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Chairman: Mr. Jiří NOSEK (Czechoslovakia).

AGENDA ITEM 28

Freedom of information: report of the Economic and Social Council (A/2705, A/2686, chapter V, section VI, A/C.3/L.447, A/C.3/L.448 and Add.1, A/C.3/L.449, A/C.3/L.450, A/C.3/L.451, A/C.3/L.452) (*continued*)

GENERAL DEBATE (*concluded*)

1. Mr. EL-FARRA (Syria) said that he would speak only of those abuses of freedom of information of which the Arab lands and peoples had direct experience.

2. The progress of mankind demanded freedom of information. During the debate, some delegations had referred to the constitutional provisions which guaranteed the freedom of the Press in certain States and had objected to any kind of censorship. A free Press was indeed an instrument which, if properly used, could help in promoting friendly relations among nations. However, legislation to secure freedom of expression should not be used to protect the privileges of monopolies controlled by advertisers. Information enterprises were not merely businesses, and if they were to be really free, they should be free from any undue influence. The public interest should override financial considerations and the profit motive. News should not be regarded as goods to be made to suit the taste of whoever paid best. Professional honour required that newspapermen should present the facts to their readers as accurately and objectively as possible. The present-day Press, however, too often disregarded those principles to meet the wishes of the powerful advertising groups. In some countries, the only news about the Arab world published in the newspapers was that which suited the financial groups concerned. The great Powers spent huge sums in order to acquaint the Arabs with their peoples' way of life but devoted no funds whatever to disseminating news of the Arab world in their own countries. Nations could not improve their relations if they did not know each other. The United States representative had explained that information entered his country freely, but it would still be necessary to know how much of the news received by organs of the Press was actually published.

3. The United Kingdom representative had rightly pointed out that the solution to the problem of freedom of information depended on an intelligent and conscientious journalistic profession and enlightened public opinion. Member States should take steps to prevent abuse of information media. Article 2 of the draft convention on freedom of information¹ under consideration provided for certain valuable limitations to that end. That article seemed to be the main obstacle to the adoption of the convention. It should, however, be expressly recognized in the convention that freedom of information imposed upon the profession an obligation to present the facts faithfully, sincerely, objectively and without bias, and any person who wittingly failed to observe those obligations would automatically forfeit his rights. It should be so provided in the convention if the conditions set forth by the United Kingdom representative were to be fulfilled. Such limitations would in no way derogate from freedom of the Press or freedom of expression.

4. A distinguished United States jurist had stated that the most stringent protection of free speech would not protect a man falsely shouting "Fire!" in a theatre and causing a panic. Similarly, the most stringent freedom of the Press should not protect a newspaperman who deliberately published false and malicious news about other nations and peoples. Member States should therefore take steps to prevent such acts. Understanding among nations required that each people should have an accurate knowledge of the problems of other peoples. Wrong solutions only created new and even more dangerous problems, as the example of the Palestine problem and the part played by the United States Press indicated. The newspapers had not told the United States public the truth about that problem, and it could be asked whether the newspapermen in question had not betrayed their public by yielding to the pressure of the Zionist groups in the United States. The Swedish representative had stated that truth would prevail over falsehood when they were competing on an equal footing. Unfortunately, the terms of the struggle were not always fair, and in many cases the public had only a biased version of the facts. When the truth came to light, much later, the damage was done, sometimes irreparably.

5. The Economic and Social Council had not made arrangements for further work on the draft convention. That was an unwise attitude and it was essential that a convention on freedom of information should be adopted as soon as possible. The Council should consider the matter with a view to submitting recommendations on it to the General Assembly. Such were the considerations on which Syria would base its position on the draft resolutions before the Committee.

¹ See *Official Records of the General Assembly, Seventh Session, Annexes*, agenda item 29, document A/AC.42/7 and Corr.1, annex.

6. Miss BERNARDINO (Dominican Republic) said that she had followed the general debate on freedom of information with special interest and had given her full attention to the views expressed by the various delegations. It was a difficult problem and one of the most important items with which the General Assembly had annually to deal, since a properly regulated exchange of news would be a valuable factor in cultural progress and *rapprochement*. The Press, conscious of its noble mission, should be the instrument through which valuable knowledge was transmitted from one people to another and through which a favourable atmosphere was created for the promotion of mutual understanding and respect. The Press had, however, to submit to the rule of reason. Freedom of information should not be confused with licence, or imagination with truth. Moreover, the deliberate distortion of facts concerning the social and political life of other peoples led to untold evils and was an iniquitous source of many international disputes.

