

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

SECOND SESSION

REPORT OF THE DRAFTING COMMITTEE ON THE
COVENANT ON HUMAN RIGHTS

"I. Every person shall have the right to freedom of thought and expression without interference by governmental action: this right shall include freedom to hold opinions, to seek, receive and impart information and ideas, regardless of frontiers, either orally, by written or printed matter, in the form of art, or by legally operated visual or auditory devices.

"II. The right to freedom of expression carries with it duties and responsibilities. Penalties, liabilities or restrictions limiting this right may therefore be imposed for causes which have been clearly defined by law, but only with regard to:

- (a) Matters which must remain secret in the vital interests of the State;
- (b) Expressions which incite persons to alter by violence the system of government;
- (c) Expressions which directly incite persons to commit criminal acts;
- (d) Expressions which are obscene;
- (e) Expressions injurious to the fair conduct of legal proceedings;
- (f) Expressions which infringe rights of literary and artistic property;
- (g) Expressions about other persons which defame their reputations or are otherwise injurious to them without benefiting the public.

Nothing in this paragraph shall prevent a State from establishing on reasonable terms a right of reply or a similar corrective remedy.

"III. Previous censorship of written and printed matter, the radio and newsreel shall not exist.

"IV. Measures shall be taken to promote the freedom of information through the elimination of political, economic, technical and other obstacles which are likely to hinder the free flow of information."