

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

FIRST SESSION

SUMMARY RECORD OF SEVENTEENTH MEETING

Held at Lake Success on Thursday, 29 May 1947 at 3:00 p.m.

Present:

Chairman:	Mr. G.J. van Heuven Goedhart	(Netherlands)
Vice-Chairman:	Mr. Lev Sychrava	(Czechoslovakia)
Rapporteur:	Mr. G. Ferguson	(Canada)
	Mr. P.H. Chang	(China)
	Mr. A. Geraud	(France)
	Mr. Chr. A.R. Christensen	(Norway)
	Mr. S. Lopez	(Philippine Republic)
	Mr. J.M. Lomakin	(Union of Soviet Socialist Republics)
	Mr. A.R.K. Mackenzie	(United Kingdom)
	Mr. Z. Chafee	(United States)
	Mr. R. Fontaina	(Uruguay)

Representatives of Specialized Agencies:

Mr. W. Farr (UNESCO)

Representatives of Non-Governmental Organizations:

Miss T. Sender (AFL)

Secretariat:	Prof. J.P. Humphrey	
	Mr. C.A. Hogan	(Secretary of the Sub-Commission)

1. Consideration of Draft Agenda for the Conference on Freedom of Information.

The CHAIRMAN drew the attention of the Members to paragraph 11 of the draft report, which referred to a decision of the Economic and Social Council that the Sub-Commission should report directly to it in case the Commission on Human Rights did not meet before the Council.

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/Mr. FERGUSON

Mr. FERGUSON (Canada) said that, since there was difference of opinion regarding general principles to guide the work of the World Conference, Section I of the Agenda should contain general clauses which had been approved as items of the Agenda. The following sections might include topics relating to practical measures for the freeing of information and to the question of responsibility.

Mr. GERAUD (France) asked whether the discussion on general principles would take place in the Sub-Commission, or at the Conference.

Mr. FERGUSON (Canada) explained that he meant the Conference. He would draft his proposal and present it to the Sub-Commission shortly.

2. Consideration of the Committee Structure of the Conference.

The CHAIRMAN announced that there were two proposals to consider here, one from Mr. Chafee and one from the Secretariat. Since Mr. Lomakin had previously asked for postponement of this discussion, he would like to hear his views now. Mr. Chafee's plan suggested:

(a) A main committee, which would consider principles of freedom of information and general problems common to the tasks of the other committees.

(b) A committee on the gathering of news and information. This would consider matters under Item 2 of the provisional draft agenda.

(c) A committee on the international transmission of news and information. This would consider matters under Item 3 of the provisional draft agenda.

(d) A committee on implementation of right of all peoples to receive accurate and comprehensive information. This would consider matters under Items 4 and 6 of the provisional draft agenda.

(e) A committee on law and continuing machinery. This would consider matters under Items 5 and 7 of the provisional draft, as well as legal problems which may be presented by other committees in the course of their deliberations.

/Mr. CHAFEE

Mr. CHAFEE (United States) said that he had conferred with Mr. Byron Price, Assistant Secretary-General in charge of the Department of Administrative and Financial Services, about the matter. Mr. Price was in favour of setting up committees on a functional basis. One advantage would be that news personnel in various fields would have a chance to discuss their common problems. Moreover, if there were a main committee as proposed, to discuss problems common to the three industries, Governments might try to find for it a delegate with a sufficiently broad outlook.

Mr. LOMAKIN (Union of Soviet Socialist Republics) said he could not approve Mr. Chafee's plan for five committees. He suggested creating three committees by keeping Committee A, and combining B and C as well as D and E. He would like to amend the description of Committee A to read: "A main committee which would consider the basic tasks of the press and the basic principles of freedom of information, as well as the general problems of the other committees." Under Committee D he would substitute the word "objective" for "accurate".

The CHAIRMAN suggested discussing the verbal changes first, starting with Committee A.

Mr. MACKENZIE (United Kingdom) said that he was in favour of Mr. Lomakin's proposal, but suggested placing the words "basic principles of freedom of information" before "basic tasks of the press." In his opinion that was the logical order.