7. The need for freedom of information was undeniable. The public was entitled to be informed and to know the whole truth. That meant that freedom of information was the right of everyone and not only of those who controlled the great and powerful enterprises and monopolies, which were guided by their own interests in choosing what part of the truth should be published and what part suppressed, or between profitable fabrication and the simple, unsensational truth. In that connexion, she drew attention to the attitude towards the Dominican Republic and its Government systematically adopted by a well-known United States publication. That publication had never devoted a single page, or even a single line, to the considerable intellectual, economic and social progress achieved during the past twenty years by the Dominican Republic. It had never mentioned its universities, which were among the most advanced in the world, its many schools, its innumerable modern hospitals, or the communication systems of the country. It had never mentioned its expanding agriculture, the introduction of a sound currency, the liquidation of foreign debts, its higher international standing and the progress it had achieved in all fields of national life. Such silence became reprehensible when it was realized that the same publication never lost an opportunity of inventing falsehoods, disseminating slanders, distorting the facts, criticizing personalities or trying to blacken the name of honourable families. That magazine gave its readers a false instead of a true picture of the Dominican Republic. Such abuse of freedom of information could not help to establish friendly relations among peoples but set up barriers between nations by preventing them from knowing and appreciating each other properly.

8. All freedoms were limited; in the case of freedom of information, the limits were objective reality and truth. Freedom disappeared when information indulged in fancy and falsehood. It was to be hoped that the United Nations would succeed in finding a formula which would establish the reign of true freedom of information for the greater good of all mankind.

9. She reserved the right to speak later on the draft resolutions.

10. Mr. RODRIGUEZ FABREGAT (Uruguay) agreed with the Brazilian representative's well-chosen words at a previous meeting that freedom of information was one of the freedoms for which mankind had made the greatest sacrifices. Mr. López' excellent

report (E/2426 and Add.1 to 5)² and the debate in the Third Committee had clearly defined the problem and indicated the part which the United Nations should play. It was essential, even in the most remote areas, that the cause of freedom of information and of human rights in general should prevail, for freedom of information could not be separated from the fundamental human rights proclaimed in the Charter of the United Nations. Those rights were closely interconnected and it was practically impossible to consider them in isolation. The General Assembly had made freedom of information a separate item on its agenda, but the debate had clearly shown that that separation was somewhat illusory and that it was possible to pass unwittingly from information to the wider subject of freedom of expression, the right to express one's opinion and the right of free inquiry in the search for truth. He had been much impressed by the United States representative's statement (599th meeting) that today more than ever before it was necessary that men should know the truth, and also by the United Kingdom representative's statement (601st meeting) in which she had illustrated, by taking as her example Europe before and during the Second World War, the evil that could be done to a people by suppression of freedom of information and by the misuse of information media.

11. Freedom of information should be considered from three points of view: that of the individual, who was entitled to be well informed and to know the truth, that of the State, which had the duty of protecting those rights and not restricting them, and that of the organs of information, whose duty it was—for there could be no rights without duties—to disseminate truthful and complete news and to promote human solidarity.

12. The dissemination of false or distorted news, and any attempt to suppress the truth, entailed very great dangers. The history of the Second World War had shown only too well that the result of organized and systematic lying was the sacrifice of the flower of a whole generation. That sacrifice must not have been made in vain. The experience gained should be preserved by a convention or by some other means. The struggle between falsehood and democratic truth had ended in a victory for freedom. The peace had heralded the beginning of a further stage, organization according to the principles of the United Nations Charter. That was a difficult task, and it should be noted that special attention had been given to certain practical aspects of the problem of freedom of information, particularly the aspect of news sources. The part played by the free Press in history was well known. The countries of the American continent, emancipated ex-colonies, were in a particularly good position to know the cost of a little printed sheet, often secretly prepared, the sacrifices it had entailed and the dogged struggle that the Press had had to carry on in order to secure its freedom. It was only necessary to study the history of those countries, to think of the work of Benjamin Franklin, for example, to realize the significance of the conquest of those rights with which the Third Committee was concerned.

