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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.458) (*concluded*)

INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING IN THE CAUSE OF PEACE (GENEVA, 1936) (A/C.3/L.447, A/C.3/L.458) (*concluded*)

1. Mr. TUNCEL (Turkey), speaking on behalf of the sponsors of the joint amendments (A/C.3/L.453) to the USSR draft resolution (A/C.3/L.447), said that they were willing to accept the proposals made in the USSR working paper (A/C.3/L.458) submitted in connexion with the amendment to operative paragraph 2 (*b*), with the exception of the final phrase, beginning with the words "on the understanding". The phrase beginning with the words "to invite" and ending with the word "objectively" had been taken from General Assembly resolution 424 (V), paragraph 4, and was therefore unexceptionable. The final phrase would enable Governments to interfere with radio signals by basing themselves on very broad and even arbitrary considerations. He hoped that the USSR representative would withdraw it. If he did not, the sponsors of the amendments would maintain point 3 of their amendments as it stood.

2. Mr. OBERG (Sweden) said that he was not opposed to a provision against the broadcasting of incorrect information, as embodied in articles 3 and 4 of the Convention, nor to one prohibiting interference with radio signals, but he could not agree to the idea proposed in the USSR working paper of authorizing such interference as a means of preventing such broadcasting. The broadcasting of incorrect information should be met by broadcasting true information and by argument.

3. Mr. PEREZ PEROZO (Venezuela) said that he would have to abstain if the proposal made in the USSR working paper was adopted. Normally, only very simple drafting amendments were introduced when League of Nations functions were transferred to the United Nations; but in the instance before the Committee, the Secretary-General of the United Na-

tions was being asked to draft new articles either about interference with radio signals or about broadcast propaganda. The discussion had shown that such articles were too political and controversial for the Secretary-General properly to assume responsibility for them. It would be preferable to draft a normal protocol of transfer. The delegations interested should submit to the Third, or perhaps the Sixth, Committee whatever proposals they had to make on those subjects when the draft again came before them.

4. In any case, provision for revision of the Convention was actually made in article 15, which left it to the States parties to the Convention. It would be for them to agree how any proposals for revision should be submitted to the General Assembly.

5. Mr. SAKSIN (Union of Soviet Socialist Republics) said that his delegation had been willing to accept all of the amendments (A/C.3/L.453) and had hoped that the sponsors would have shown the same positive conciliatory attitude. He had added nothing new, but had merely cited paragraph 4 of General Assembly resolution 424 (V) and included a reference to articles 1 and 3 of the Convention at the end of the paragraph. He much regretted that the sponsors were unwilling to accept such a modest proposal and had rejected the reference to the articles of the Convention. If the sponsors of the amendments refused the compromise offered, the USSR delegation would be in a difficult position. It could not relinquish the reference to articles 1 and 3 of the Convention, since the reference was justified and pertained to the substance of the original draft resolution (A/C.3/L.447).

6. If the sponsors of the amendments could accept the wording for operative paragraph 2 (*b*) proposed in the USSR working paper (A/C.3/L.458), his delegation would accept their other amendments. If not, he would be compelled to reject all the amendments and to request that they should be voted upon separately. For the time being, he was accepting the amendments in their entirety, including the amendment to paragraph 2 (*b*).

7. Mr. TUNCEL (Turkey) said that the sponsors of the amendments would maintain their amendment to operative paragraph 2 (*b*) despite what the USSR representative had said; it should be voted on first.

8. Mr. SAKSIN (Union of Soviet Socialist Republics) said that as he had accepted the three-Power amendments (A/C.3/L.453), they were no longer before the Committee. If the sponsors were dissatisfied with the situation, all that they could do would be to ask for a vote to delete the phrase to which they objected.

9. After an exchange of views between Mr. TUNCEL (Turkey), Mr. SAKSIN (Union of Soviet Socialist Republics) and Mr. MEADE (United Kingdom), Mr. TUNCEL (Turkey) formally proposed the dele-

tion of the last phrase in the USSR working paper, beginning with the words "on the understanding...".

At the request of the representative of the Ukrainian Soviet Socialist Republic, a vote was taken by roll-call.

Pakistan, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Pakistan, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Australia, Brazil, Canada, China, Costa Rica, Cuba, Denmark, Dominican Republic, Greece, Guatemala, Iraq, Netherlands, New Zealand, Norway.

