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COMMISSION ON HUMAN RIGHTS

Seventeenth Session

SUMMARY RECORD OF THE SIX HUNDRED AND SIXTY-NINTH MEETING

Held at Headquarters, New York,
on Tuesday, 21 February 1961, at 11 a.m.

CONTENTS

Freedom of information (E/CN.4/814 and Add.1)

Advisory services in the field of human rights (E/CN.4/807;
E/CN.4/NGO/92)

PRESENT:

<u>Chairman:</u>	Mr. JHA	(India)
<u>Members:</u>	Mr. PAZHWAQ	Afghanistan
	Mr. AMADEO	Argentina
	Mr. ZENKER	Austria
	Mr. CHENG	China
	Mr. MADSEN	Denmark
	Mr. CASSIN	France
	Mr. BHADKAMKAR	India
	Mr. BEAUFORT	Netherlands
	Mr. HAKIM	Pakistan
	Mr. ILLUECA	Panama
	Mr. BRILLANTES	Philippines
	Mr. WYZNER	Poland
	Mr. NEDBAILO	Ukrainian Soviet Socialist Republic
	Mr. SAPOZHNIKOV	Union of Soviet Socialist Republics
	Mr. ERROCK	United Kingdom of Great Britain and Northern Ireland
	Mr. KLUTZNICK	United States of America
	Mr. ARRAIZ	Venezuela
<u>Also present:</u>	Mrs. LEFAUCHEUX	Commission on the Status of Women
<u>Observers from Member States:</u>		
	Mr. ELIZUR	Israel
	Mr. NAGASHIMA	Japan
<u>Representatives of a specialized agency:</u>		
	Mr. GJESDAL)	United Nations Educational, Scientific and Cultural Organization
	Mr. BEHRSTOCK)	
<u>Secretariat:</u>	Mr. SCHWELB	Deputy Director, Division of Human Rights
	Mr. DAS	Secretary of the Commission

FREEDOM OF INFORMATION (E/CN.4/814 and Add.1)

Mr. GJESDAL (United Nations Educational, Scientific and Cultural Organization), introducing the report by the Director-General of UNESCO in the development of information media in under-developed countries (E/CN.4/814 and Add.1), said that UNESCO was most grateful to the United Nations for the latter's invitation to prepare the report. The task had represented a real challenge, but the authors of the report had been greatly helped by the guidance afforded by the discussion which had taken place in the Commission at its fifteenth session and the recognition of UNESCO's potential role had proved a great stimulus.

The time allowed for preparation of the document had not permitted the inclusion of a detailed survey on the development of information media in Africa. That survey could not be completed until the conclusion of the large-scale regional meeting which was to be held at Addis Ababa early in 1962. The report nevertheless attempted to list the existing needs in the field of information and to draw conclusions in a world-wide context. An effort would be made to fill any gaps in the document as soon as possible.

The main premise underlying the request for the report was the need for adequate information facilities, if the right to freedom of information was to be enjoyed at all. A second premise had been that development of mass communication facilities formed part of social and economic development as a whole and therefore deserved attention. The latter premise had been reflected quite extensively in the report, as the subject had not previously received much study, and an attempt had been made to demonstrate the interrelationship between the two premises. Measures had been suggested to remedy the unfortunate situation in which two-thirds of the world's population was deprived of the opportunity to enjoy a basic right - freedom of information - and those measures appeared to fit naturally into and might even spur broader remedies required for economic and social development as a whole. The Commission might wish to ask the Economic and Social Council, together with its associated organs in the economic field, to study the various suggestions put forward in the report, and to take them into account when recommending general development measures. UNESCO would naturally keep the Commission informed of progress made in the development programme for which the present report constituted a blueprint.

