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Chairman: Mr. S. Amjad ALI (Pakistan).

Freedom of information (*continued*): (a) Problems of freedom of information, including the study of the draft convention on freedom of information (A/AC.42/7, A/2172, chapter V, section VI, A/2181, A/C.3/L.239, A/C.3/L.242/Rev.1, A/C.3/L.243, A/C.3/L.244, A/C.3/L.252 and Add.1, A/C.3/L.255, A/C.3/L.256) (*continued*)

[Item 29 (a)]*

GENERAL DEBATE (*continued*)

1. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) said that countries which had recently suffered the ravages of war were anxious to achieve a lasting peace which would enable them to repair the damage and to raise their cultural and economic level. Peace depended on friendly co-operation among nations, and that co-operation, in turn, largely depended on whether the media of information disseminated true reports or whether they distorted facts in an effort to incite hatred.

2. It was therefore incumbent upon the United Nations to take all necessary measures to ensure that media of information throughout the world were used to promote peace, security and friendship among peoples. Paragraph 1 of the operative part of the USSR draft resolution (A/C.3/L.255), which called for the implementation of General Assembly resolution 110 (II), filled a real need, since although that resolution had been unanimously adopted, war propaganda continued, and had indeed reached unprecedented proportions. In the United States of America, all the media of information had been turned to that purpose, poisoning the minds of millions. It was impossible to pick up an American newspaper or news magazine

without finding vicious incitement to war and to hatred against the USSR and the peoples' democracies.

3. After citing several examples, he remarked that putting the media of information to such use, far from promoting the cause of peace, might give rise to a new conflict. The USSR and the peoples' democracies had recently adopted a law for the defence of peace, under which war propaganda in any form was made a crime and those who engaged in it were to be brought to justice. The representatives of countries in which war propaganda was rampant, however, claimed that to forbid it would be contrary to the democratic principles of freedom of information. Such an argument was plainly invalid: those same countries had laws forbidding the publication of pornographic material and fraudulent advertisements, so there was no reason why they should not also have laws prohibiting the publication of slanderous rumours and material inciting to hatred and aggression against peace-loving peoples. The argument was, in fact, no more than a pretext to allow the war-mongering campaign to continue unchecked.

4. Furthermore, although the United Nations itself had been brought into being by the civilized world's rejection of nazi and fascist ideology with its tenets of racial discrimination, the media of information in many capitalist countries were still used to preach the doctrine of racial superiority. It was incumbent on the United Nations to take steps to prevent such distortions of the principle of freedom of information, and he would therefore support paragraph 2 of the operative part of the USSR draft resolution, which was designed to achieve that very purpose.

5. The United States, United Kingdom and other representatives had had much to say at the sixth session of the General Assembly on the freedom and independence which the Press and other media of

* Indicates the item number on the agenda of the General Assembly.

information enjoyed in their countries. The truth of the matter was that their peoples did not have access to the media of information and were therefore unable to make their voices heard above those of the monopolistic owners of information enterprises which were operated for profit, like any other branch of industry, and without any regard for public opinion. The owners themselves were frequently controlled and censored by other capitalists on whose advertisements they were dependent. It was because the media of information reflected the views of that small group, rather than of the people, that they published slanderous attacks against other States, minimized the achievements of those States, and called for a war of aggression. It was the plain duty of the United Nations to take steps to remedy that dangerous situation. Paragraph 3 of the operative part of the USSR draft resolution would meet that aim and he would accordingly support it.

6. The Ukrainian delegation was firmly convinced that the USSR draft resolution as a whole expressed the wishes of all those who were in favour of peace and the development of friendly relations between nations, and would therefore vote for it.

