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COMMISSION ON HUMAN RIGHTS
SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS
Fourth Session
SUMMARY RECORD OF THE SEVENTY-THIRD MEETING

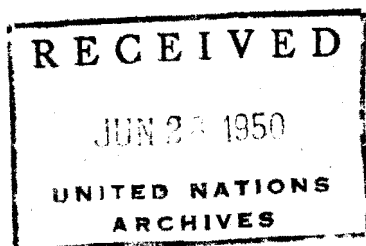
Held at Hotel Parque, Montevideo,
on Wednesday, 17 May 1950, at 3 p.m.

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(continued)



/Chairman:

Chairman: Mr. FONTAINA (Uruguay)

Rapporteur: Mr. JORDAN (United Kingdom of Great Britain and Northern Ireland)

Members:

Mr. AQUINO	(Philippines)
Mr. AZKOUL	(Lebanon)
Mr. AZMI	(Egypt)
Mr. BINDER	(United States of America)
Mr. P.H. CHANG	(China)
Mr. DEDIJTER	(Yugoslavia)
Mr. GANDHI	(India)
Mr. GERAUD	(France)
Mr. SILVA CARVALLO	(Chile)

Representative of a specialized agency:

Mr. FARR	United Nations Educational, Scientific and Cultural Organization (UNESCO)
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Representatives of a non-governmental organization:

<u>Category A:</u>	Miss CASTRO)	World Federation of
	Miss LAGUIA)	United Nations Associations
		(WFUNA)

<u>Category B:</u>	Mr. GALLIARDO	Commission of the Churches on International Affairs
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<u>Secretariat:</u>	Mr. HUMPHREY	Representative of the Secretary-General
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	Mr. HOGAN	Secretary of the Sub-Commission
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THE ADEQUACY OF THE NEWS AVAILABLE TO THE PEOPLES OF THE
WORLD AND THE OBSTACLES TO THE FREE FLOW OF INFORMATION TO
THEM (E/CN.4/Sub.1/106, E/CN.4/Sub.1/114, E/CN.4/Sub.1/116/Rev.1,
E/CONF.6/10) (continued)

Revised draft resolution concerning the limitation of freedom
of information in a state of emergency (E/CN.4/Sub.1/116)

The CHAIRMAN opened discussion on Mr. Azkoul's
draft resolution, as revised since the previous meeting by
Mr. Azkoul, Mr. Gandhi and Mr. Jordan (E/CN.4/Sub.1/116/Rev.1)

Mr. AZKOUL said that the second paragraph of the
preamble of the revised draft resolution embodied Mr. Gandhi's
idea and the operative part incorporated Mr. Jordan's suggestion.
He explained that the words "have been placed" should be
substituted for the words "are likely to be placed and in
fact been placed" in the second paragraph of the preamble.

Mr. Azkoul's revised draft resolution, thus amended, was
adopted by 10 votes to none, with one abstention.

Draft of an international code of ethics (E/CN.4/Sub.1/114)
(continued)

The CHAIRMAN reopened discussion on the draft of
an international code of ethics (E/CN.4/Sub.1/114).

Mr. CHANG said that he had studied the document distributed by the Secretariat dealing with codes of honour adopted in the past (E/CONF.6/10). He emphasized the importance of the provision in paragraph 4 of the principles adopted by the Congress of the International Union of Press Associations at Prague in 1936.

He thought that the Sub-Commission should lay due stress, in any code it adopted on the need for journalists to give full weight to the background of the events they reported. A large proportion of the mistakes, misunderstandings and fallacious ideas for which the press was responsible arose, in part, from the failure of journalists to do that. If they were ignorant of the historical background of the men and events about which they were writing, their comments could only be superficial and their accuracy and impartiality could not be relied on. But the whole purpose of the code was to ensure accuracy and objectivity.

He therefore proposed the addition of the words "and to endeavour to seek the necessary background conducive to proper perspective from which to make reports or comments" after the words "to have regard for professional dignity, responsibility and discretion".

/Mr. Chang

Mr. Chang thought that the Sub-Commission should take all points of view into account, however much they might differ, if the code it adopted was to be universally applicable.