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(Mr. Gjesdal, UNESCO)

Information media not only told the people about the world in which they lived, but also served as an instrument of education. The report indicated that the latter function was of particular importance in the countries which were in process of rapid development. The data in annex III to the report, on the distribution of information facilities throughout the world, clearly showed the discrepancy between the theoretical right to full freedom of information and the practical possibilities of enjoying it. They also emphasized the vital role those facilities could play in education and in economic and social development generally. It was being increasingly recognized that the mass media, because of their speed, range and impact, offered unlimited possibilities for providing technical instruction and training, as well as general education on a broad scale. That was of primary importance to communities which were seeking to achieve in a matter of years what had taken the advanced countries centuries to accomplish.

The authors of the report were convinced that there was a reciprocal relationship between the development of information media and economic and technical development. A society had to attain a certain level of wealth and technological advancement before it could establish and maintain mass media, while, on the other hand the media themselves could stimulate the capacity to create further wealth and could spur technical progress.

Although information was being considered by the Commission within the context of human rights, it had unfortunately tended to be considered in the past as an article of consumption - even as a luxury - and the development of mass media had not generally been given the place it should logically occupy in modern planning. However, accelerated development of information media appeared to be an essential element of the pre-investment phase, together with the expansion of education and of such services as communication and transport. UNESCO studies showed that there was a close correlation between the development of information media and other national growth factors such as average per capita income and levels of literacy, organization and industrialization. They also demonstrated that, as per capital income rose, the demand for the media increased more rapidly in the developed countries.

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(Mr. Gjesdal, UNESCO)

He wished to draw attention, in particular, to the report's suggestion that Governments of under-developed countries might consider the possibility of formulating specific national programmes for the development of information media as part of their planning for economic development (E/CN.4/814, paragraph 311). The formulation of such programmes might be entrusted to groups representing all legitimate interests: the public, as the consumer; experts from the information media; university representatives; and Government agencies. The question of the composition of those bodies was a matter upon which the Commission might wish to comment.

Another important recommendation was the one concerning the establishment of national training programmes (paragraph 319). The report also suggested (paragraph 332) that encouragement might be given to the establishment or expansion in the under-developed countries of professional associations of the mass media.

The report concluded with some observations concerning the method of financing a mass communication development programme. UNESCO had concluded that the publicly financed part of the programme, which would be a comparatively minor one, would have to come first in order to spur later expansion. It would be of a pre-investment nature.

Mr. ARRAIZ (Venezuela) proposed that the full text of the statement made by the UNESCO representative should be circulated to members of the Commission.

It was so decided.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (E/CN.4/807; E/CN.4/NGO/92)

Mr. KLUTZNICK (United States of America) said that his Government was satisfied with the way the programme of advisory services in the field of human rights had been developing. It would now seem appropriate to consider the possibility of organizing an international seminar to bring together ideas and recommendations which had emerged from regional seminars on the protection of human rights in criminal and administrative law.

More attention should be given to expanding the system of fellowships and scholarships, which seemed to have been somewhat neglected.

Mr. AMADEO (Argentina) agreed in general with the plans outlined in the Secretary-General's report (E/CN.4/807). He noted that the seminar planned for 1962 in co-operation with the Government of Singapore would deal with the same

(Mr. Amadeo, Argentina)

topics as the seminar to be held at Bucharest in July 1961. He appreciated the fact that those seminars were regional in nature and, since social and legal positions varied from region to region, similar topics should be considered from various standpoints. It might perhaps be desirable, however, to diversify the topics discussed in regional seminars so as to cover as wide a range of problems as possible, and he hoped that his suggestion would be taken into account when subjects for future regional seminars were considered.

He strongly supported the proposal to organize an international seminar; despite the difficulties mentioned in paragraph 9 of the Secretary-General's report (E/CN.4/807), the plan was worth pursuing.

Mr. BHADKAMKAR (India) said that his Government had given full support to the programme of advisory services in the field of human rights from the outset. The regional seminars were proving very valuable, Governments were taking great interest in them, and the programme should be continued and expanded. The seminar to be held in his country in 1962 would be one of the few seminars to deal with a non-legal subject; he felt that more attention should be given to the organization of regional seminars on such questions.

Another function of the programme of advisory services was the granting of fellowships and scholarships and the furnishing of experts. Further activity in those fields should be encouraged.

