

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

FIRST SESSION

SUMMARY RECORD OF THE EIGHTEENTH MEETING

Held at Lake Success, New York, on 2 June 1947 at 11:00 a.m.

Present:

Chairman:	Mr. G.J. van Heuven Goedhart	(Netherlands)
Vice-Chairman:	Mr. Lev Sychrava	(Czechoslovakia)
Rapporteur:	Mr. Geo. V. Ferguson	(Canada)
	Mr. G. Kao	(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)

Representative of Specialized Agencies:

Mr. W. Farr (UNESCO)

Consultant of Non-Governmental Organizations:

Miss Toni Sender (American Federation
of Labor)

Secretariat: Prof. John P. Humphrey
Mr. John Male (Acting-Secretary of
Sub-Commission)

1. Proposal of Mr. Sychrava (Czechoslovakia) Regarding Machinery for
Countering False Information

The CHAIRMAN suggested discussing the proposal submitted by

Mr. Sychrava, which read as follows:

"Before any permanent machinery for the control of and

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counteracting of false information and of tendentious campaigns is

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created,

"It is suggested that the Commission on Human Rights:

"1. accept documented complaints on false news and tendentious or defamatory campaigns;

"2. submit these complaints to governments of the countries concerned;

"3. compare and study documents from all sides;

"4. submit a report to the Economic and Social Council."

Mr. MACKENZIE (United Kingdom) said there were three difficulties in connection with Mr. Sychrava's proposal: (1) the Commission on Human Rights was not empowered by its terms of reference to undertake a programme of work such as Mr. Sychrava had outlined; (2) if the Sub-Commission accepted such a project and recommended it to the Commission on Human Rights, the Commission would simply refer the project back to the Sub-Commission; (3) if the powers necessary to carry out this project went beyond the receiving and collecting of news and reports, fundamental issues would be raised on which no agreement could be found at this stage.

Mr. SYCHRAVA (Czechoslovakia) amended his proposal to read: "The Economic and Social Council requests the Commission on Human Rights" and urged that at least the general principle underlying the project should be accepted.

Mr. FERGUSON (Canada) said it was not the function of the Sub-Commission, in drawing up an agenda, to commit itself to specific recommendations of that kind, and that Point 5 on page 12 of the Draft Report (E/CN.4/Sub.1/29) should be sufficient to permit the fullest discussion of any specific project which might be raised by any of the delegations at the Conference.

The CHAIRMAN, speaking as a Member, supported Mr. Ferguson, and said he objected to Mr. Sychrava's proposal because: (1) there were practical difficulties in putting this temporary machinery to work;

(2) most expenses involved; (3) the proposal went beyond the terms of

reference of the Commission on Human Rights.

Mr. SYCHRAVA (Czechoslovakia) maintained that it was within the competence of the Economic and Social Council to undertake such measures and that the question of finance was not a difficult one.

Mr. LOMAKIN (Union of Soviet Socialist Republics) supported Mr. Sychrava's proposal, and said that it was up to the Economic and Social Council to find concrete ways of organizing the activity outlined by Mr. Sychrava.

Mr. KAO (China) said he thought that Mr. Sychrava's proposal presented two aspects: the question of principle, and the question of machinery.

Mr. SYCHRAVA (Czechoslovakia) said that in adopting certain points of the Conference Agenda, the Sub-Commission had thereby accepted the principle underlying his scheme. He proposed not only study but action, such as comparison of documentation and preparation of reports and complaints for submission to the Economic and Social Council.

Mr. LOPEZ (Philippine Republic) said he agreed in principle with the proposal of Mr. Sychrava but doubted whether the Commission on Human Rights was competent to perform the functions envisioned. The Commission could take note of violations and prepare an index for the information Members as had been decided in the matter of communications regarding human rights. Mr. Lopez said he objected to paragraph 2 of the proposal, as it would involve direct communications between the Commission and governments. This would go beyond the competence of the Commission, or even of the Economic and Social Council. He would support the proposal if paragraph 2 could be eliminated.

Mr. SYCHRAVA (Czechoslovakia) accepted the suggestion of Mr. Lopez.

The CHAIRMAN put the proposal as amended to a vote. It was defeated by 4 votes to 6.

2. Committee Structure

Mr. CHAFEE (United States) stated that in view of the previous discussion on this question his plan of having only one committee to

consider the gathering and transmission of news seemed to be a wise adjustment of the two points of view which had been expressed. He said the division of responsibility need not necessarily correspond to Items 2 and 3 on the Agenda as outlined in the Rapporteur's Draft Report. The main point was to combine the gathering and transmission of news and to nominate this committee as the place where some sort of division could conveniently take place if subsequent developments make it desirable to have five committees instead of four.

