

alteration of sub-paragraph *b*. In sub-paragraph *b* the principal difficulty appeared to be in the word "sources". All information sources were public by their very nature. The word "sources" was open to a broad interpretation and might be stretched to cover closed meetings; it might, therefore, be deleted.

48. Mr. DAVIES (United Kingdom) felt that the Indian amendment would restrict rather than broaden the scope of sub-paragraph *b*, as it would permit the interpretation that some public information sources would not be open to the Press. Furthermore, it did not remove the objection with regard to the Press conferences held by delegations, most of which assumed that they had the right, even if they did not exercise it, to restrict attendance at their Press conferences to their own nationals.

49. He would therefore support the existing text.

50. Mr. ZONOV (Union of Soviet Socialist Republics) reminded the Committee that his delegation had supported both resolution 74(V) of the Economic and Social Council and resolution No. 9 of the Conference on Freedom of Information. It would also support the Economic and Social Council resolution under discussion. It was essential to accord the fullest possible facilities to correspondents accredited to the United Nations, because the work of that Organization should be widely publicized. The adoption of such a resolution would be extremely opportune, subject to the definite understanding that access should be granted only to open meetings.

51. With regard to the proposed standard agreement, he had some hesitation owing to the length of time which would be involved in its prepara-

tion. It should therefore be examined after the Economic and Social Council's resolution had been adopted.

52. Mr. NORIEGA (Mexico) said that to impose greater restrictions on correspondents accredited to the United Nations would be inconsistent with the spirit of the Convention on the International Transmission of News and the Right of Correction which the Assembly had adopted at the previous session. With regard to sub-paragraph *b*, the word "public" was self-explanatory and possibly redundant. Press conferences of delegations had never been regarded as public information sources. The Conference text had been satisfactory in that respect. He would support the Cuban amendment because it was closer to that text than the Economic and Social Council text.

53. Mr. CISNEROS (Peru) recalled that his delegation had always favoured the utmost possible freedom of access to information sources and had originally proposed an even broader resolution, which had not been adopted; its views, however, were on record.

54. With regard to sub-paragraph *b*, the emphasis was wrongly distributed as between the meetings and conferences of the United Nations and public information sources and services. He proposed, therefore, that that order should be reversed.

55. The CHAIRMAN announced the closure of the debate on document A/965. At the following meeting the Committee would have before it only the examination of the amendment submitted by the representative of Lebanon.

The meeting rose at 1 p.m.

TWO HUNDRED AND THIRTY-SIXTH MEETING

Held at Lake Success, New York, on Thursday, 29 September 1949, at 10.45 a.m.

Chairman: Mr. Carlos E. STOLK (Venezuela).

Freedom of information — Access for news personnel to meetings of the United Nations and the specialized agencies (A/965) (continued)

1. The CHAIRMAN drew attention to document A/C.3/L.7 which contained the text of the resolution recommended by the Economic and Social Council together with all the amendments submitted at the previous meeting.

2. Mrs. ROOSEVELT (United States of America) referred to the Lebanese amendment proposing that a standard agreement should be prepared as a basis for all future agreements on the subject. Since sub-paragraph *a* of the original text of the resolution provided that Member States should grant to news personnel free access to meetings in accordance with the terms and conditions of unspecified agreements, it was perhaps plausible to propose that a basic agreement should be prepared setting forth exactly what those terms and conditions were. She feared, however, that in existing circumstances the pursuit of logic might lead to practical difficulties.

3. In the first place, it would be most logical to take the existing Headquarters Agreement entered into between the United Nations and the United States of America as a basis for all future agreements. All the Member States had participated in the drafting of that agreement and it had been unanimously adopted. It was true that the terms of agreements between the specialized agencies and their host countries might vary slightly from those of the Headquarters Agreement and, in some cases, such agreements might actually be in the process of negotiation.

4. If the Secretary-General were asked to prepare a fresh model to cover the limited class of cases dealt with in the resolution, it would not only reopen a question which, for some countries, had already been completely and satisfactorily settled, but there would also be the danger of involved and conflicting legal instruments and obligations inviting a state of general confusion.

5. In her opinion, therefore, it would be best to adopt the resolution as recommended by the Economic and Social Council without any change. She did not think that the obligations which States

might undertake in future agreements should be prejudged by the preparation of a specific standard agreement. It would be better simply to draw attention to the existing agreements and to trust the countries concerned to undertake similar obligations as far as was possible in accordance with their own legislation.

