

United Nations

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**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
ET SOCIAL**

UNRESTRICTED

E/CN.4/Sub.1/SR 50
3 June 1949

ORIGINAL: ENGLISH

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Third Session

SUMMARY RECORD OF THE FIFTIETH MEETING

Held at Lake Success, New York,
on Thursday, 2 June 1949, at 10.45 a.m.

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<u>Chairman:</u>	Mr. LOPEZ	Philippines
<u>Members:</u>	Mr. AZKOUL	Lebanon
	Mr. AZMI	Egypt
	Mr. BINDER	United States of America
	Mr. CHANG	China
	Mr. DEDIJER	Yugoslavia
	Mr. FONTAINA	Uruguay
	Mr. GANDHI	India
	Mr. GERAUD	France
	Mr. SILVA CARVALLO	Chile
	Mr. WILLIAMS	United Kingdom
	Mr. ZONOV	Union of Soviet Socialist Republics

Representative of Specialized Agency:

Mr. FARR UNESCO

Secretariat: Mrs. MYRDAL Acting Assistant Secretary-General
in charge of Social Affairs

Mr. HOGAN Secretary of the Sub-Commission

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ADOPTION OF THE PROVISIONAL AGENDA (E/CN.4/Sub.1/68, E/CN.4/Sub.1/68 Rev.1, E/CN.4/Sub.1/69, E/CN.4/Sub.1/73, E/CN.4/Sub.1/74, E/CN.4/Sub.1/75, E/CN.4/Sub.1/76 (discussion continued):

The CHAIRMAN referred members to the suggestions made by Mr. Binder (E/CN.4/Sub.1/73), Mr. Geraud (E/CN.4/Sub.1/74) and Mr. Azmi (E/CN.4/Sub.1/75). He proposed that the Sub-Commission should examine the first part of Mr. Azmi's suggestions -- methods of work -- together with the corresponding parts of the other two proposals. The general discussion on the agenda, however, was not yet closed and any member wishing to make a statement on the subject was at liberty to do so.

Mr. ZONOV said that if the Secretary-General's note on the agenda and programme of work of the Sub-Commission were adopted, the latter's time would be almost exclusively taken up by the consideration of technical questions, such as the establishment of procedure for handling communications and the movements of foreign correspondents in the country of their residence, or of problems such as the drafting of an international code of honour.

The agenda and programme of work prepared by the Secretariat reflected the situation which had prevailed during the discussions in the Third Committee of the General Assembly. Indeed, questions which were of paramount importance had been relegated to the background. Adoption of the suggestions made by Mr. Binder and Mr. Geraud would only worsen that unsatisfactory state of affairs. The five points suggested by Mr. Binder concerned mainly the free gathering and free dissemination of news. Both he and Mr. Geraud, however, had overlooked the essential point, to wit, the kind of news which would thus be gathered and disseminated throughout the world.

In his opinion, the responsibilities of the Sub-Commission were much wider in scope and it could not confine itself to the consideration of the points suggested by Mr. Binder and Mr. Geraud. Indeed, the General Assembly resolution 110 (II) on the measures to be taken against propaganda and the inciters of a new war had condemned "all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression" and had called for measures to promote friendly relations among nations based upon the purposes and principles of the Charter and to encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

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Furthermore, the General Assembly resolution 127 (II) on false or distorted reports had called for a study of "such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States." The United Nations Conference on Freedom of Information had also adopted two resolutions, namely resolutions 2 and 3, condemning all forms of war propaganda and all distortion and falsification of news, and the General Assembly had referred those resolutions to the Economic and Social Council which was to work out concrete measures for their implementation.

All the above resolutions and decisions were closely connected with the work of the Sub-Commission and the questions to which they referred could not be excluded from the Sub-Commission's agenda. It was obvious therefore that the Sub-Commission would be failing its duty if it excluded item 10 -- promotion of the dissemination of true information to counteract Nazi, Fascist and other propaganda of aggression or of racial, national and religious discrimination -- from its agenda or else assigned a secondary place to that question.

The fundamental task of the Sub-Commission was to work out concrete measures for implementing the above resolutions and decisions. There was no need to stress the urgent necessity for such measures, for it should be obvious to all. The resolutions of the General Assembly and of the United Nations Conference on Freedom of Information were ignored by the press and other agencies of information in many countries of the world, where various media of information indulged in disseminating distorted and slanderous reports, warmongering and stirring up hatred against other countries. Many telling examples had been quoted during the discussions in the Third Committee and also by the head of the USSR delegation in plenary meeting of the General Assembly. Those facts had never been denied, and it was the paramount duty of the Sub-Commission to fight against such trends and by working out concrete measures for implementing the resolutions of the General Assembly to promote the purposes and principles of the Charter. He therefore urged the Sub-Commission to assign an appropriate place to item 10 on its agenda and in its programme of work.