Mr. LOMAKIN (Union of Soviet Socialist Republics) suggested that there should be either three or five committees, and that Committees C and D should be combined.

The CHAIRMAN, speaking as a member, said he found it impossible to accept Mr. Lomakin's proposal, as the Sub-Commission had already agreed to have a Main Committee, a Committee on Implementation and a Committee on Law and Continuing Machinery. On the other hand, he cautioned against Mr. Chafee's suggestion of leaving the number of the committees indefinite.

Mr. CHAFEE (United States) withdrew paragraph 3 of his "Proposal for Revision of Committee Structure" and then read as follows:

"That there be four principal committees instead of five.

"That the second committee be a committee on the gathering and international transmission of news and information, which could consider the matters in Items 2 and 3 of the Agenda (as listed in the Draft Report of the Sub-Commission, document E/CN.4/Sub.1/29, pages 9-10)."

DECISION: This amendment was adopted by 10 votes with 1 abstention.

Mr. Chafee's whole proposal as amended was unanimously adopted to read:

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

"(b) A committee on the gathering and international transmission of news and information, which would consider the matters in Items 2 and 3 of the Agenda as listed in the draft report of the Sub-Commission, (document E/CN.4/Sub.1/29, pages 9 and 10);

"(c) A committee on implementation of the rights of all peoples to receive accurate, objective and comprehensive news and information, and the obligations of the workers of the press in this connection. This could consider matters under Items 4 and 6 of the Provisional Draft Agenda;

"(d) A committee on law and continuing machinery. This could 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."

3. Verbal Changes in the Draft Report

The RAPPORTEUR stated that the following verbal changes were necessary in order to facilitate the discussion of the Report: (1) On page 5, paragraph 17 would be deleted, and the definition of the scope of the Conference would be placed at an appropriate point in the agenda; (2) on page 6, paragraph 18 (c) the phrase "in conformity with the Resolution of the General Assembly" should be added, and a text from the Resolution might be added; (3) on page 7, Point 4 the word "would" should be inserted between "which lead"; (4) on page 10, Point 3 (b) "International Postal Union" should be changed to "Universal Postal Union"; (5) on page 10, the heading of Point 4 should be changed to read "Measures to Implement the Right of all Persons and Peoples to Receive Accurate, Comprehensive, Objective and Representative Information" and the parenthetical phrase which followed should be omitted. (6) The word "objectivity" should be inserted before "comprehensiveness" in (c), page 11.

The CHAIRMAN said that it would be advisable first to discuss at which point in the agenda Point 17 should be inserted and then to decide

where the accepted amendment of Mr. López should be placed. He thought that the discussion of these two points could be combined.

Mr. GERAUD (France) said he believed that the Conference should first agree upon a definition of freedom of information.

Mr. SYCHRAVA (Czechoslovakia) said he was in favour of combining these two items.

Miss SENDER (American Federation of Labor) said that Mr. López's amendment should not be disposed of before discussion on the definition of freedom of information.

Mr. LOPEZ (Philippine Republic) suggested listing these two items separately.

The CHAIRMAN observed that Members seemed to be in favour of placing the two suggestions separately as Items I and II. He suggested that the original Point 17 dealing with the scope of the Conference should be a general note following Item II of the Agenda. His suggestion was accepted.

Mr. MACKENZIE (United Kingdom), commenting on the use of the words "news and information", suggested the following verbal changes in order to present a clearer document: (1) deleting "news and" from the headings of Points 2 and 3 of the Agenda; (2) substituting "news personnel" for "representatives" in Point 2 (d); (3) substituting "information" for "news" in Point 4 (b) and Point 4 (b) (iii); and (4) deleting "news material" in Point 4 (c) and adding "information" in its place. These verbal changes were accepted.

Mr. GERAUD (France) asked whether Point 4, dealing with "measures to implement the right of all persons and people...", implied any reservations for journalists and other agents of information working not only for the collection of information but also for its dissemination at home and abroad. He believed strongly that a distinction should be made between the rights of journalists working abroad and the rights of journalists

accordingly. He said that he would submit a text of his proposal at the next meeting.

The RAPPORTEUR suggested deleting the word "traditions" in the first line of Point 4 (a), which would then read "With due regard for the existing laws of the Member States."

Mr. CHAFFEE (United States) explained that Point 4 was intended to apply to the rights of people to receive news. He added that news might come from abroad as well as from home sources, and that he was satisfied to leave the heading as it was.

The meeting adjourned at 1:10 p.m.