7. He would comment on the other draft resolutions on freedom of information at the appropriate stage.

8. Mrs. FIGUEROA (Chile) observed that delegations had drawn attention in the plenary meetings of the General Assembly's current session to the fact that public confidence in the United Nations was decreasing in proportion as international tension was dividing the world into two antagonistic sectors and was shaking the very foundations of the Organization. That situation compelled the Member States to concentrate on problems which had been postponed session after session without being solved. The major Powers unfortunately tended to concentrate on the large political issues and to regard the others as secondary problems in the current world situation. That might imply an intention of separating the problems of war and peace from other factors of universal importance which might contribute more powerfully than armistices and rearmament to the creation of better understanding among peoples and to the decrease of suspicion, doubt and bad faith in international relations.

9. The discussion on freedom of information had been a typical example. It was noteworthy that the draft covenant on human rights had undergone somewhat similar treatment and that the problems, the solution of which had been continuously hampered, had been those which required the giving of reality and juridical content to the principles relating to human rights and fundamental freedoms embodied in the Charter. The discussion of freedom of information had been a typical example; the subject had been exhaustively debated no less than seventeen times in various United Nations organs. In every case, the under-developed countries, which formed the majority of the Membership of the United Nations, had seen their hopes frustrated by the will of the more advanced minority.

10. That frustration had been particularly striking on two occasions. During the second part of the General Assembly's third session, after the Convention on the International Transmission of News and the Right of Correction had been adopted, no way had

been found out of the impasse in which the discussion of the draft convention on freedom of information had landed the Third Committee. The Economic and Social Council had considered at its eleventh session the recommendation by the Commission on Human Rights — made after provisions concerning freedom of information had been included in the draft covenant on human rights — that a special convention of freedom of information should be drafted. The Social Committee, a committee of the whole, had decided, by 8 votes to 5, with 2 abstentions, to comply with that recommendation. Yet, before the Council had met in plenary session to consider that item, methods only too often employed in the United Nations on such occasions had been applied, and the full Council had rejected, by 7 votes to 6, with 2 abstentions, the recommendation its members had only recently adopted.

11. Throughout the discussion in all organs, two main conflicting views had been expressed. Some delegations had believed, and still believed, that the best method of protecting freedom of information and preventing the dissemination of false reports was to secure absolute freedom of information and to guarantee a greater flow of information. Their opponents had believed, and still believed, that true freedom of information could be achieved only if the assumption of responsibility by the correspondent or information agency was made mandatory. Both, therefore, believed that the need to safeguard freedom of information existed, but differed in their views as to how the need was to be met.

12. The proponents of both lines of thought viewed the possible dangers from different angles. Countries with highly developed information media feared any interference by the State in the gathering and dissemination of news, even where national security was concerned and limitations would only be established when clearly stipulated by law and in accordance with the law, whereas the less developed countries, which formed the majority, feared that absolute freedom of information might lead to its abuse and that the truth about them would be in the hands of the highly developed information agencies of the more advanced countries that might stifle the few and weak local enterprises that did exist.

13. Experience had unfortunately shown that all those fears were justified. Information was less free than it had been at the time of the General Assembly's third session. The manufacture of news by governments and restrictions on the flow of information had resulted at home in a tremendous deformation of the mentality of the people, and abroad in the growth of hysteria and fear, whether justified or not. Information had been increasingly distorted, either from lack of knowledge or just to serve financial interests. The under-developed countries which lacked information media of their own had not improved their position. The zone of virtually complete silence had broadened. At the same time, however, demands for self-determination, enlightenment and the enforcement of human rights had become increasingly vocal. What was still lacking was some effective means of international communication whereby a collective conscience could be built up. Mere words were not enough; some common ground must be found and lesser evils accepted in the interest of effective gains.

14. A draft convention by itself would not be sufficient, particularly if the more advanced countries refused to accede to it. A convention would be the best method of furthering the protection of freedom of information, but it was not the only one possible. The Committee was morally bound to go further. The fact that the Economic and Social Council had appointed a rapporteur should not be made a pretext for delay. The Chilean delegation therefore supported the draft resolution (A/C.3/L.252) sponsored by the French and other delegations calling for the opening for signature of the Convention on the Right of Correction.

