

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

SUMMARY RECORD OF THE TWENTY-SECOND MEETING

Held at Lake Success, New York, on Wednesday,
4 June 1947, at 11:00 a.m.

Present:

Chairman: Mr. G.J. van Heuven Goedhart (Netherlands)
Vice-Chairman: Mr. Lev Sychrava (Czechoslovakia)
Rapporteur: Mr. Geo. V. Ferguson (Canada)
Mr. P.H. Chang (China)
Mr. A. Geraud (France)
Mr. C.A.R. Christensen (Norway)
Mr. S. Lopez (Philippine Republic)
Mr. A.R.K. Mackenzie (United Kingdom)
Mr. Z. Chafee (United States of America)
Mr. J.M. Lomakin (Union of Soviet Socialist Republics)
Mr. R. Fontaina (Uruguay)

Representatives of Specialized Agencies:

Mr. W. Farr (UNESCO)
Mr. A. Mercey (World Health Organization)

Consultants of Non-Governmental Organizations:

Miss T. Sender (American Federation of Labor)

Secretariat: Prof. J.P. Humphrey
Mr. John Male (Acting Secretary of Sub-Commission)

1. Consideration of the Report of Drafting Committee

The CHAIRMAN invited Mr. Geraud to present the report of the Committee which had been appointed to redraft the proposal which Mr. Geraud had submitted the day before.

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/Mr. GERAUD

Mr. GERAUD (France) stated that the Committee had agreed upon the following wording: "Considering the disproportion existing between mass media at the disposal of various countries; and considering the means for overcoming foreign exchange problems created for correspondents coming from weak currency countries..." He explained that the exchange problem was of minor importance, and that the provision chiefly referred to the difference of availability of mass media in "strong currency" and "weak currency" countries. It was hoped that the "weak currency" countries soon would secure a greater share, and that the disproportion would disappear in the course of time.

Mr. LOPEZ (Philippine Republic) proposed that the words "facilities now" should be inserted after the word "media" in order to clarify the sentence.

Mr. GERAUD (France) agreed to this.

DECISION: The provision was accepted by 10 votes. Its inclusion as Point 5 (b) (iii) was accepted by 10 votes.

2. Consideration of Mr. Sychrava's Amendment to Point 5 of Preliminary Draft Agenda on "Measures to Implement the Rights of All People to Receive Accurate Information."

Mr. CHAFFEE (United States of America) said he was not in favour of the provision.

The CHAIRMAN, speaking as a member, pointed out that in his opinion the matter was already covered by Item (c) (ii) of the agenda, which contained provisions relating to the countering of false news.

Mr. SYCHRAVA (Czechoslovakia) said that his proposal aimed at the limiting and controlling of restrictions.

Mr. CHANG (China) said he was in favour of the original text.

DECISION: Mr. Sychrava's amendment was defeated by nine votes.

3. Discussion of Mr. van Heuven Goedhart's Proposal Regarding Shortage of Newsprint.

The CHAIRMAN read the following proposal: "Whereas the shortage of newsprint in former occupied countries continues to hamper the free flow of
/information;

information; and

"Whereas enemy occupation deprived these countries of that benefit during the war;

"The Sub-Commission recommends to the Commission on Human Rights that it requests the Economic and Social Council:

"(a) to investigate the situation now existing in this respect; and

"(b) to consider measures to alleviate it."

He pointed out that these provisions should be included in the report under Chapter VI, "Other Items."

Mr. MACKENZIE (United Kingdom) stated that Great Britain also suffered from a shortage of newsprint, although that country had not been occupied. He preferred the wording "in many parts of the world, and notably in the war-devastated areas." He wondered whether this proposal did not overlap the item regarding improving and increasing the supply of physical facilities.

The CHAIRMAN explained that the Conference would meet in March or April of 1948, and that it would take some time before its resolutions were put into effect. He thought it advisable to ask the Economic and Social Council to consider the matter at an earlier stage.

Mr. MACKENZIE (United Kingdom) asked for some time to think the matter over, and said he would also like some information from the Secretariat on the Economic and Social Council's activities in the field.

Mr. FARR (UNESCO) drew the attention of members to the fact that UNESCO was already conducting similar investigations in former enemy-occupied countries, and would set up a committee of experts from more fortunately placed countries to see what measures should be taken to improve conditions.

Mr. CHAFEE (United States of America) proposed to include the sentence "due consideration, etc." as was used in Point 5 (b) (i) of the report.

It was agreed to postpone discussion until information had been obtained on the Economic and Social Council's activity in this field.

4. Discussion of Item 5 (a) of the Provisional Draft Agenda.

DECISIONS: Mr. Ferguson's proposal to delete the words "traditions and" was accepted.

Mr. Lomakin's proposal to add the words "and regulations" was defeated.

Mr. Lopez' proposal to substitute the words "of various countries" for "Member States of the United Nations" was accepted.

The final provision read: "With due regard for the existing laws of various countries, consideration of the restrictions imposed by Governments on persons or groups wishing to receive and disseminate information, ideas and opinions, with particular reference to:

- (i) discrimination by Governments for political or other reasons in the provision of materials and facilities;
- (ii) censorship;
- (iii) the requirements of national security and public order.
- (iv) the demands of public decency;
- (v) laws of libel;
- (vi) ownership, control, administration and availability of enterprises in the field of information."

