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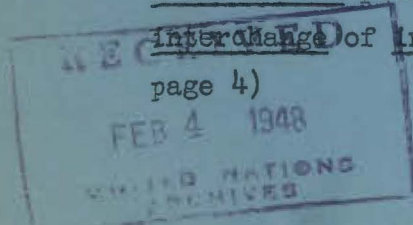
SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

SECOND SESSION

ADDENDUM TO MEMORANDUM CONCERNING RIGHTS, OBLIGATIONS AND PRACTICES
WHICH SHOULD BE INCLUDED IN THE CONCEPT OF FREEDOM OF INFORMATION

(Submitted By Mr. D. Lev Sychrava, Czechoslovakia)

1. Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated.
2. Freedom of information implies as such the right to think and hold opinions without interference, to seek, receive, gather, express, impart, transmit, publish and communicate information and ideas by any means anywhere and everywhere without fetters and regardless of frontiers.
3. This right also implies the obligation:
 - (a) to tell and to defend truth without prejudice and to spread knowledge without malicious intent;
 - (b) to help promote respect for human rights and fundamental freedoms without any arbitrary discrimination and to combat any ideologies whose nature could endanger these rights and freedoms (E/CONF.6/1, page 5)
 - (c) to help maintain international peace and security while counteracting all demonstrably false or tendentious reports which provoke hatred or prejudice against states, persons or groups of different race, language, religion or philosophical conviction, incite to violence unjustified by resistance to unlawful attack or oppression or otherwise threaten and destroy the fruits of the common victorious struggle of nations against the Nazi, Fascist and Japanese aggressions during the last world war. (E/441)
 - (d) to facilitate the solution of the economic, social and humanitarian problems of the world as a whole through the free interchange of information bearing on such problems. (E/CONF.6/1, page 4)



/4. This right

4. This right is subject only to restrictions justified by these above-mentioned obligations and the causes of which ought to be clearly defined by law, guaranteeing also the fair conduct of legal proceedings.

All causes justifying these restrictions ought to be incorporated in an International Covenant of Human Rights or other multilateral or bilateral agreements within the framework of the United Nations.

(E/CONF.6/1, page 8)

5. The legal form of ownership of the mass media of information is an element which counts as much as the spirit animating the owners and should favour the use of these media as an agency of a comprehensive and representative information service and not as an instrument of power profiteering or exploitation.

Measures should be taken designed to establish the responsibility of the owners of newspapers which spread false and tendentious reports of a nature which worsen relations between peoples, promote conflicts and incite to war.

6. Experience proves that when these media are in the hands of monopolies or quasi-monopolies either public or private, dangers spring up. In both cases criticism is suppressed and information is easily limited, restricted or distorted to the detriment of the public interest. The remedy against this danger is to be sought by:

- (a) increasing and distributing on a reasonable and equitable basis the physical means and technical equipment for the dissemination of information both nationally and internationally,
- (b) assuring reasonable and equitable access to these means of information,
- (c) taking measures to prevent cartelization of news agencies and the harmful effects of their unequal development in different countries. (Document E/CONF.6/1, pages 6,7)

7. In all cases there must be provision, both nationally and internationally in the framework of the United Nations for continuing and impartial studies of the actual performance of all communication media and by promoting the establishment of codes of professional conduct and boards of appeal where documented complaints can be heard and adequate publication of their findings assured.

8. There must also be provision for promoting the flow of true and useful information through:

- (a) exemption from taxes or other liabilities which might prevent economically weak enterprises from launching or conducting ventures
/in the field

in the field of information

(b) granting to persons engaged in the collection, transmission and dissemination of true, honest and useful information, all possible legal and technical advantages

(c) providing for the best possible education and training of information personnel.