Mr. CHAFEE (United States) asked whether, in using the word "press", Mr. Lomakin meant only newspapers, or whether he also included other media.

Mr. LOMAKIN (Union of Soviet Socialist Republics) explained that they should be included, and suggested the wording "press and information".

The CHAIRMAN suggested the phrase "the press and other media of mass communication", with the last part reading: "problems common to the other committees."

Mr. SYCHRAVA (Czechoslovakia) moved an amendment to the effect that "basic tasks" should come before "basic principles".

The CHAIRMAN pointed out that the General Assembly Resolution called for a Conference on Freedom of Information. For that reason Mr. Chafee proposed to put "freedom of information" first.

Mr. LOMAKIN (Union of Soviet Socialist Republics) stressed that people mostly received their information through newspapers. Therefore, he thought, it would not be a mistake to put the press first.

DECISION: Mr. Sychrava's amendment was defeated and the following provision was adopted unanimously:

"A. A main committee which would consider the basic principles of freedom of information and the basic tasks of the press and other media of mass communication, as well as general problems common to the other committees."

3. Verbal Changes in Point B of Mr. Chafee's Proposal.

Mr. LOMAKIN (Union of Soviet Socialist Republics) suggested that this proposal should read: "A committee on implementation of rights of all people to receive objective and comprehensive information and the demands made on workers of the press in this connection."

Mr. MACKENZIE (United Kingdom) suggested that the changes be discussed separately, first the addition of the word "objective" and then the phrase "demands made on workers of the press in this connection." He would prefer to leave the word "accurate" in, and also use the phrase "news and information", in order to make the proposals uniform.

Mr. LOMAKIN (Union of Soviet Socialist Republics) said he would appreciate an explanation on the difference between "news" and "information".

The CHAIRMAN pointed out that these two terms had been frequently combined.

Mr. CHAFEE (United States) said that the Agenda indicated how the work of each committee should be described. In view of that, it would be wise to retain the word "news".

Mr. LOMAKIN (Union of Soviet Socialist Republics) said that either "news" or "opinion" should be used, but not both.

Mr. MACKENZIE (United Kingdom) said he was willing to accept "information."

Mr. CHAFFEE (United States) said he preferred "news and information", as it made the description more clear.

DECISION: The wording "A committee on implementation of Rights of all people to receive accurate, objective and comprehensive news and information" was adopted.

4. Addition of the phrase: "demands made on workers of the press in this connection."

Mr. CHAFFEE (United States) said he saw no reason for adding these words.

The CHAIRMAN, speaking as a representative, supported Mr. Lomakin's proposal.

Mr. CHAFFEE (United States) withdrew his objection.

DECISION: The addition was accepted.

5. Consideration of Combination of Committees B and C, and D and E of Mr. Chaffee's proposal.

Mr. SYCHRAVA (Czechoslovakia) said it would be useful to restrict the number of committees, as not all states could send five delegates.

The CHAIRMAN pointed out that one delegate could serve on different committees.

Mr. CHANG (China) said the Sub-Commission should not go into details in this matter. It should only indicate that it preferred a functional division of the work, and that the Conference conduct its discussions in committees.

The CHAIRMAN said that some discussion was necessary in order to make recommendations.

Mr. CHAFFEE (United States) said he was afraid of combining Committees D and E, as E was a legal committee, and he thought that lawyers were perhaps not fitted to deal with matters in D.

Mr. FONTAINA (Uruguay) said he was in favour of combining Committees B and C. Gathering and transmission of news should be combined.

There was an equal vote with five members in favour of, and five members against combining Committees B and C. In compliance with the rules of procedure it was decided to take a second vote at the next meeting.

/Mr. LOMAKIN

Mr. LOMAKIN (Union of Soviet Socialist Republics) said that as regards combining Committees D and E, he could not agree with Mr. Chafee. In his opinion lawyers would be able to discuss questions concerning D with greater knowledge and authority.

The CHAIRMAN speaking as a member, supported Mr. Chafee's views. He thought it advisable to have a separate committee on law and continuing machinery.