15. Undoubtedly, that was not a wholly satisfactory solution, but it was least a step in the right direction. It did not imply that the other two conventions, which the General Assembly had rightly regarded as interdependent, should be abandoned. The General Assembly should continue its work on freedom of information parallel with that of the Economic and Social Council. There need be no interference with the Council's own work since even after the two conventions had been ratified, there would be enough to keep the Council occupied for some years in that field.

16. The Chilean delegation would also support any proposals for the application of technical assistance in the field, a subject with which the Third Committee had not yet dealt, and one that was unlikely to become controversial. Technical assistance was not, however, a panacea. Technical assistance and the work previously done in the field should be combined in a feasible short-term programme designed to redress the lack of balance between the countries with under-developed information media and the advanced countries.

17. Mr. DEDIJER (Yugoslavia) could not agree with some delegations that work on freedom of information had reached an impasse and that nothing tangible had been achieved. Light had been thrown on the problem from all sides and certain opinions had become crystallized, so that the United Nations had obtained a clear picture of the reasons for the unsatisfactory situation that existed. Even such delegations as that of the United States, which for years had refused to come to grips with the problem, had been compelled at last to face the realities. There could be no equal flow of information so long as there was a vast difference between the media of information available to different countries. Other obstacles to the free flow of information were, relatively speaking, of secondary importance. At the same time, the struggle for self-determination and the attainment of independence by peoples recently freed had had a profound influence in the field of freedom of information, because such peoples were eager to preserve their own culture, a point already emphasized in one form or another by the delegations of Egypt, Afghanistan, Bolivia and Chile.

18. The great differences in the material media of information placed the less-developed countries at a tremendous disadvantage. The more advanced countries used their material superiority to impose on them an alien way of life. There were whole continents, such as South America, which did not possess a single domestic telegraphic news agency; the dominant foreign agencies naturally disseminated only information which served their own interests. The Afghan representative's sug-

gestion (425th meeting) that one method by which domestic interests might be safeguarded would be the nationalization of all forms of foreign information media merited consideration.

19. The United States representative should take that point of view into consideration instead of confining himself to interpreting freedom of information as the right to receive the news he wished from all parts of the world and to disseminate throughout the world the information he thought fit. The Yugoslav delegation naturally believed that the widest possible exchange of information was the best means of strengthening international relations, but it opposed the use of powerful media of information for the purpose of presenting one side of the picture only. It was a well-known fact that not only in under-developed countries but even in developed countries possessing information media only less powerful than those of the United States, resistance to the domination of the United States media was increasing. The United Kingdom, for example, had apprehended such dangers to itself in the draft Convention on the International Transmission of News that its delegation had attempted to have a special clause inserted in the draft convention on freedom of information dealing with protection of the balance of payments. The United States representative might be aware that there had been negotiations subsequently, within and outside the United Nations, designed to checkmate that proposal.

20. The Committee must therefore endeavour to find ways and means of eliminating the great material differences in the field of media of information, of ensuring the free flow of information without endangering the free development of the media of information of under-developed countries and of protecting the under-developed countries against the great propaganda machinery of the advanced countries.

21. The reason why the United States and USSR delegations had voted in the same way on all important matters concerning freedom of information was that they both possessed media of information far superior to those of the countries in which they were interested and were anxious to place their own enterprises in a dominant position. It was not true that the Soviet Union was not interested in influencing other peoples' media of information. The facts, as collected by a group of Yugoslav journalists, showed that throughout Eastern Europe domestic media of information were being stifled by USSR penetration, which was threatening the cultural heritage of those countries and aiming at their complete "russification".

