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COMMISSION ON HUMAN RIGHTS  
SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Fifth Session

SUMMARY RECORD OF THE ONE HUNDRED AND SEVENTH MEETING

Held at Headquarters, New York,  
on Tuesday, 18 March 1952, at 3.20 p.m.

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<u>Chairman:</u>	AZMI Bey	(Egypt)
<u>Rapporteur:</u>	Mr. AZKOUL	(Lebanon)
<u>Members:</u>	Mr. BINDER	(United States of America)
	Mr. P. H. CHANG	(China)
	Mr. GERAUD	(France)
	Mr. LOPEZ	(Philippines)

Members (continued):

Mr. MOULIK	(India)
Mr. PLEIC	(Yugoslavia)
Mr. WAITHEMAN	(United Kingdom of Great Britain and Northern Ireland)
Mr. ZONOV	(Union of Soviet Socialist Republics)

Representative of a specialized agency:

Mr. CARNES	United Nations Educational, Scientific and Cultural Organization (UNESCO)
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Representatives of non-governmental organizations:

Category A:	Miss KAHN	World Federation of Trade Unions (WFTU)
Category B:	Mr. BEER	International League for the Rights of Man

Secretariat:

Mr. EEK	Secretary of the Sub-Commission
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SUGGESTIONS CONCERNING THE FUTURE WORK OF THE UNITED NATIONS IN THE FIELD OF FREEDOM OF INFORMATION (ECONOMIC AND SOCIAL COUNCIL RESOLUTION 414 B III (XIII)); E/CN.4/Sub.1/164, E/CN.4/Sub.1/167, E/CN.4/Sub.1/168, E/CN.4/Sub.1/172, E/CN.4/Sub.1/173, E/CN.4/Sub.1/174, E/CN.4/Sub.1/L.12, E/CN.4/Sub.1/L.14, E/CN.4/Sub.1/L.15) (continued)

Mr. WAITHEMAN acknowledged the merit of the suggestion made by the Chairman at the morning meeting. It would, he said, be an excellent idea to embody in the report to the Economic and Social Council all the draft resolutions and other proposals before the Sub-Commission concerning the future work of the United Nations in the field of freedom of information. The Sub-Commission should, however, not confine itself to that procedure: the Rapporteur's work of explanation and synthesis should enable it to adopt one or two recommendations to the Council.

Mr. LOPEZ wondered whether it was really necessary to ask the Rapporteur to do that preliminary work, which would in no case assist members of the Sub-Commission in voting. He therefore suggested a separate vote on

/each

each proposal and, if necessary, on each amendment submitted to the meeting. The proposals would be put to the vote in the order in which they were made. Moreover, there was nothing to prevent the Sub-Commission, in its report to the Economic and Social Council, from giving the texts of resolutions it had not adopted, indicating the results of the various votes, and summarizing the arguments put forward in debate.

Mr. WAITEMAN feared that the procedure suggested by Mr. Lopez might lead the Sub-Commission to vote successively for the establishment of several organs. On the contrary, if the Rapporteur had done the preliminary work of combining the various proposals, it might perhaps manage to agree on the establishment of a single commission.

Mr. AZKOUL pointed out that Mr. Waithman's suggestion had undeniable advantages. The Sub-Commission had first to decide whether the proposed commission should be permanent or temporary. If the Sub-Commission decided to set up a permanent commission -- for example by adopting the draft resolution recommending continuation of the existing Sub-Commission (E/CN.4/Sub.1/173) -- it would be important to know whether Mr. Pleic and Mr. Waithman were prepared to instruct that permanent body to deal with matters which they would like to entrust to temporary commissions. If, on the other hand, the Sub-Commission should decide not to set up a permanent commission, it could proceed to vote on the proposals of Mr. Pleic and Mr. Waithman. In any case, whatever decision were taken, Mr. Binder's proposal (E/CN.4/Sub.1/167) calling for, among other things, a survey on freedom of information would have to be put to the vote. That procedure, which required preliminary combination of the various proposals, would enable the Sub-Commission to avoid creating several organs.

Mr. PLEIC thought that in any case the Council would make its own decision and would not consider the Sub-Commission's votes decisive. In the circumstances it mattered little whether the Sub-Commission merely transmitted the list of proposals before it or made one or two formal recommendations. The first solution was therefore better. The Economic, Employment and Development Commission, at its last session, had likewise decided to transmit to the Council all the proposals before it without taking any formal decision. A precedent therefore existed.

/Mr. MOULIK

Mr. MOULIK pointed out that the logical conclusion from Mr. Pleic's argument was that the Economic and Social Council made its decisions regardless of the recommendations of its subsidiary organs. If that were so, there would be no need to invite suggestions from them. The Sub-Commission should ask the Rapporteur to condense and clarify the proposals before it, deleting redundant texts. If that work of simplification proved difficult, the Sub-Commission should proceed to vote on each of the draft resolutions.

Mr. WAITHMAN stressed the value of grouping the various draft resolutions according to their purpose. As Mr. Azkoul had remarked, the main issue was undoubtedly whether to recommend the establishment of a permanent or a temporary organ. He himself would favour a temporary organ as he suggested in his draft resolution (E/CN.4/Sub.1/168). For greater clarity he would add the words "within one year" after the words "Economic and Social Council" in the third paragraph of his draft.

The CHAIRMAN welcomed the suggestion to group the various draft resolutions before the Sub-Commission according to their respective purposes. The Sub-Commission would thus be enabled to vote on specific questions in a logical order. He hoped, however, that the Rapporteur would not merely classify draft resolutions according to their general ideas but also make a complete list of the main proposals contained in each, so that the Sub-Commission might decide on those proposals as a whole. He would like the list to include his own proposal urging UNESCO to expedite the establishment on a universal basis of the International Institute of Press and Information (E/CN.4/Sub.1/172).

In reply to Mr. WAITHMAN, the CHAIRMAN said that the members of the Sub-Commission would have full opportunity to exchange their views before voting on the texts grouped by the Rapporteur.

Mr. LOPEZ asked the Rapporteur whether the Sub-Commission would vote on principles or on specific texts.

/Mr. AZKOUL

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Mr. AZKOUL replied that for the most part it would vote on specific texts grouped according to their purpose. That would not prevent a member of the Sub-Commission who had voted for the adoption of a given text from supporting another which he considered to be complementary to it. For example, if the joint draft resolution calling for the establishment of a permanent organ, submitted by Mr. Lopez, Mr. Moulik and himself were adopted, the Sub-Commission could also, if it saw fit, adopt Mr. Waithman's proposal to set up a temporary organ. That would mean that it favoured the establishment of two organs, one permanent and the other temporary.

Mr. BINDER asked the Chairman if, after discussing whether to set up a permanent or a temporary organ, the Sub-Commission would then go on to consider what specific recommendations should be submitted to the Council.

The CHAIRMAN answered that it would. He asked the Rapporteur how long he would need to prepare his draft.

Mr. AZKOUL replied that he thought he could have the document ready for the meeting next morning.

The meeting rose at 4 p.m.