

**ECONOMIC
AND
SOCIAL COUNCIL****CONSEIL
ECONOMIQUE
ET SOCIAL**E/CN.4/Sub.1/11
16 May 1947

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Memorandum on Historical Background of Sub-Commission

(Submitted by the Secretariat)

1. The Preparatory Commission in its report to the General Assembly recommended the establishment of the Commission on Human Rights mentioned in Article 68 of the Charter. By a resolution dated 16 February 1946, the First Session of the Economic and Social Council established the Commission and resolved that one of its tasks be to make proposals, recommendations and reports to the Council regarding "(b) international declarations or conventions on civil liberties, the status of women, freedom of information and similar matters". The nuclear Commission on Human Rights met at Hunter College, New York City, from 29 April to 20 May 1946.
2. Among the documents referred to the nuclear Commission were:
 - (a) The letter of 16 February 1946 of Edward R. Stettinius, Jr., head of the Delegation of the United States to the General Assembly, transmitting communications concerning freedom of information and of the press addressed to him by the United Press Association and the Standing Committee on World Freedom of Information of the American Society of Newspaper Editors. In this letter, Mr. Stettinius reaffirmed the belief of the United States Government that the Commission on Human Rights should undertake as soon as possible a study of the problem of freedom of information*; and

* Document E/HR/2

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/(b) the Draft

(b) the Draft Resolution concerning the calling of an international conference submitted by the Delegation of the Philippine Commonwealth to the First Part of the First Session of the General Assembly*, which the General Committee of the Assembly decided to postpone to the Second Part of the First Session of the General Assembly. The nuclear Commission, recognizing the importance of public opinion in the promotion of human rights, discussed the problem of freedom of information and of the press and decided to recommend that the Commission on Human Rights be authorized to establish a Sub-Commission on Freedom of Information and of the Press. The nuclear Commission further recommended that "the function of the Sub-Commission, in the first instance, be to examine what rights, obligations, and practices should be included in the concept of freedom of information, and to report to the Commission on Human Rights on any issue that may arise from such examination."**

3. The Economic and Social Council, having considered the report of the nuclear Commission, resolved on 21 June 1946 to empower the Commission to establish the Sub-Commission with the terms of reference recommended by the nuclear Commission.

4. Before the full Commission on Human Rights held its first session, the Second Part of the First Session of the General Assembly discussed a new Draft Resolution submitted by the Delegation of the Philippine Republic concerning the calling of an international conference on freedom of information.*** At its sixty-fifth plenary meeting, the General Assembly adopted a resolution authorizing the holding of a conference of all Members of the United Nations. The General Assembly instructed the Economic and Social Council to convoke this conference for the purpose of formulating "its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information".

* Document A/BUR/24

** Document E/38

*** Document A/C.3/76

5. The Commission on Human Rights, at its first session from 27 January to 10 February 1947, discussed the functions and composition of the Sub-Commission and decided to establish it. Since the Commission on Human Rights did not have time to choose the members of the Sub-Commission, it recommended that the Council choose them in consultation with the Secretary-General from lists submitted by the members of the Commission. The Commission recommended to the Council that the functions of the Sub-Commission be:*

"(a) In the first instance, to examine what rights, obligations, and practices should be included in the concept of freedom of information, and to report to the Commission on Human Rights on any issues that may arise from such examination.

"(b) To perform any other functions which may be entrusted to it by the Economic and Social Council or by the Commission on Human Rights."

Further, the Commission decided to recommend that the Council authorize the Sub-Commission to submit recommendations regarding the preparation and agenda of the International Conference on Freedom of Information.

6. The Economic and Social Council resolved, on 28 March 1947, that the Sub-Commission be composed of the following twelve persons:**

Mr. Z. Chafee	(United States)
Mr. P. H. Chang	(China)
Mr. Chr. A. R. Christensen	(Norway)
Mr. R. J. Cruikshank	(United Kingdom)
Lic. José Isaac Fabrega	(Panama)
Mr. George V. Ferguson	(Canada)
Mr. Roberto Fontaina	(Uruguay)
Mr. André Geraud	(France)
Dr. G. J. van Heuven Goedhart	(Netherlands)
Mr. J. M. Lomakin	(Union of Soviet Socialist Republics)
Mr. Salvador Lopez	(Philippine Republic)
Mr. Lev Sychrava	(Czechoslovakia)

The Council approved the terms of reference of the Sub-Commission as

* Document E/259, page 4

** Document E/325, pages 3-4

recommended by the Commission on Human Rights. The Council requested the Sub-Commission to prepare a draft documented agenda for the Conference on Freedom of Information and to submit this agenda, along with proposals concerning preparations for the Conference, to the Commission on Human Rights and to the Council. The Council further transmitted to the Sub-Commission a Draft Agenda for the Conference presented by the Delegation of France* and any other similar communications received from Member States, and recommended to the Sub-Commission that it invite a representative of the International Organization of Journalists to be present as an observer at its meetings for the purpose of consultation and deferred decision on the date and place of the Conference to its Fifth Session.**

* Document E/355, and Corr.1
** Document E/325, page 2