6. Mr. KAYSER (France) did not think there was really any danger to be feared from the adoption of the Lebanese amendment. The representative of Lebanon had in fact raised the question during the discussions in the Economic and Social Council and several delegations had favoured the idea.

7. He emphasized the fact that there was no question of revising the existing agreements. Moreover, no State would be obliged to accede to the new standard agreement; it would simply serve as a basis to simplify the preparation of future agreements. As long as the representative of Lebanon agreed to that interpretation of his amendment, the French delegation would consider it an extremely helpful contribution and would gladly support it.

8. Mr. BOKHARI (Pakistan) expressed his wholehearted support of the Lebanese amendment which he interpreted in the same way as the representative of France.

9. As for the fears expressed by the United States representative, Mr. Bokhari thought that, far from creating confusion, the adoption of the Lebanese amendment would help to bring order and uniformity into any future agreements. In his opinion, the adoption of the original text would be more likely to lead to confusion, since the second part of sub-paragraph *a* was extremely vague. States were asked to adhere to future agreements based on "terms and conditions similar to those contained in agreements made by the United Nations or its specialized agencies with other Member States". As the existing agreements already differed in various respects, the future agreements would probably differ still more and the confusion feared by the United States representative would thus ensue. If, on the other hand, a standard agreement were prepared, States would know exactly what obligations they were expected to undertake and it would be much easier to achieve uniformity.

10. Mr. TEJERA (Uruguay) said that he had supported the Lebanese amendment at the previous meeting because he had understood that the standard agreement would be prepared and adopted during the current session of the General Assembly. Since the text of the amendment specified that no final decision on the subject would be reached until the fifth session, he regretted that he could no longer support it.

11. In his opinion, it was extremely important to adopt adequate provisions without delay; he would, therefore, vote in favour of the original text of the resolution with the amendment submitted by the representative of Cuba.

12. Mr. MENESES PALLARES (Ecuador) was in favour of the Lebanese amendment because he felt that the adoption of such a standard agreement would prevent States from imposing restrictions on the entry of correspondents for purely political motives, a fact which had no relation whatever to the economic and social work of the United Nations.

13. He would also support the Cuban amendment to sub-paragraph *b*.

14. Mr. GEORGE (Liberia) said that, in creating the Economic and Social Council, the United Nations had implicitly expressed its confidence in that body's capacity to perform its work satisfactorily. The Council had put a great deal of work into the drafting of the text of the resolution. His delegation therefore endorsed the arguments advanced by the United States representative and would support the Council's text.

15. Mr. AZKOUL (Lebanon) agreed with the interpretation of his amendment given by the representative of France and pointed out to the representative of Uruguay that there was no delay involved. The words "and meanwhile" at the end of the paragraph he proposed to insert showed quite clearly that the remainder of the resolution would be implemented during the interval required to prepare the standard agreement.

16. Mr. GARCÍA (Guatemala) emphasized the need for some common standard to which States could adjust their domestic legislation on freedom of information. He would therefore support the Lebanese amendment, although he regretted that the production of the proposed model agreement might be delayed in the same way as had been the opening for signature of the Convention on the International Transmission of News and the Right of Correction. That convention had already laid down the requisite limitations implicit in the Lebanese amendment, particularly in the references to existing national laws and regulations in article II, to national security in article V and to the full discretion of contracting States as to the refusal of entry and restriction of the period of residence in article XII, paragraph 7. The fullest possible freedom of access to information should be accorded as rapidly as possible, but, obviously, national security must be the overriding consideration.

17. Mr. LUNDE (Norway) doubted whether the proposed standard agreement would serve any useful purpose. Specific agreements should be drafted to meet the conditions of each case as it arose. He would therefore oppose the Lebanese amendment and vote for the Economic and Social Council's text as it stood.

18. Mr. OTAÑO VILANOVA (Argentina) maintained his support of the Lebanese amendment. He would also support the Saudi Arabian amendment. Even if the second part of paragraph *a* were rejected, the substance of the whole paragraph would not be altered and free access would still be fully guaranteed.

19. Mr. ALAMAHEYOU (Ethiopia) was particularly satisfied with the principle of the Lebanese amendment because it would provide valuable guidance in the conduct of international affairs in general, and not merely in the case of the subject under discussion. The amendment would not affect any previous or future agreements. It should be clearly stated, however, whether the proposed standard agreement was to be optional or compulsory, for in the latter case, some governments might be reluctant to implement it.