22. In Czechoslovakia, one of the most developed countries in Europe, the evolution was particularly striking. Radio Prague had become indistinguishable from Radio Moscow. The leading newspaper, *Rude Pravo*, with thirty years of existence as the most important working-class paper, had been almost entirely remodelled along Soviet lines. The amount of space devoted to TASS dispatches and articles by USSR commentators or dealing with USSR themes had increased out of all proportion to the space devoted to domestic news. From the middle of 1947 to the middle of 1948, for example, 80 per cent of the news on foreign political developments printed in

Rude Pravo had been of domestic origin and only 3 per cent from TASS; from the middle of 1951 to the middle of 1952, news from domestic sources had been 45.6 per cent, from TASS 46.6 per cent. *Rude Pravo* had been compelled to alter its traditional make-up so that it had become a replica of the Moscow *Pravda*, and almost exactly resembled the leading papers in Budapest, Bucharest, Sofia and Warsaw. What had occurred in Czechoslovakia, one of the most developed countries, had occurred on a similar or greater scale in the other countries of Eastern Europe under the influence of the Soviet Union. No such uniformity had been seen in that part of the world since the days of Metternich and the Holy Alliance.

23. He could give from personal experience many other examples of the USSR policy in the field of information. In the course of a single month in 1947, the representative of the Soviet Information Bureau in Yugoslavia had sent 150 articles by USSR journalists to *Borba*, the leading Yugoslav daily newspaper, and been highly incensed when some of them had been rejected, though if all had been printed they would have crowded Yugoslav journalists out of the newspaper altogether. A similar, and equally unsuccessful, attempt had been made to supplant Yugoslav songs by Russian songs on the Belgrade radio. The Soviet Union had, however, succeeded in imposing on Yugoslavia a contract for the purchase of Soviet films under which Yugoslavia had no right to choose the films and had to pay in capitalist dollars for the product of a socialist country—a product frequently inferior to that available from the West and many times more costly. Upon discovering that the contract meant a heavy financial loss, Yugoslavia had made repeated requests for its modification, but the requests were always refused on the ground that if it agreed, the USSR Government would have to modify similar contracts which it had concluded with other Eastern European countries.

24. Since Yugoslavia had resisted the attempts of the Soviet Union to capture its media of information, and had at last broken with that country, it had during the past four and a half years been subjected to tremendous pressure on the part of the mighty USSR propaganda machine, which had unleashed a campaign of slander against it and was daily inciting its neighbours to aggression. It was in the face of those facts that the USSR representative had just told representatives of sixty nations that media of information ought to promote the dissemination of truthful and objective information aimed at maintaining international peace and security.

25. A book by Orest Maltsev, entitled *The Tragedy of Yugoslavia*, which had recently been awarded the Stalin Prize in the USSR, and had been printed in translation in many Eastern European countries, accused—needless to say unjustly—Yugoslav statesmen, public leaders, writers and journalists, of being agents of the Gestapo, the British Intelligence Service, the FBI, etc. He himself was accused of having been a Gestapo agent and the same charge was brought against his wife who, as a doctor with a partisan division fighting the Germans, had been killed in battle in 1943. The USSR propaganda machine spared neither the living nor the dead, not even those who had

sacrificed their lives in the common struggle against fascism. Such were the methods used by a big country with powerful media of information against a small country.

26. It should therefore be clear to all how important it was for the small countries to find ways and means of telling the world the truth about themselves. When the problem of freedom of information was seen in that light, it was not difficult to decide what action the United Nations should take in that field.

27. The Yugoslav delegation proposed the following programme. First, since the majority considered that the draft convention on freedom of information should be adopted as soon as possible, work on the convention should be undertaken at once, in full awareness of the obstacles to the free flow of information created by the striking differences in the stage of development of media of information in various countries.

28. Secondly, the United Nations should encourage the development of domestic news agencies. Economic and Social Council resolution 442 (XIV), which merely called for the study of an already well-known problem, was unsatisfactory, and the General Assembly should proceed at once to prepare, jointly with UNESCO, a working programme for practical assistance in the development of such agencies. The General Assembly should certainly deal with the matter itself, since the Economic and Social Council, which had recently taken it upon itself to reverse decisions of the General Assembly and to disregard the decisions of its own subsidiary bodies, seemed to be bent on carrying on a private war of its own. If the Council persisted in its recent trend, all efforts in the field of freedom of information would be doomed to failure and, worse still, a minority of Member States would be able to hamper the economic and social development of the majority.