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In that connexion, he wished to comment on the inclusion of some other items in the Sub-Commission's agenda. Referring to item 6, the establishment of procedure for continuous liaison with information enterprises and professional organizations, he expressed the view that establishing the criteria for deciding what was a "legally constituted national or international press, information, broadcasting or newsreel enterprise or association" (E/CN.4/Sub.1/70, E/CN.4/Sub.1/71) was a task which exceeded the competence of the Sub-Commission and fell within the province of the various Governments concerned. He proposed, therefore, that item 6 should be deleted from the agenda.

Turning to item 7, consideration of means by which the Sub-Commission might regularly be kept informed regarding the application of the resolutions of the United Nations Conference on Freedom of Information, he pointed out that the second part of the third session of the General Assembly had merely taken note of some of the resolutions in question and had referred some others to the Economic and Social Council. The Sub-Commission, therefore, should not embark on any general discussion on those resolutions. It could deal with any specific point if and when it arose. In his opinion, item 7 should also be deleted from the agenda.

The same applied to items 14 and 15 which related to the drafting of an international code of honour and the possibility of establishing an international court of honour. Those questions fell within the province of the appropriate trade union organizations, namely, the competent national and international associations of press and information personnel, so that to examine them in the Sub-Commission would amount to bringing pressure to bear on those organizations.

Mr. Zonov also proposed the deletion of items 19, 20 and 21. The first two referred to the implementation of the conventions proposed by the Conference on Freedom of Information and of the Covenant on Human Rights as far as it concerned freedom of information. The conventions, however, though adopted, had not yet been ratified and were not therefore in force, while the Covenant was still under discussion. Item 21 related to the discharge of such other functions as might be entrusted to the Sub-Commission by inter-governmental agreements -- the Sub-Commission could easily concern itself with such functions if and when any such contingency arose, and there was no need to examine the question in general at that stage.

In conclusion, he said that with the above reservations he was prepared to accept the provisional agenda and programme of work suggested by the Secretariat.

/ Mr. AZMI

Mr. AZMI pointed out that there was no essential difference between Mr. Zonov's point of view and that of the other members of the Sub-Commission; he had stressed the fact that the principal task of the Sub-Commission was to find measures to promote the dissemination of true information to counteract war propaganda and pro-nazi and pro-fascist literature in general. That subject was on the agenda prepared by the Secretariat and in the suggested programme of work.

Mr. Azmi added that it was also included, as item 11, in the draft agenda which he had submitted. All the members of the Sub-Commission were agreed on the importance of the subject: they differed only as to where the item should appear on the agenda.

He considered that the five items of the first part of his draft were essential to the work of the Sub-Commission; they concerned documentation. The Sub-Commission must study the necessary documents before beginning its work.

In the second part of his draft, which dealt with the substantive tasks of the Sub-Commission, items 6 and 7 should be considered before the question of the dissemination of true information. Perhaps consideration of item 8, concerning classification of existing agreements on freedom of information, could be deferred and item 11 could then become the eighth point on the agenda.

That was the only change in the draft which he wished to make.

Mr. WILLIAMS supported Mr. Azmi's view.

He also wished to clear up a point made by Mr. Zonov: the Sub-Commission had never thought of excluding from its agenda the points which Mr. Zonov had stressed. The only difference of opinion concerned the order in which the various subjects for discussion should be taken up. For instance, the Sub-Commission should be informed as to the adequacy of news available to the peoples of the world and what barriers and restrictions hampered the free flow of information before it could decide upon measures to promote dissemination of true information to counteract propaganda. If it discovered that political, economic or legal barriers existed in some countries, it should then seek measures to overcome them. It was not the Sub-Commission's function to seek to ban news which members, as individuals, considered bad. It was its duty to encourage measures to protect the status of international correspondents and other news personnel and to see that measures were taken to enable the peoples of the world to receive accurate news of

what was happening in the world, whether it were good or bad; only then would they be able to see that governments took measures to promote dissemination of true information to counteract propaganda of aggression or discrimination.