It was decided that Point 5 (a) (vi) should be transferred to paragraph (c), as Point (ii).

Mr. GERAUD (France) suggested that his proposal regarding the distinction between the rights of foreign and national correspondents, accepted at a previous meeting, should be made a separate paragraph, as it had no connection with the rest of paragraph (a).

DECISION: Mr. Geraud's proposal was lost, and his Item was retained as (a) (vii).

5. Consideration of Item 5 (c) (ii) of the Provisional Draft Agenda.

The CHAIRMAN announced that there were two amendments to this item, one from Mr. Mackenzie and one from Mr. Geraud.

Mr. MACKENZIE (United Kingdom) said that the present text was unclear. It would be difficult to interpret the terms in which the provision was drafted.

/Besides

Besides, the Conference could do very little to counteract false reports. The essentials of the provision were contained in the following amendment, which he wished to propose: "Study of measures for counteracting the persistent spreading of demonstrably false or tendentious reports which confuse the peoples of the world, aggravate relations between nations or otherwise interfere with the growth of international understanding and security against a recurrence of Nazi or Fascist aggression"

Mr. SYCHRAVA (Czechoslovakia) said that the text should be left as it was. It would be better to revise all Points under (a) at the next session.

Mr. LOMAKIN (Union of Soviet Socialist Republics) pointed out that in his opinion Mr. Mackenzie's proposal was not an amendment but a substitution for the original paragraph. The item should not be changed.

The CHAIRMAN ruled that Mr. Mackenzie's proposal was an amendment.

Mr. FONTAINA (Uruguay) said he saw no reason why, if a better wording could be found, the original wording should not be changed.

6. Consideration of Mr. van Heuven Goedhart's Proposal on Shortage of Newsprint (Resumed).

Prof. HUMPHREY (Secretariat) announced that the Economic and Social Council had taken no specific action with relation to newsprint. It had, however, passed a resolution regarding enquiries in war-devastated areas to ascertain material needs, which measure could include newsprint. The Economic and Employment Commission had a similar item on its agenda.

Mr. MACKENZIE (United Kingdom) said that he felt he could vote for the proposal, since no action had actually been taken in this field, except by UNESCO. He proposed that the word "study" be substituted for the word "investigate."

DECISION: The following provision was unanimously adopted:

"Whereas the shortage of newsprint in many parts of the world and notably in the war-devastated areas hamper the free flow of information; and

"Whereas enemy occupation deprived many countries of that benefit during the war;

/"The Sub-Commission

"The Sub-Commission recommends that, as an urgent matter, the Economic and Social Council:

"(a) study the situation now existing in this respect, due consideration being taken of the work being done by existing international organizations; and

"(b) consider measures to alleviate it."

7. Consideration of Item 5 (c) (ii) of the Provisional Draft Agenda (Resumed).

Mr. GERAUD (France) submitted an amendment which read as follows:

"Common action by the Press to counteract false news and tendentious campaigns likely to disrupt United Nations. To this end: -
To study measures to be taken:

(1) to obtain and publish objective statements of fact when misinterpretation or distortion of facts may cause international consequences;

(2) to unmask any aggressive return of the former 'Collaborationist' forces in the press of the United Nations."

Mr. Geraud said he felt that the question of counteracting false news gave an opportunity to prove the solidarity of the United Nations. Campaigns to imperil this solidarity should be stopped by concerted action. With regard to the unmasking of fascism, he felt that fascism still, in fact, existed, and should be prevented from reviving. Therefore, people who had collaborated with the aggressors should not have the same rights as other people. This would be a just decision, considering what the occupied peoples had suffered during the war.

Mr. CHANG (China) expressed the opinion that members, although they had been chosen as individuals, more or less represented their Governments. Therefore, he would state China's view upon the matter. China was a victim of false reports, for which irresponsible correspondents were to blame.

/News

News personnel had great power; they had the right to judge, and furthermore, they had the means to carry out their sentences. He was in favour of Mr. Mackenzie's amendment, but he would like to have the word "peace" added after the word "understanding", and also reference to Japanese aggression. He emphasized that China was in favour of a free press conducted honestly and responsibly.

Mr. LOMAKIN (Union of Soviet Socialist Republics) stated that the item under discussion had been proposed by him, and already accepted. He insisted that there should be no alteration, since the wording was quite clear. Fascism still existed, and the struggle against it should never cease.

Mr. CHAFFEE (United States of America) said that, although he took a firm stand himself on the question of fascism, he did not believe fascism would ever return. The present wording, however, was not good, and he preferred to have the ideas laid before the Conference in a way which would bring the best results. He would favour Mr. Mackenzie's amendment.

Mr. SYCHRAVA (Czechoslovakia) suggested that a committee might be set up to work out a wording on which all members could agree. He felt that the Sub-Commission should be united on this point.

The CHAIRMAN said that a committee would not be useful at this late stage.

DECISIONS: Mr. Geraud's proposal was defeated, and Mr. Mackenzie's amendment was accepted with Mr. Chang's additions.

The proposal as accepted reads as follows:

"(1) The study of measures for counteracting the persistent spreading of demonstrably false or tendentious reports which confuse the peoples of the world, aggravate relations between nations or otherwise interfere with the growth of international understanding, peace and security against a recurrence of Nazi, Fascist or Japanese aggressions."

The meeting adjourned at 1:05 p.m.