29. Thirdly, the United Nations should at once open for signature the Convention on the International Right of Correction, thereby helping to disseminate the truth about all countries, regardless of the media of information at their disposal. The fact that the Economic and Social Council had appointed a rapporteur on the question of freedom of information was no reason for delaying the practical steps he had proposed.

30. Finally, he felt that the many hours of debate devoted in the United Nations to the question of freedom of information had not been wasted; they had made it possible to learn what the true difficulties were and consequently to see how to overcome them. That in itself should be an encouragement to press on. His delegation was not under any illusion that adoption of the draft conventions prepared by the United Nations Conference on Freedom of Information would radically change the situation; it would, however, furnish a powerful weapon to those fighting for its improvement.

31. Mrs. EMMET (United Kingdom) noted that freedom of information and of the Press was described in the preamble to the draft code of ethics (E/2190, annex A) as a fundamental human right and the touchstone of all the human freedoms set forth in the Charter. Recent European history had shown clearly that without such freedom, peace and true democracy could not exist. Freedom of information, however, must not

be merely a narrow tolerance closely regulated by authority, but the free unimpeded flow of information and ideas. Moreover, it must be borne in mind that the protection of that freedom involved allowing those with opposing views to express those views freely, a responsibility which some members of the Committee had been prone to ignore. For example, the remarks of the USSR representative at a recent meeting demonstrated clearly the gulf which existed between the democratic and the totalitarian concepts of freedom of information.

32. Despite the opinion of certain members of the Committee that no further action should be taken, she felt that by pursuing its efforts with patience the Committee might still accomplish something worth while in the field of freedom of information. There was encouragement in the remarks of the Rapporteur newly appointed by the Economic and Social Council, who had held out hope of achieving practical results on which the Committee could base its future work on the problem.

33. In her opinion, the delays and set-backs which had attended the draft convention on freedom of information had resulted not from attempts at sabotage by a few members of the Committee, but from the genuine convictions of the majority. The application of principles by means of international conventions was not an easy matter; in that connexion she welcomed the statement by the Rapporteur that his report would deal, among other matters, with the utility of such conventions as a method of preserving freedom of information. Conventions were not international legislation, but voluntary commitments undertaken by governments, and as such must necessarily obtain a fairly wide measure of agreement if they were to be a success. It was with that factor in mind that the Economic and Social Council had concluded that it was not justified in calling a conference of plenipotentiaries on the basis of a draft convention which struck such a delicate balance between opposite schools of thought that in fact it pleased nobody.

34. The United Kingdom delegation would always be willing to participate in any attempt to redraft article 2 of the draft convention (A/AC.42/7, annex), one of the focal points of disagreement; but certain difficulties should be foreseen. Evidently there were still wide divergencies of view as to what limitations of the freedom were permissible, and their crystallization in a text might well give rise to varying interpretations. What was information and what was propaganda? What was the definition of false and distorted news?

35. From the USSR representative's recent tirade against the United Kingdom, the United States of America and France, for example, it was obvious that the Soviet idea of promoting peace and friendly relations between peoples was very different from hers. It was also singular that he had condemned Press monopolies so vehemently when, as the representative of Yugoslavia had just pointed out, an absolute monopoly of all forms of information was maintained by the Government of the Soviet Union.

36. Nor could she agree with the representative of Pakistan (424th meeting), who had seemed to argue that any convention would be preferable to no convention at all; in her opinion a badly drafted convention might be subject to exploitation by unscrupulous gov-

ernments acting under the protection of the name of the United Nations.

37. As regards the Convention on the International Transmission of News and the Right of Correction, she had no objection to its being opened for signature at once, if desired. She opposed, however, the French delegation's suggestion that a separate convention on the right of correction should be opened for signature before the general inquiry into the utility of conventions foreshadowed by the Council Rapporteur. No such legal and enforceable right existed in the United Kingdom, and an attempt to enforce it might well promote governmental interference with freedom of information.