Lastly, he endorsed the United States representative's views on the desirability of holding an international seminar, although he could see that the time might not yet be ripe for such a meeting.

Mr. MADSEN (Denmark) remarked that the programme of advisory services was proving very useful and agreed with the plans proposed in the Secretary-General's report. The seminar on the protection of human rights in criminal procedure held at Vienna in 1960 had been very successful. It had afforded an excellent opportunity for legal experts from various countries to meet and discuss problems of criminal procedure and the report on the seminar would be of great value to Governments when contemplating changes in their criminal procedure. The reports of the various regional seminars would, moreover, provide a good basis for an international seminar on the same topic.

Mr. CHENG (China) felt that the rather modest programme of advisory services was one of the few constructive aspects of the Commission's work in the field of human rights. The budgetary provision for the programme had been doubled for the current year, but it still amounted to only \$100,000.

There were three forms of assistance under the programme of advisory services: seminars, fellowships and scholarships, and the provision of experts at the request of Governments. Although in a well-balanced programme each form of assistance would receive equal attention, the emphasis seemed to have been placed on seminars, which had almost exhausted the budgetary allocation. It was true that Governments, however deficient in the promotion of human rights, were reluctant to admit that they needed United Nations experts to advise them in that field; but surely more could be done by the Secretariat to encourage the utilization of fellowships and scholarships.

Some representatives had suggested organizing an international seminar. There were two main difficulties in the way of that plan. The first difficulty was financial: if a regional seminar cost about \$30,000, an international seminar would cost at least \$200,000. The second difficulty concerned the subject matter of such a seminar. Many representatives seemed to favour some legal aspect of human rights as the topic. In that case the participants would have to represent all the principal legal systems in the world and it would be difficult to find a subject of universal interest. The topic might, of course be the promotion of human rights as such. But, there again, agreement on the topic would be very difficult because some countries or groups of countries would prefer certain aspects, such as the status of women or child welfare, to be emphasized. And, whatever subject was chosen there would be the problem of whether to treat it in broad outline or to deal with a narrow aspect.

Accordingly, while supporting the idea of an international seminar, he urged a cautious approach before specific proposals were made regarding the date or the subject matter.

Mr. HAKIM (Pakistan) said that generally speaking his delegation was satisfied with the programme envisaged by the Secretariat. However, most of the proposed seminars related to political or legal matters, and in his delegation's view some steps should be taken to organize seminars on social matters also. There were various regions of the world in which serious problems arose in consequence of social inequality, hatred of one social group for another or the denial of basic human rights. Hence it would be worth while to organize seminars to advise the respective Governments with regard to the desirability of eradicating such social evils.

He was in general agreement with the suggestions made by the representatives of the United States and India. The proposal for an international seminar was useful, but the question of the cost of such a seminar should be borne in mind. The granting of fellowships and scholarships was also useful and should be encouraged.

Mr. SAPOZHNIKOV (Union of Soviet Socialist Republics) observed that regional seminars were undoubtedly valuable, since they provided an opportunity for the exchange of information with regard to the protection of human rights in various regions of the world.

The seminars already held appeared to have concentrated exclusively on questions of civil and political rights. When the holding of future seminars was considered he suggested that the subject matter should be broadened and that provision should be made for the inclusion of subjects connected with economic, social and cultural rights.

The USSR delegation had no objection in principle to the holding of an international seminar, and indeed had supported such a proposal in various organs of the United Nations. The United States representative had proposed that the international seminar should concern itself with questions relating to the protection of human rights under criminal law, but since a number of regional seminars had already been held on related topics, he considered that the subject to be dealt with should be one connected with economic, social and cultural rights. He was not making any definite proposal; the topic should be selected after consultation among delegations.

(Mr. Sapozhnikov, USSR)

He had understood the Argentine representative to express some doubt regarding the advisability of holding a seminar on the status of women in family law at Bucharest. The agenda of the Bucharest seminar, however, was not limited to family matters but covered various aspects of the status of women, including social factors affecting the status of the women in the family.