Mr. AQUINO found Mr. Chang's idea very interesting. He asked him to give an example of ~~that~~ disadvantages would be likely to result from the failure to respect the principle which he proposed to include in the code.

Mr. CHANG said that in the case of China, for example, foreign journalists were mainly responsible for the impression that the situation now existing in China was the result of the incompetence and corruption of the Nationalist Government, and that the communist rebels were not communists, but agrarian reformers. Mr. Chang did not think that foreign journalists had deliberately given that false impression; their mistake had arisen from lack of information and their failure to understand that poverty had always existed in China. The Japanese aggression and the intervention of the USSR, and not the measures taken by the Government, had been responsible for the inflation.

Mr. BINDER thought it was only fair to point out that Mr. Chang's remarks regarding some of the foreign journalists in China were somewhat unjust.

/They had

They had not all lacked judgment and shown themselves to be incompetent; many of them, well-acquainted for years with that part of the world, undoubtedly fulfilled the requirements stipulated by Mr. Chang to the fullest degree.

Mr. AQUINO held the view that the text suggested by Mr. Chang would be out of place in the code which the Sub-Commission wished to draft. It was clearly in the interest of every journalist constantly to increase the knowledge essential to him in the exercise of his profession; on the other hand, editors of the newspapers, periodicals and magazines could be relied upon to demand a constant effort to improve the professional quality of the staff for which they were responsible. But that had nothing to do with professional honour.

Another defect of the text submitted by Mr. Chang was that it might give rise to very different interpretations. Accordingly, if it were adopted, it might set off futile and damaging controversies.

Finally, it must be recognized that unfortunately, the general policy of a newspaper could not fail to influence the way journalists slanted their comments. The only rule on which newspapers representing all tendencies could agree was that news should be presented with the

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Finally, it must be recognized that unfortunately, the general policy of a newspaper could not fail to influence the way journalists slanted their comments. The only rule on which newspapers representing all tendencies could agree was that news should be presented with the

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greatest possible objectivity. But as soon as an opinion was expressed, it was open to contradiction; for that was the very nature of journalism.

In the circumstances, Mr. Aquino asked the members of the Sub-Commission to make a distinction between the factors relating to preparatory training for the profession of journalist and those connected with the practice of the profession. They could not escape the fact that journalists held varying opinions and had different outlooks.

Mr. CHANG had not meant that all the foreign journalists in China had committed the errors to which he had alluded. Moreover, those who had been mistaken in their interpretation of events had acted out of ignorance, and not out of malice. For that reason, a code designed to promote objectivity and accuracy should include the principle which Mr. Chang wished to introduce.

Mr. BINDER noted that no code could guard against the fallibility of journalists and nothing could prevent them from making erroneous predictions or misinterpreting events.

Mr. CHANG thought nonetheless that journalists would commit fewer errors if they had a more thorough knowledge of historical and other background.

/Mr. AZKOUL

Mr. AZKOUL thought that the Sub-Commission should be able to reach agreement on the question as a whole. The General Assembly had made a recommendation, which had been reproduced in the preamble of the draft code, to the effect that the journalist should "report facts without prejudice and in their proper context and . . . make comment without malicious intent". Nobody disputed the fact that knowledge of the background of an event made it possible to understand and interpret it more accurately. To that extent, Mr. Chang's proposal could not be discarded.

On the other hand, it was difficult to translate into practical terms exactly what was meant by the period of apprenticeship of a journalist. Mr. Aquino made a very clear distinction between the period before a journalist entered the profession and the period during which he actually practised journalism. Mr. Azkoul was not wholly in agreement with that view. If it were understood that the profession conferred obligations as well as privileges, any conscientious person desiring to enter it should be careful to acquire the necessary ability and be in a position to assume those responsibilities.

/He should

He should learn foreign languages, study history, geography, ethnology, and the general culture of the areas in which he might have to work. Moreover, before accepting any specific assignment, he should study the particular questions involved.

Mr. Azkoul reserved the right to give more careful study to the proposed text so as to reach a more concrete opinion based on a fuller knowledge of the facts. Nonetheless, Mr. Chang's proposal did not warrant the opposition it had encountered.

