

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

FIRST SESSION

SUMMARY RECORD OF SIXTEENTH MEETING

Held at Lake Success, on Thursday, 29 May 1947 at 11:00 a.m.

Present:

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

Representatives of Specialized Agencies:

Mr. W. Farr (UNESCO)

Consultants of Non-Governmental Organizations:

Miss Toni Sender (American Federation of  
Labor)

Secretariat: Prof. John P. Humphrey  
Mr. C. A. Hogan (Secretary of the  
Sub-Commission)

1. Report of the Committee Appointed to Draft Recommendations Concerning  
Requests to Governments for Information

At the invitation of the Chairman, Mr. CHANG (China) presented the  
recommendations of the Committee on Requests to Governments for Information.

The Committee suggested that the Sub-Commission recommend to the Economic

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and Social Council:

- (a) That it request the Secretary-General to prepare a request for information concerning freedom of information;
- (b) That this request for information be brief; that the Secretary-General consult with UNESCO in its preparation; that he be guided by the relevant paper submitted by the member from Czechoslovakia (document E/CN.4/Sub.1/27); and that the request for information be specifically related to items included in the draft agenda of the Conference recommended by the Sub-Commission;
- (c) That the request for information be submitted to the Commission on Human Rights for approval and possible correction;
- (d) That this request for information then be sent to all States, Members of the United Nations, and to all States, not members of the United Nations, which shall be invited to the International Conference on Freedom of Information;
- (e) That the Council request the Secretary-General to prepare a memorandum based upon the replies received as documentation for the Conference, and;
- (f) That the Council request UNESCO to submit the findings based upon its questionnaire concerning the condition of information media in certain states along with other relevant material to the Conference.

Mr. CHANG (China) pointed out that the Committee had avoided the word "questionnaire", and recommended the preparation of a brief written request for information concerning freedom of information. It was requested that close co-operation be maintained with UNESCO and that consideration be given to the relevant paper submitted by Mr. Sychrava (Czechoslovakia) (document E/CN.4/Sub.1/27). Inasmuch as it would be impossible to submit the request for information to the Economic and Social Council six weeks

/prior to

prior to its session in July, as required, it was recommended that the Council grant the Commission on Human Rights the power of approval. The Sub-Committee had also decided that such request for information be sent only to States.

Mr. MACKENZIE (United Kingdom) suggested that Item (b) be redrafted to read: "that this request for information be brief; that the Secretary-General consult with UNESCO in its preparation; that the request for information be specifically related to items in the draft agenda of the Conference recommended by the Sub-Commission; and that he take due consideration of the relevant paper submitted by the Member from Czechoslovakia (document E/CN.4/Sub.1/27)."

In reply to a question from Mr. CHAFEE (United States) as to assistance of non-governmental organizations, Mr. MACKENZIE explained that since the request for information would be a document emanating from United Nations on behalf of a conference of Governments, it would be appropriate to limit its issuance to Governments. He pointed out that the request for information would be made public and that Governments would be in close consultation with organizations and agencies in the preparation of replies.

At the suggestion of the Chairman, it was agreed to delete from Item (f) the phrase "concerning the condition of information media in certain states".

DECISION: The report of the Committee, with the modification of Items (b) and (f), was adopted unanimously.

2. Report of the Committee to Determine Scope of Information for Purposes of the Conference on Freedom of Information

Mr. GERAUD (France) as Chairman, presented the conclusions reached by the Committee, which submitted the following as a definition of the scope of the Conference:

"Information, for the purposes of the Conference, included the following means of bringing current situations and events to the knowledge of the public: newspapers, news periodicals, radio  
/broadcasts,



broadcasts, and newsreels. This enumeration is taken from paragraph 3 of the draft submitted by Mr. Chafee. The Committee left it for the Sub-Commission to decide whether books on contemporary events and situations should be classified as means of information. The Committee is of the opinion that it is for the Sub-Commission to decide whether to adopt this text or simply to transmit it, without expression of opinion, to the Economic and Social Council and to the Commission on Human Rights."