20. Mrs. VIAL DE SEÑORET (Chile) supported the Lebanese amendment because a standard for future agreements was needed. It was clear, however, that the proposed standard agreement

need not be drafted before action had been taken on the resolution before the Committee.

21. Mr. DAVIES (United Kingdom) like the representative of Norway, failed to see the purpose of a standard agreement. The Lebanese amendment itself provided that such an agreement would merely serve as a basis for future agreements. The existing agreements could, however, serve the same purpose. In any case, any such agreements would have to be made consistent with existing national legislation. The drafting of such an agreement, moreover, would make additional work for the Secretariat and for the Sixth Committee. He would therefore vote for the Economic and Social Council's text as it stood.

22. Mr. FREYRE (Brazil) said that all the amendments submitted merely complicated the original text, to which no objection could be raised in its existing form. The Lebanese amendment had introduced an innovation, interesting but of doubtful value, which might delay the implementation of the original resolution. Moreover, the adoption of that amendment might entail unnecessary financial implications.

23. Mr. AQUINO (Philippines), replying to a question asked by the representative of the United States of America, said his amendment referred solely to the first phrase of the original text of sub-paragraph *a*, the remainder of that sub-paragraph being left intact. The only aim of his amendment was to remedy the ambiguity which existed in the original text.

24. Mr. AZKOUL (Lebanon) emphasized again, in reply to the point raised by the Ethiopian representative, that the proposed standard agreement would naturally be modified by its various signatories in accordance with the existing provisions of their domestic legislations. It would in no way affect existing agreements and would itself be only optional in character.

25. Mr. BRAÑA (Cuba) and Mr. RAO (India) announced that they had reached agreement on the following joint amendment to sub-paragraph *b* of the Economics and Social Council draft resolution:

“(b) To all such information sources and public services of the United Nations and the specialized agencies and to all such meetings and conferences of the United Nations or of the specialized agencies as are open to the Press, equally and without discrimination.”

26. Mr. CISNEROS (Peru) withdrew his amendment to sub-paragraph *b*.

27. The CHAIRMAN announced that the following order would be followed in the voting on the various amendments submitted to the resolution of the Economic and Social Council: The Lebanese amendment, the Philippines amendment, a separate vote on two parts of sub-paragraph *a*, divided at the request of the representative of Saudi Arabia, and the joint Cuban and Indian amendment.

28. He put the Lebanese amendment to the vote.

The amendment was not adopted, 19 votes being cast in favour and 19 against, with 12 abstentions.

29. The CHAIRMAN put the Philippine amendment (235th meeting) to the vote.

The amendment was rejected by 17 votes to 13, with 16 abstentions.

30. The CHAIRMAN put to the vote the first part of sub-paragraph *a*, ending with the words “the governments of such countries”.

That part was adopted by 41 votes to none, with 4 abstentions.

31. Mr. BOKHARI (Pakistan) wondered whether the Chairman could allow members of the Committee to speak at that stage of the proceedings. Indeed, although under rule 80 of the rules of procedure no representative could interrupt the voting except on a point of order, he felt that the voting was not one single continuous vote but a series of separate actions. Consequently, members of the Committee might be allowed to speak in the interval between the end of one vote and the beginning of the next.

32. The CHAIRMAN replied that under rule 80 of the rules of procedure, after the Chairman had announced the beginning of voting, no representative could interrupt the voting except on a point of order in connexion with the actual conduct of the voting. Explanations of votes, however, might be permitted by the Chair either before or after the voting.

33. He put to the vote the second part of sub-paragraph *a*, beginning with the words “or in the absence of such an agreement”.

That part was adopted by 30 votes to 6, with 9 abstentions.

34. Mr. BRAÑA (Cuba) requested a roll-call vote on the joint Cuban and Indian amendment to sub-paragraph *b*.

A vote was taken by roll-call.

In favour: Argentina, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, India, Mexico, Pakistan, Uruguay.

Against: Australia, Belgium, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, Czechoslovakia, Denmark, France, Greece, Liberia, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Burma, China, Egypt, El Salvador, Ethiopia, Guatemala, Iran, Iraq, Israel, Lebanon, Philippines, Saudi Arabia, Syria, Yemen, Yugoslavia.

The amendment was rejected by 24 votes to 10, with 15 abstentions.

35. The CHAIRMAN put to the vote the draft resolution of the Economic and Social Council (A/965).

The draft resolution was adopted by 42 votes to none, with 7 abstentions.