Mr. CHANG considered that Mr. Azmi's draft rearranged in more logical order the items on the lengthy agenda prepared by the Secretariat. He agreed with Mr. Williams that the most important items of the agenda were those concerning the free flow of information to combat war propaganda and concerning the legal, economic and political barriers to the free flow of information. Moreover, Mr. Zanov also had stressed the importance of that subject. He considered that points 1 to 5 of Mr. Azmi's proposed agenda were important for it was essential that the members of the Sub-Commission should arrange certain matters before beginning their work.

Mr. AZKOUL stated that in the original item 10 of the provisional agenda prepared by the Secretariat referring to the promotion of the dissemination of true information to counteract nazi, fascist and other propaganda of aggression or of racial, national and religious discrimination, the word "true" was especially important since it indicated the feeling of the Economic and Social Council that true information could help to combat undesirable propaganda which was necessarily based on the negation or the distortion of truth. Therefore if the Sub-Commission could recommend measures for promoting the dissemination of true information, the positive effect would be to nullify war propaganda and to improve peaceful and friendly international relations based on the principles of the United Nations Charter.

Mr. Azkoul expressed the view that the Sub-Commission must first decide whether to adopt an agenda for the entire period of its existence or for one session alone. In his opinion it would be preferable to elaborate the agenda for the current session only for the practical reason that less time would be required and also because the long interval between sessions of the Sub-Commission made it desirable to be able to adjust the work in the light of changing events.

Mr. Azkoul therefore formally proposed that the Sub-Commission should decide to adopt an agenda for the current session only, on the

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understanding that the agenda prepared by the Secretariat and the revised agenda submitted by Mr. Azmi would be retained as a general outline of the Sub-Commission's work for the three years of its existence. Instead of being bound to adhere strictly to the agenda items in the order in which they were listed, the Sub-Commission could then at each session select the items which it wished to consider.

If the Sub-Commission agreed to that procedure, Mr. Azkoul proposed that the agenda for the current session should be based on the document submitted by Mr. Azmi since his arrangement of the items seemed most logical. Of the five items listed in the first part under the heading "Methods of Work", Mr. Azkoul considered that the first two were essential for the Sub-Commission's work at the current stage but that it would be premature to engage in a study of items 3 and 4. If item 5 applied to the actual consideration of communications, it properly belonged to the second part which related to substantive work. If, however, it referred to methods of receiving and considering communications, that question could, in Mr. Azkoul's opinion, also be discussed at the current session. In addition, the first part might include the consideration of Mr. Geraud's suggestion that the work of the Sub-Commission and of UNESCO should be clearly defined in order to prevent overlapping.

Mr. Azkoul further proposed that a second section of the agenda should be devoted to reports to be prepared by the Secretariat for consideration at the following session. In view of the fact that UNESCO had already undertaken studies of the technical needs of the press, film and radio, Mr. Azkoul suggested that on the basis of those studies and material from other sources, the Secretariat should prepare a report covering the first three points of the terms of reference of the Sub-Commission, as prepared by the Economic and Social Council. Such a report would give a general evaluation of the news information and facilities available to the people of the world but would not include a study of barriers.

Finally, Mr. Azkoul indicated that a third section would be devoted to the consideration of items chosen from the agenda before the Sub-Commission. In that connexion, he wished to make it clear that the study of the Convention on the International Transmission of News and the Right of Correction which he had proposed at the

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preceding meeting would not duplicate the previous work of other organs of the United Nations but would determine to what extent the Convention even if ratified by all Member States would effectively protect foreign correspondents and guarantee the free dissemination of information. If the Sub-Commission found that the Convention was only partially successful, it would then have definite knowledge of the areas in which improvement was required.

There was also the further question of considering the conditions militating against the full application of the Convention. In certain cases, the Convention failed because of the general fear that correspondents would abuse the liberties accorded to them. Consideration might appropriately be given to means of improving professional standards through the introduction of an international code of honour and court of honour. With an increased sense of responsibility on the part of correspondents, greater objectivity in news reporting would be assured and an advance would be made in counteracting fascist and war propaganda through the dissemination of true information.

The Sub-Commission might also consider inadequately developed national information services and the desire to prevent foreign competition as determining factors which explained the reluctance of certain countries to grant foreign correspondents a greater degree of liberty.

Mr. Azkoul urged the Sub-Commission to approve the principle of a separate agenda for each session and to adopt the specific proposals which he had presented for the agenda of the current session.

The meeting rose at 12.50 p.m.