He emphasized that the financial side of the matter should not be overlooked. The United Nations budget was growing every year and any plans for the future should be based on existing resources and should not lead to any further increase in expenditure.

Mr. BRILLANTES (Philippines) remarked that the programme of advisory services in the field of human rights was one of the most practical steps taken by the United Nations to uphold fundamental human rights and freedoms. For that reason his delegation had always supported those activities.

He expressed the view that the holding of seminars in various parts of the world had the effect of establishing what might be called the United Nations presence wherever such a seminar was held. That would be a way to inculcate in the minds of the people that the United Nations came to their countries not to assert its authority but to look into their problems and help them to find solutions.

The regional seminars already held and those to be held in 1961 dealt preponderantly with the protection of human rights in the administration of criminal justice. Several seminars had also been held on the subject of women's rights and the status of women. Moreover, the Economic and Social Council had suggested that seminars should be organized in connexion with the recently adopted Declaration of the Rights of the Child and with the prevention of discrimination and protection of minorities, but no request had yet been received for the organization of a seminar on either of those topics.

Referring to the Chinese representative's comments on the proposal for the holding of an international seminar, he said that the Secretary-General should be able to find a way of dealing with the problem of funds. For example, a target date might be fixed some years in advance and during the intervening period no regional seminars might be held and the money thus saved could be used to finance the international seminar.

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(Mr. Brillantes, Philippines)

As far as the subject matter was concerned, the holding of a number of seminars on the topic of the protection of human rights in the administration of criminal justice had been an initial step towards considering that subject on a world-wide plane.

His delegation shared the view that more interest should be shown in the granting of fellowships and scholarships and the services of experts. It endorsed the activities of the Secretary-General relating to advisory services in the field of human rights.

Mr. ERROCK (United Kingdom) said that his Government of course supported the continuance of the programme on its present basis.

His delegation thought very highly of the way in which the Secretary-General and his staff had been conducting the programme - a view which he believed was shared by all delegations. As the USSR representative had pointed out, there were increasing demands on the regular budget of the United Nations for all manner of essential and useful activities in connexion with both economic and social programmes and he therefore considered that the Commission would be well advised to contemplate any further developments in the programme of advisory services within the existing budgetary allocation. His delegation would hesitate at the present stage to support any request for an increase in the funds available, particularly since they had so recently been increased.

He thought there was a wide measure of agreement in principle with regard to the question of an international seminar. Nevertheless, as the representative of China had cogently pointed out, there were many practical aspects on which different views could be held and of which the Secretariat itself was clearly aware, as was shown by paragraph 9 of the Secretary-General's report (E/CN.4/807). One of the reasons why the regional seminars had been successful was the very fact of their regional nature, since the various participants had a certain amount of common ground before the seminars opened. The holding of several regional seminars on a given subject might provide a useful groundwork for a possible eventual international seminar.

A great deal of groundwork remained to be done in seminars in some regions of the world, particularly in Africa. His delegation would therefore prefer to

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(Mr. Errock, United Kingdom)

follow the old and tried path, while at the same time requesting the Secretariat to examine in further detail the practical difficulties which certainly existed in connexion with the holding of an international seminar in the near future. An effort should be made to resolve those difficulties before embarking on a further programme which might be less effective than the existing one and would undoubtedly involve far greater cost.

Mr. AMADEO (Argentina) observed that from the comments which had been made on his previous remarks he did not appear to have made himself clear. He had not said or implied that he objected to the idea of a seminar at Bucharest in July 1961 on the status of women in family law. On the contrary, he considered that subject to be of the greatest importance. He had merely commented that the same subject was under consideration as the topic for a seminar planned for 1962 to be held in co-operation with the Government of Singapore and had emphasized that the same subject matter should not recur in identical form. As the USSR representative had stated, the topics to be covered by seminars should be broadened to ensure that they did not deal exclusively with legal subjects.

As the United Kingdom representative had wisely observed, the holding of seminars in various regions of the world on similar subjects might serve to lay the groundwork for future international seminars, although certain practical difficulties made it unlikely that they could be held in the very near future.

The meeting rose at 12.55 p.m.