36. Mr. BRAÑA (Cuba) said he voted in favour of the draft resolution as a whole although he considered that the insertion by the Economic and Social Council of the word “public” into sub-paragraph *b* of the original text submitted by Cuba was unfortunate and did not correspond to his delegation's original intention.

37. Mr. OTAÑO VILANOVA (Argentina) felt that the resolution as adopted embodied many useful

provisions, but he objected to the second part of sub-paragraph *a*. Indeed, his Government could not agree to abide by the terms of agreements to which it had not been a party.

38. Mr. TEJERA (Uruguay) said he had supported the resolution because it represented an important step forward in the field of freedom of information.

39. Referring to the point raised by the representative of Pakistan during the voting, he expressed the opinion that common sense should apply whenever any situation was not explicitly covered by the existing rules of procedure. He felt that when any text was being voted on paragraph by paragraph, representatives should be allowed to clarify various points during the intervals between the separate votes.

40. Mr. KAYSER (France) observed that the word "public", which had given rise to so much discussion, was not included in the French version of sub-paragraph *b* of the resolution just adopted by the Committee. In view of the discussion which had taken place, that omission seemed to constitute a difference of substance.

41. Mr. HESSEL (Secretary of the Committee) having pointed out that the English expression "public information" was usually translated into French merely by the word *information*, Mr. KAYSER (France) said he would leave that matter to the discretion of the Secretariat of the United Nations.

The meeting rose at 12.35 p.m.

TWO HUNDRED AND THIRTY-SEVENTH MEETING

Held at Lake Success, New York, on Friday, 30 September 1949, at 10.45 a.m.

Chairman: Mr. Carlos E. STOLK (Venezuela).

Draft convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others (A/977 and A/C.3/520)¹

1. The CHAIRMAN called for examination of two notes by the Secretary-General on the draft convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others (A/977 and A/C.3/520).

2. Mr. DELIERNEUX (Secretariat) summarized the background of the text of the draft convention, which had been transmitted to the General Assembly by the Economic and Social Council under its resolution 243 (IX) B. A summary account of the action taken on the subject was contained in the two documents before the Committee. At its ninth session the Economic and Social Council had discussed the draft convention in general terms, article by article, but had not voted on it. The principal articles on which there had been disagreement had been articles 1, 6, 8, 12, 17, 23, 24, 27 and 30. The Secretariat had subsequently introduced a number of drafting changes which had in no case affected the substance of the original text (A/C.3/520, annex I).

3. In view of the somewhat complex juridical questions involved, it might be desirable to transmit articles 8, 12, 25, 26, 28, 29, 30, 31 and 32 to the Sixth Committee for exhaustive examination.

4. The CHAIRMAN observed that a general debate would be unnecessary, since the substance of the draft convention had been amply discussed by the Social Commission and the Economic and Social Council.

5. He therefore proposed that the discussion should be taken article by article.

It was so decided.

6. The CHAIRMAN said that the Economic and Social Council's text as revised by the Secretariat

(A/C.3/520, annex I) would be taken as the basic working paper.

7. Replying to Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic), the CHAIRMAN said that amendments to any of the articles should be submitted before 6 p.m. on Monday, 3 October 1949.

8. In accordance with the suggestion of Mr. REEDY (New Zealand), the CHAIRMAN said that the examination of the preamble should follow the discussion of the articles.

9. Mr. REEDY (New Zealand) emphasized that the Economic and Social Council had requested its Social Commission to exclude from its draft, based on the draft convention prepared by the League of Nations in 1937, any changes which did not meet with general approval. The draft convention before the Committee, therefore, contained little that was new but was in the nature of a consolidation of previous agreements and conventions. There could no longer be grounds for any wide divergences of opinion on the substance of the draft convention submitted to the Committee, but certain articles, such as article 6, might still be open to disagreement. His own delegation, however, believed that the existing text was satisfactory.

10. Articles 24 and 27 involved the so-called colonial application clause. That clause had been fully explained and discussed in another context at the third session. It was to be hoped that it would be regarded as a standard form, at least provisionally, for inclusion in international instruments.

11. Mr. Reedy supported the proposal of the representative of the Secretariat that the articles mentioned by him should be transmitted to the Sixth Committee for examination. The Social Commission and the Economic and Social Council had taken a similar view.

12. Mrs. CASTLE (United Kingdom) suggested that all articles except articles 1 to 6 inclusive should be referred to the Sixth Committee, as the legal experts might wish to raise points on

¹ See *Official Records of the Economic and Social Council*, Fourth Year, Ninth Session, *Supplement No. 1*, resolution 243 (IX) B.