Mr. JORDAN observed that for a journalist sent on a foreign assignment to possess the knowledge Mr. Azkoul would require of him, he would have to be virtually omniscient and it was difficult to see how he would find time for such studies. Furthermore, it was not easy to define "objective documentation". Mr. Jordan noted that the capacity of the human mind to absorb facts was limited and it could only be hoped that full account would be taken of the relative ability and honesty of each journalist when assignments were being made.

/Mr. AZMI

Mr. AZMI thought that the point raised by Mr. Chang was related to professional training rather than to professional ethics. Obviously, the editor of a newspaper would select a journalist for a particular assignment on the basis of his training and special ability, because the quality of his articles and, consequently, the reputation of the newspaper would depend on those factors. For that reason, Mr. Azmi thought Mr. Chang might well re-examine his proposal.

Mr CHANG could not accept the arguments put forward by Mr. Jordan and Mr. Azmi. He pointed out that his proposal was based on one of the principles recognized by the Congress of the International Union of Press Associations held at Prague in 1936 (E/CONF.6/10, page 6, paragraph 4). He added that his proposal did not impose an obligation; it merely made a recommendation.

Mr. AZKOUL said that the purpose of a code of ethics was to encourage journalists to work toward an ideal. Thus, it was certainly desirable to state that ideal clearly. Mr. Chang's proposal would do that, in some measure, and should not be construed as implying an obligation.

Mr. DEDIJER thought that the Sub-Commission should proceed with its work of drafting a professional code of ethics. It should not, however, lose sight of realities. Every person was inevitably influenced by his education and his environment. Those influences were bound to affect the manner in which a journalist understood the workings of a particular society or interpreted events.

If agreement could be reached on that first point, it might be easier to formulate the few elementary principles generally recognized as likely to improve the quality of the information made available to the public. For example, incitement to war, to the enslavement of small countries and to the dissemination of false news could be condemned whole heartedly. That should be the true purpose of a code of ethics; only then would it be likely to meet with general approval.

Mr. GANDHI agreed with the general idea in Mr. Chang's suggestion, but thought that its inclusion in a code of ethics would complicate matters. It would be more appropriate in a manual of instructions for journalists. A code of ethics should be a statement of simple principles, restricted to those that could be adopted unanimously and therefore be applied universally.

/Mr. GERAUD

Mr. GERAUD agreed with Mr. Azmi that professional training was one thing and a code of professional ethics another. Some general prerequisites for the profession of journalism could^{obviously} be laid down, such as a broad background of historical knowledge. But sound judgment came first, and that did not always correspond to the level of education. The journalist must also be intuitive, as he worked on events in the making and must sense or foresee the course of their development.

Some of the principles set out in the preamble to the draft code (E/CN.4/Sub.1/114) were open to objection; in particular the statement that the journalist should report facts without prejudice. Sometimes, however, a journalist must be prejudiced to some extent at least provisionally so that his thinking would follow a line enabling him to adopt a working hypothesis -- an essential factor in understanding the meaning or scope of an event.

Mr. CHANG very much regretted the fact that his proposal was encountering so much opposition from the members of the Sub-Commission. He adduced examples in an effort to show that honesty and impartiality were not always sufficient to ensure

/the presentation

the presentation of accurate information. Ignorance of certain circumstances or special conditions might be responsible for the omission of certain aspects to the point where the news item became false or distorted.

Mr. BINDER thought that the example cited by Mr. Chang showed that what was regrettable was the event itself, not the fact that it had been reported. During the course of his career as a journalist, he had noticed that editors always tried to select correspondents for assignment to a particular area on the basis of their special knowledge. He felt that the Sub-Commission should not hold up as an example in the first instance a standard of perfection which had never yet been attained.

Mr. JORDAN reminded Mr. Chang that news despatches of dubious accuracy were not necessarily the result of the journalist's lack of adequate knowledge.

The CHAIRMAN noted that the discussion had brought out some interesting ideas, although they had sometimes been based on too specific examples -- a fact which detracted from their value. Some of them, nevertheless, would be more appropriately included in a manual of instructions for journalists.

Care must be taken to see that the code of ethics was confined to the statement of general principles.

Mr. Géraud's remarks led to the conclusion that there was need for a precise definition of what was meant by "news" and "comment". It appeared that the Sub-Commission had hitherto been somewhat confused on that point.

The meeting rose at 5.30 p.m.