38. She noted that the draft code of ethics had already been transmitted to professional organizations for their guidance and expressed the view that it should prove a useful contribution to the solution of the problem, although the final solution must lie in education and the progressive raising of professional standards.

39. The report to be submitted in April 1953 by the Rapporteur appointed by the Council ought to provide a most useful basis for discussion. The Third Committee might with advantage postpone any decision concerning future work in the field of freedom of information until that report was available for study.

40. In conclusion, she did not agree with the view that no progress had been made in the United Nations since the question of freedom of information had first been raised. Much had been learned concerning the true nature of the obstacles to be overcome; and the United Nations could go forward, in co-operation with the specialized agencies, to attack those obstacles to freedom of information which could be dealt with at the current time with reasonable hope of success. The imperfect enjoyment and, indeed, suppression of freedom of information in some parts of the world constituted a grave threat to peaceful relations among nations; the United Nations must work patiently and steadfastly in order that, ultimately, the free exchange of ideas and of the written and spoken word might bring truth and understanding to all peoples.

41. Mr. AZKOUL (Lebanon) said that the fate of the draft convention on freedom of information would depend upon the decision taken by the Third Committee at the current session; accordingly, the Committee must exhaust all possibilities of compromise, studying the conflicts of opinion carefully and endeavouring once more to resolve them. Although past experience was discouraging as regards efforts at compromise, the situation was not hopeless. It would be dangerous to adopt a text which represented the objectives of only one group of the members and which would probably, therefore, receive the support of only a limited number of governments.

42. The chief negative factor to be contended with was the existence of certain fundamental differences of opinion concerning the rights and obligations of States and the methods to be employed to protect freedom of information. One group held that dissemination of information should serve the interests of national peace and security, and that freedom of information should be granted only at the discretion of the State and to organizations serving those ends. A second

group advocated complete freedom of information but was divided within itself on one major point: the under-developed countries were anxious to prevent abuses, especially by powerful foreign information media, and therefore favoured the inclusion of restrictive clauses, while the more highly developed countries opposed opening the door to any governmental interference whatsoever and resisted the inclusion even of certain minimum limitations already accepted in many countries.

43. The adoption of the original draft convention at Geneva in 1948 had been regarded as a partial victory for the under-developed countries; the history of the question since that time, through several debates in the General Assembly had shown a persistent lack of agreement and recognition of the fact that a convention adopted without the support of the more highly developed countries had little hope of succeeding. Finally, the *Ad Hoc* Committee set up by the General Assembly (resolution 426 (V)) had studied the question, drawn up a draft convention and recommended the convening of a conference of plenipotentiaries. The Council's subsequent action, however, had been influenced by the fact that the agreement reached in the *Ad Hoc* Committee on the several articles of the draft convention had been highly inconclusive, made possible only by a spirit of conciliation among the members and their

willingness to co-operate on a temporary basis in order to achieve positive results; in fact, the *Ad Hoc* Committee had even thought it inadvisable to vote on the text as a whole. In such circumstances it was not surprising that the governments had reacted unfavourably to the idea of a conference to discuss the draft convention.

44. Despite the unfortunate history of the question, however, there was an element of hope in the situation. First, there was little disagreement on the fundamental aims. The position maintained by the under-developed countries was based on fear of possible abuses. If it could be shown that such abuses could be effectively prevented by some other means, then perhaps those countries might not insist on the restrictive clauses. Secondly, it was obvious that since its third session, the General Assembly had not brought a truly open mind to its consideration of the problem; it should endeavour to do so. Finally, the Secretary-General, after consulting legal opinion, had made certain suggestions which deserved serious study.

45. If the Third Committee pursued its efforts along those lines, it could be satisfied that no possibilities had been neglected in the search for practical means of safeguarding freedom of information.

The meeting rose at 1.5 p.m.