Against: Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia.

Abstaining: Philippines, Saudi Arabia, Syria, Thailand, Venezuela, Yemen, Afghanistan, Argentina, Belgium, Burma, Egypt, Ethiopia, France, Honduras, India, Iran, Israel, Mexico.

The proposal was adopted by 21 votes to 6, with 18 abstentions.

10. Mr. HOOD (Australia) observed that some delegations might find it hard to accept the new matter inserted between the parts of the original joint amendment in the USSR working paper, even if the sponsors of the amendments could accept it. A separate vote might be taken on the phrase beginning with the words "to invite" and ending with the word "objectively".

11. Mr. MENDEZ (Philippines) agreed with the Australian representative. Not only new words, but new ideas had been added.

12. Mr. SAKSIN (Union of Soviet Socialist Republics) asked whether the Australian proposal might not imply that the Committee was being asked to vote against a previous decision by the General Assembly, embodied in paragraph 4 of resolution 424 (V).

13. Mr. KUEHN (France) was not sure that the Committee could properly reverse a previous Assembly decision.

14. Mr. MEADE (United Kingdom) said that it was true that the words were quoted from a previous resolution, but the Australian representative rightly believed that the quotation was out of context.

15. Mr. OBERG (Sweden), supported by Mr. PAZHAWAK (Afghanistan), suggested that the Australian representative might ask for a separate vote on the phrase, as it appeared to pose a special problem to him.

16. Mr. BAROODY (Saudi Arabia) suggested that it would be simpler and more normal to vote on each phrase—that beginning with the word "including", that beginning with the words "to invite" and that beginning with the words "and to provide"—separately.

17. Mr. HOOD (Australia) said that he would move the deletion of the phrase to which he objected rather than request a separate vote, in order to simplify the procedure.

18. Mr. BUVAILIK (Ukrainian Soviet Socialist Republic) requested that the vote on the Australian proposal should be taken by roll-call.

19. The CHAIRMAN put the three-Power amendments (A/C.3/L.453) to the USSR draft resolution (A/C.3/L.447) to the vote.

Point 1 was adopted by 33 votes to 5, with 6 abstentions.

Point 2 (a) was adopted by 27 votes to none, with 13 abstentions.

Point 2 (b) was adopted by 31 votes to 5, with 9 abstentions.

20. The CHAIRMAN put to the vote point 3 (a) of the amendments, calling for the addition of the words "or signatories" to operative paragraph 2 (b) of the draft resolution.

Point 3 (a) was adopted by 27 votes to none, with 17 abstentions.

21. The CHAIRMAN put to the vote point 3 (b) of the amendments, calling for the deletion of the words "to provide" after the words "and also" from paragraph 2 (b) of the draft resolution.

Point 3 (b) was adopted by 19 votes to none, with 23 abstentions.

22. The CHAIRMAN put to the vote point 3 (c) of the amendments, calling for the addition of the words "or other" after the word "legal" in paragraph 2 (b) of the draft resolution.

Point 3 (c) was adopted by 30 votes to 5, with 8 abstentions.

23. The CHAIRMAN called upon the Committee to vote on the working paper submitted by the USSR (A/C.3/L.458).

24. He put to the vote the words "including a new article, based on General Assembly resolution 424 (V) of 14 December 1950".

Those words were adopted by 32 votes to none, with 13 abstentions.

25. Mr. BUVAILIK (Ukrainian Soviet Socialist Republic) asked for a roll-call vote on the Australian proposal to delete the phrase "to invite all Governments . . . objectively, and" from the text proposed in the USSR working paper (A/C.3/L.458).

A vote was taken by roll-call.

Paraguay, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, China, Netherlands, New Zealand.

Against: Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Argentina, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Czechoslovakia, Denmark, Egypt, France, Greece, Guatemala, Honduras, India, Iran, Iraq, Israel, Mexico, Pakistan.

Abstaining: Venezuela, Belgium, Brazil, Burma, Canada, Cuba, Dominican Republic, Ethiopia, Norway.

The proposal was rejected by 28 votes to 8, with 9 abstentions.

26. The CHAIRMAN put to the vote the phrase beginning with the words "and to provide..." and ending with the words "radio broadcasts" in the same paragraph.

The phrase was adopted by 31 votes to none, with 12 abstentions.