Mr. LOMAKIN (Union of Soviet Socialist Republics) stated that there was a mistake in the translation of his proposal regarding Committee B. He had meant "comprehensible" and not "comprehensive".

Mr. CHAFEE (United States) explained the difference between the two words.

Mr. MACKENZIE (United Kingdom) said that since the question of translation had been raised, he would like to have the word "demands" in Point D, changed to "obligation". That would be better English.

Mr. LOMAKIN (Union of Soviet Socialist Republics) agreed but emphasized that the press should be clear, grammatical and logical. Therefore he proposed "comprehensible".

Mr. CHAFEE (United States) referred to the preliminary report, which under Item 4 read: "...accurate, comprehensive and representative information."

DECISION: It was decided by vote that the word "comprehensive" should be retained, and that "obligations of" should be substituted for "demands made on."

Mr. MACKENZIE (United Kingdom) proposed that the word "would" used in Mr. Chafee's proposals, be changed to "could".

The CHAIRMAN put to the vote the question whether or not there should be a committee on law and continuing machinery.

DECISION: The setting up of such a committee was accepted.

6. Consideration of Mr. Ferguson's Proposal.

The CHAIRMAN announced that he would put to the vote Mr. Ferguson's proposal, which read:

/"1. That

"1. That all items on the agenda dealing with practical and specific problems relating to the free gathering, transmission and dissemination of information be grouped together in one or more sections of the agenda; and

2. That this section or sections should be preceded by the definition of information for the purpose of the Conference, passed by the Sub-Commission this morning, thus making clear the limitations within which this definition would be operative."

Mr. LOMAKIN (Union of Soviet Socialist Republics) said he saw no reason to vote at the present time. He would prefer to do it in connection with the discussion of the report.

The CHAIRMAN, speaking as a member, said he was in favour of voting then and there.

DECISION: Mr. Ferguson's proposal was accepted.

7. Consideration of Mr. Sychrava's proposal on the control and counteracting of false news and information.

Mr. SYCHRAVA (Czechoslovakia) said it was necessary to do something at once in this matter, and the Commission on Human Rights would be the proper organ to do it.

Mr. GERAUD (France) said he thought that the Commission on Human Rights would not be the proper organ to perform this task. It was difficult to determine what was false news, and he would prefer a special body of experts to perform this type of work.

Prof. HUMPEREY (Secretariat) stated that the Commission on Human Rights had no power to do this task.

Mr. SYCHRAVA (Czechoslovakia) said he had been under the impression that the Commission could perform the function of combatting false news. Besides, he only wished something to be done at once.

Mr. LOMAKIN (Union of Soviet Socialist Republics) supported the proposal, and said he was in favour of making the recommendation without pointing out any specific organs.

The CHAIRMAN, speaking as a member, said he was not able to support the proposal, as he considered it impracticable. The Commission on Human Rights would be overloaded with complaints, and no action could be taken.

Mr. CHAFEE (United States) said that the creation of such a body was not the right way to deal with falsehoods in the press. He thought it would only do harm if a statement, which might have been forgotten in a day or two, was flaunted before the public. Instead of being published once only, such a false statement would be published a hundred times.

The CHAIRMAN announced that the discussion would have to continue at the next meeting, because it was understood the committee would adjourn at five o'clock.

Mr. GERAUD (France) asked for information regarding the procedure for the remaining days of the session.

The CHAIRMAN explained, that in addition to Mr. Sychrava's proposal, the draft report of the Sub-Commission as well as the question of committee structure and the general principles on freedom of information had to be discussed. He hoped that the work could be terminated by Wednesday of the following week.

Mr. MACKENZIE (United Kingdom) stated that one meeting should be reserved for discussion on general principles on freedom of information.

Mr. CHANG (China) proposed that there should be only one meeting a day for the remaining days.

Mr. CHRISTENSEN (Norway) expressed the opinion that it was necessary to meet twice a day in order to finish in time.

Mr. CHANG (China) said he did not wish to press the point.

The meeting adjourned at 5:17 p.m.
