

ECONOMIC
AND
SOCIAL COUNCILCONSEIL
ECONOMIQUE
ET SOCIALE/CN.4/Sub.1/14
19 May 1947

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Text of Statement Made at Second Meeting of First Session of
Sub-Commission on Freedom of Information and of the Press
by Mr. Zechariah Chafee (United States)

Mr. CHAFEE (United States): I feel that everything that has been said so far is very important. There are certain aspects of the general scope of our work, which I should like to stress.

I think it may be helpful to go back to the terms of reference for the Conference which is to take place next winter. They are: "The practical objectives should be to promote the widest and freest possible exchange of incoming and outgoing news without government censorship in time of peace.

2. To extend to bona fide press, film, and radio correspondents, without discrimination, all reasonable facilities to travel and reside in the respective territories of the signatory governments with complete freedom to carry on their activities and with equal access to all sources of news.
3. To extend within their respective territories, and without discrimination, the freest and widest possible opportunities for the distribution of news by bona fide news services.
4. To extend access to available communication facilities to bona fide correspondents and news agencies, without discrimination as to nationality."

I thoroughly agree that we shall have to consider restrictions on complete freedom of the press, but I think it is always helpful to begin by considering the advantages of freedom before we consider the dangers of freedom, and it was wise for us to think of all that we are going to discuss as set within the framework of the great benefits which come from freedom

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One other point is that it is pretty difficult to put into words an abstract definition of the limitations on complete freedom. The inconsistencies and variations which the Member from Uruguay has so effectively stated arise from that difficulty as to abstract principles.

I have a favorite thought that substantive law is secreted in the interstices of procedure. In other words, one has to be thinking constantly of the remedies which are available or of the human penalties which are available. It is in thinking of those that we get ahead fastest, and, I think, come more rapidly to agreement than when we try to put our thoughts into an abstract form. We are worried because the abstraction may apply to cases that we cannot think of at the moment. We do not really know exactly what we are thinking about, and we are afraid that we say too much or leave out too much, but when we contemplate the way human beings will actually behave towards other human beings in a certain series of situations, then we have something with which we are familiar. We can say pretty well what we mean, and we have a better prospect of reaching agreement.

In the Resolution which I read a few minutes ago calling for the conference, some of those practical situations are set forth which are very important to consider. I hope that we will focus a great deal of our attention on specific practices. I think out of our consideration of practices will come a fuller sense of what we mean by rights and obligations. I think we will be better able to define the rights and obligations when we think of the specific contacts between human beings which are going to implement those rights and obligations. Therefore, I hope we can keep on a concrete level just as much as possible.