27. The CHAIRMAN put point 4 of the amendments (A/C.3/L.453) to the vote.

Point 4 was adopted by 19 votes to 7, with 18 abstentions.

28. The CHAIRMAN put to the vote the USSR draft resolution (A/C.3/L.447) as a whole, as amended.

The draft resolution as a whole, as amended, was adopted by 25 votes to none, with 20 abstentions.

29. Mr. SAKSIN (Union of Soviet Socialist Republics) explained that he had abstained from voting on the draft resolution as a whole because the majority had decided to delete the reference to articles 1 and 3 of the Convention in operative paragraph 2 (b) and because the subsidiary amendments which had been adopted did not improve the text.

30. Mr. KOS (Yugoslavia) said that he had abstained from voting on the amendments and on the draft resolution as a whole and had only voted for the deletion of the last part of paragraph 2 (b) because he had assumed that all the other amendments had been accepted by the sponsor of the draft resolution. It was surprising that such a simple question as the transfer of functions should have given rise to a controversial political struggle. The transfer of the International Slavery Convention of 1926, which the Yugoslav delegation considered to be much more important than the Convention under discussion, had been effected by the adoption of a simple resolution on the lines of the original USSR draft. The three-Power amendments, though seemingly trivial, lent an unnecessary political flavour to the text and the legalistic arguments on which they were based would apply to all League of Nations conventions. The tone of the debate led to the assumption that the Third Committee was continuing to fight the "cold war". It was obvious that if a transfer was required, a protocol should be drafted, but that if changes and additions were to be made, a new convention should be prepared. The procedure used in the Committee could not serve the purpose of the Convention and showed once again that the time had not yet come for agreement on freedom of information.

31. Miss BERNARDINO (Dominican Republic) explained that she had abstained from voting on the draft resolution as a whole because, although the Dominican Republic had signed the Convention, it had not yet ratified it. The Convention expressed the wish of the signatories to improve mutual understanding among nations and she hoped that her Government would be able to ratify it in the near future.

32. Mr. HOOD (Australia) said that his country had been a party to the Convention since 1937, but that he had abstained from voting on the draft resolution because consideration of the Convention had been taken out of its proper context. The implications of the original USSR proposal were not clear. The Convention was within United Nations jurisdiction in some technical respects but not in others. In view of the time that had elapsed and of the changes that had taken place since the Convention had been adopted,

it would be inadvisable for the General Assembly to take action which might imply endorsement of the Convention as it stood. Revision of the Convention was another question and his Government was not in a position at that time to express its views on the subject. Accordingly he had abstained.

33. Mr. RAJAN (India) said that his country had ratified the Convention and had no objection to revitalizing it under the auspices of the United Nations. It had also voted for General Assembly resolution 424 (V). Nevertheless, it considered that the amendment of the Convention to include an article embodying the provisions of that resolution was a matter for the parties to decide. The United Nations included many States not parties to the Convention and it was hardly correct for them to call for changes in the substance of an agreement under which they themselves had incurred no obligation. Moreover, as the Belgian representative had pointed out, the reference to non-interference with foreign broadcasts was not restricted to broadcasts emanating from parties to the Convention. Those parties would thus unilaterally assume obligations towards non-parties. He had therefore been obliged to abstain on the draft resolution as a whole. He had voted for points 2 and 3 of the amendments, since they defined more accurately the rights and positions of States parties to the Convention.

34. U MAUNG MAUNG SOE (Burma) explained that he had abstained from voting on the amendments and on the draft resolution because his Government was not a party to the Convention and because he considered that the resolution could be properly implemented only by agreement between the sponsors of the draft resolution and of the amendments. The objectives of the resolution could not be achieved without such agreement.

35. Mr. GREEN (United States of America) said that he had abstained from voting on the draft resolution as a whole because the United States of America was not a party to the Convention and did not consider that it met the requirements of modern times. He had voted for some of the amendments, which improved the original draft, especially with regard to interference with the reception of foreign broadcasts. The United States delegation hoped that all broadcasts would be designed to maintain international peace.

36. Mr. PEREZ PEROZO (Venezuela) explained that he had abstained in the vote on the draft resolution and on some of the amendments because he did not think that the Secretary-General should be asked to assume responsibility for political action such as that implied in the draft resolution and because a resolution merely providing for a protocol of transfer should not contain substantive provisions affecting the actual text of the Convention.

The meeting rose at 5 p.m.