>1</sup> on the financial implications of the Rapporteur's attendance at the relevant meetings of the Council's seventeenth session, and it had been decided that an appropriate heading should be included in the financial implications of the Council's decisions.

<sup>1</sup> See *Official Records of the Economic and Social Council, Sixteenth Session, 718th meeting.*

49. The third Turkish amendment specified that the Council would discuss freedom of information at its seventeenth session.

50. Mr. BAROODY (Saudi Arabia) stated, in reply to the United States representative, that he had cited the article concerned as a flagrant example of the type of journalism which created ill will and tension among peoples. It was impossible to differentiate between factual news and notional views. Freedom of information, like all other freedoms, entailed responsibilities, obligations and duties. Without that complementary aspect, freedom became licence and was open to abuse. It was well known that the Press in some advanced countries was a powerful weapon of party politics and that political circles therefore ingratiated themselves with editors and publishers. The deterioration of standards made the need for action urgent. The evil effects of "freedom of misinformation" should not be discounted. In the article which he had cited a commentator had taken it upon himself to slander millions of people. Prevention of that kind of journalism should not be regarded as a restriction of freedom, but as the observance of certain ethical standards.

Article 2 of the draft convention on freedom of information<sup>2</sup> should be interpreted as a statement of duties and obligations and not as a limitation. Government action was rightly taken in the case of obscene publications and some provision should be made for similar action in the case of harmful propaganda. The wide extension of literacy throughout the world and the newly found respect of the masses for the printed word made it increasingly important to weigh public utterances more carefully.

51. In order to reach understanding and maintain friendly relations, it was essential to harmonize national interests and to meet the views of other countries as far as possible. The best method of achieving harmony was to continue the work which had been begun on the draft convention.

The meeting rose at 1.5 p.m.

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<sup>2</sup> See *Official Records of the General Assembly, Seventh Session, Annexes*, agenda item 29, document A/AC.42/7 and Corr.1, annex.