13. At the current time, when financial resources were being concentrated to serve ever-growing information enterprises, freedom of information had to be

² Official Records of the Economic and Social Council, Sixteenth Session, Supplements Nos. 12 and 12A.

considered in the general context of social rights. The individual should be entitled to stand up against an all-powerful enterprise if it failed to inform him properly, and should have the right of correction if it distorted or exaggerated the facts. In that connexion, it was important to define the relationship between the State and information agencies.

14. The country which he represented was one where freedom of information was restricted only in the interest of morality. In Uruguay, the right to be informed was regarded as a fundamental right, in the same way as the right to inform. It was merely the direct consequence of freedom of thought, that essential freedom without which the word "democracy" had no meaning. In order to think freely, however, it was essential to know all the facts and all the evidence needed to form a judgment and to reach a conclusion. As he had already said, therefore, freedom of thought was based on the right of free inquiry. Thus, the logical sequence of all those rights, the free exercise of which was a precondition of genuine respect for freedom of information, was: the right of the citizen to be informed fully and accurately, the right to judge the facts and therefore the right to criticize, and finally, taking all those elements together, the right to express one's conclusions. In Uruguay, where the Press was free as it should be in all democratic countries, those rights were fully respected, and he regarded it as his duty to try by every possible means to promote respect for freedom of information, to which the Economic and Social Council and the General Assembly had already devoted so much effort.

15. It had been said that there was no people which did not wish for peace. A democratic peace should be built upon the corner-stone of freedom of information. Clearly, that freedom should not be used to sow discord or to create misunderstanding, but to promote understanding among the peoples. Democracy, however, had no fear of contradiction, but was anxious to know the opinions of others. Democracy was dynamic; in its constant evolution it was prepared to receive all messages and to hear all appeals, and freedom of information was a valuable instrument to that end. Under a democratic system, where the people was sovereign, each citizen was entitled at all times to judge events and to say what he believed to be the truth, and the law, which was the expression of the people's will, should be placed at the service of truth. Loyal to its democratic principles and to the ideal of peace of which several representatives had already spoken, the Uruguayan delegation was ready to support any measure designed to safeguard respect for human dignity in accordance with the principles of the United Nations Charter.

16. It reserved the right to speak again when the various draft resolutions were being considered.

17. Mr. PAZHWAK (Afghanistan) had asked to be included in the list of speakers in the expectation that other delegations would have expressed their opinions about the matters on which he had already submitted his own observations or proposals, which might have enabled him to explain certain points.

18. He had nothing to add for the time being, and reserved his right to speak again when the draft resolutions were being considered.

19. The CHAIRMAN stated that there was no other speaker on the list. He declared the general debate closed, and asked the Committee to consider the various draft resolutions.

ORDER OF CONSIDERATION OF DRAFT RESOLUTIONS BEFORE THE COMMITTEE

20. Mr. PAZHWAK (Afghanistan) suggested that the draft resolutions should be examined one by one in the order in which they had been submitted.

21. Mr. BAROODY (Saudi Arabia) seconded the suggestion.

22. The CHAIRMAN proposed that the Afghan representative's suggestion should be adopted.

It was so decided.

23. The CHAIRMAN asked the Committee to consider the USSR draft resolution (A/C.3/L.447).

24. Mr. SAKSIN (Union of Soviet Socialist Republics) said that he was not quite ready to submit his observations. He suggested that the consideration of the USSR draft resolution should be postponed and that the next draft resolution should be dealt with.

25. The CHAIRMAN asked the Committee to consider the seven-Power draft resolution (A/C.3/L.448 and Add.1).

26. Mr. JOHNSON (United States of America) said that he was in the same position as the USSR representative.

27. Mr. PAZHWAK (Afghanistan) observed that both draft resolutions had already been introduced by their sponsors.

28. After a short exchange of views, in which Mr. JOHNSON (United States of America), Mr. RODRIGUEZ FABREGAT (Uruguay) and Mr. SAKSIN (Union of Soviet Socialist Republics) took part, Miss BERNARDINO (Dominican Republic) proposed that the meeting be adjourned.

29. The CHAIRMAN put to the vote the motion of adjournment proposed by the Dominican Republic.

The motion was adopted by 38 votes to none, with 5 abstentions.

The meeting rose at 12.10 p.m.