Mr. GERAUD stated that the Sub-Committee had been concerned with limiting the meaning of the term "information" in order to avoid broadening the scope of the Conference. Two points had been left open for decision by the Sub-Commission, namely, whether books were to be recognized by the conference as media of information and whether the Sub-Commission would adopt the text or transmit it to the Economic and Social Council without expressing an opinion.

The suggestion of Mr. CHRISTENSEN (Norway) to say "By information, for the purposes of the Conference, is meant, etc..." was accepted.

Miss SUNDER (American Federation of Labor) said she believed that mention should be made of "views" or "opinions" as well as situations and events.

Mr. LOMAKIN (Union of Soviet Socialist Republics) said it was not logical to add "opinions". To his mind, an opinion expressed on the radio or in the press would become news. A private opinion was personal property and therefore was not news or information. An expressed opinion would automatically become news. He preferred to leave it to the Economic and Social Council to decide this matter.

Mr. CHRISTENSEN (Norway) pointed out that newspapers had been mentioned in the list. Newspapers contained editorials and opinions on current situations and events, and therefore he saw no need to specify "opinions thereon".

/Mr. MACKENZIE

Mr. MACKENZIE (United Kingdom) on the other hand, preferred to have the point stated explicitly, and was supported in this view by the Chairman.

Mr. LOMAKIN (Union of Soviet Socialist Republics) agreed with Mr. CHRISTENSEN (Norway) that all newspapers included editorials and had opinions of their own.

Miss SENDER (American Federation of Labor) said she wanted to make certain that opinion had a right to be expressed.

In reply to a question raised by Mr. FARR (UNESCO) regarding the words "radio news broadcasts", Mr. CHAFEE (United States) stated that he did not wish the inclusion of the word "news" inasmuch as this might exclude commentators.

Mr. FERGUSON (Canada) moved the addition of the words "and opinions thereon" after "situations and events."

Mr. MACKENZIE (United Kingdom) said he hesitated to put too rigid limitations on the discussions of the Conference and suggested the following text as a preface to the text submitted by the Committee:

"That the Sub-Commission recognizes that the discussion of the basic concept of freedom of information must take into consideration the gathering, transmitting and disseminating of news, ideas and opinions by all means of communication without limitation; but the Sub-Commission also suggests that the International Conference may find it desirable, in drawing up its practical recommendations, to concern itself primarily with information in the following sense."

Mr. LOMAKIN (Union of Soviet Socialist Republics) said that he could not agree with the suggestion of Mr. MACKENZIE (United Kingdom). He considered it more expedient to accept the report of the Sub-Committee and transmit to the Economic and Social Council.

DECISION: The amendment of Mr. FERGUSON (Canada) to add the words "and opinions thereon" was accepted by 9 votes in favour and 1 against.

/DECISION:

DECISION: The report of the Sub-Committee, as amended, was unanimously adopted.

The proposal of Mr. MACKENZIE (United Kingdom) was then considered.

Mr. LOMAKIN (Union of Soviet Socialist Republics) said he saw no necessity for inclusion of a preamble. Taking as a basis paragraph 3 of the draft of Mr. CHAFEE (United States), it was sufficient to specify the media, he maintained.

Mr. MACKENZIE (United Kingdom) explained that the purpose of his proposal was to safeguard free and wide discussions.

Mr. GERAUD (France) said the success of the Conference would depend on its scope being concrete and modest.

Mr. CHAFEE (United States), agreed with Mr. GERAUD (France) and pointed out the necessity for a clear definition of the scope of the conference to enable the governments to compose their delegations with the maximum efficiency.

The Chairman said he shared the viewpoint of Mr. MACKENZIE (United Kingdom) that it was important for the Conference to discuss freedom of information in all its aspects, but thought it would be wise to restrict the scope of information with regard to eventual recommendations by the Conference. This proposal would safeguard free discussion and practical recommendations.

Mr. GERAUD (France) said he would like the Sub-Commission to discuss the general concept of information at the present session.

DECISION: By a vote of 5 to 4, the proposal of Mr. MACKENZIE (United Kingdom) was lost.

The meeting adjourned at 1:00 p.m.

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