

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/CN.4/1214/Add.8  
1 June 1976

Original: ENGLISH/  
FRENCH

COMMISSION ON HUMAN RIGHTS  
Thirty-third session

PERIODIC REPORTS ON HUMAN RIGHTS

Reports on freedom of information, for the period  
1 July 1970-30 June 1975, received from Governments  
under Economic and Social Council resolution 1074 C (XXXIX)

CONTENTS

	<u>Page</u>
Madagascar .....	2
Poland .....	5
Sweden .....	11
Trinidad and Tobago .....	15

MADAGASCAR

I. General policies and significant developments during the period  
from 1 July 1970 to 30 June 1975

[Original: French]

[18 May 1976]

1. Although, in accordance with the general principles embodied in the Constitutional Law of 29 April 1959, which was in force during the period under review, freedom of information continued to be one of the main characteristics of the social and political life of the country during that period, it was nevertheless necessary to place certain temporary limitations on such freedom, mainly in order to ensure public safety throughout the territory and to prevent the creation of an unhealthy political climate through the dissemination of false news and tendentious information.

2. There were three main periods in the history of information in Madagascar from 1 July 1970 to 30 June 1975.

(a) 1 July 1970 - 13 May 1972

The régime then in power advocated a "pseudo-free" information policy, which in fact took the form of infringements of freedom of expression and of the right to information.

Many newspapers were seized during this period.

(b) May 1972 - February 1975

The beginning of this period was marked by political events which seriously disturbed internal peace in the territory, i.e.:

- the events of May 1972 which led to the fall of the Government;
- the disturbances which took place in some areas of the island in December 1972 and February 1973.

Freedom of information was, however, outstanding:

- numbers of newspapers, magazines and periodicals of all tendencies were published;
- "Operation Transistor" (700,000 receivers registered) was resumed;
- many press conferences were held;
- the decrees prohibiting the circulation, distribution and sale of publications from eastern European countries were repealed, in accordance with the "open door" policy adopted by the Government;

- there were many visits by Malagasy journalists to eastern European countries;
- international news agencies, such as TASS, NOVOSTI and NEW CHINA, were established in Madagascar.

(c) February 1975 - June 1975

Martial law was decreed in Madagascar after the assassination of Colonel Richard RATSIMANDARVA, Head of the Government, in February 1975.

Newspaper censorship was very severe and led to the suspension of the publication of many small newspapers and periodicals.

II. Influence of United Nations instruments containing principles and norms for the recognition and enjoyment of freedom of information on constitutions, laws and regulations and court decisions adopted or rendered during the period under review

Despite political disturbances in the country, Ordinance No.74-014 was promulgated on 21 March 1974, establishing a statute providing for respect for freedom of the press, the raising of the political, cultural and economic standards of the press and the protection of institutions and individuals with a view to maintaining a clear-cut distinction between freedom and anarchy.

The new statute, drafted on liberal terms, enables journalists not only to apply but also to control the ethical rules of the press. It should be noted that, for the period from 1 July 1970 to 30 June 1975, the Court of Appeals ruled that seven of the seizures carried out had been illegal and that only two had been legal.

III. Legislative and other measures adopted during the period under review

(a) The development of information media

- extension of national television to Diego Suarez;
- improvement of radio reception through the installation of new transmitters in various parts of the island.

(b) Organization of the press and other information media

- adoption of the above-mentioned press statute by the Government in 1974;
- establishment of the journalists' council raising the journalistic profession to a higher level;
- nationalization of the import and distribution of cinematographic films in June 1975.

(c) Radio and television are State-owned, but the press is privately owned.

(d) Professional training: through the journalists' council and trade unions within the council, journalists have many opportunities to attend training courses in, and to make study tours to, other countries.

IV. Limitations upon the exercise of freedom of information

1. The protection of reputations, rights and freedoms of others

From 1 July 1970 to 30 June 1975, the Court of Appeals had to deal with only two cases of defamation by the press.

2. The protection of national security or of public order

(a) In the Courts

Four cases of dissemination of false information and one case of contempt of the Government and incitement to civil disobedience were brought before the Court of Appeals.

(b) Legislative provisions

- Press censorship:

Ordinance No.75-015 of 7 August 1975 was adopted as a result of the state of national emergency, which will last until 1977. It provides for the suspension of periodical newspapers whose publication is likely to disturb public order, endanger national unity or corrupt public morals.

Ordinance No.74-014 of 21 March 1974, which was adopted to organize and regulate journalistic activities, legally recognizes the journalistic profession and establishes a statute for journalists, who are now members of a professional council designed to establish, apply and control the ethical rules of the Malagasy press.

3. Coverage by the press and other media of court proceedings

Order No.75-007-0/DM of 26 March 1975 authorized coverage, particularly by the radio, of the proceedings in the trial which took place after the events of February 1975 (assassination of Colonel RATSIMANDRAVA).

V. Action with a view to ensuring that freedom of information is enjoyed by increasing numbers of the population

- extension of television to the provinces in 1974;
- study of the radio audience in 1973-1974 with the co-operation of the ORTF (French Radio and Television Broadcasting System);
- popularization of the radio through "Operation Transistor";
- conclusion with several States (of both the east and the west) of co-operation agreements relating to information;
- reorganization of the newspaper distribution network and gradual increase in the circulation of newspapers published by the Government;
- reorganization of the distribution network of cinematographic films for the masses, particularly in the countryside.

POLAND

[Original: English]

[21 May 1976]

I. General policies and significant developments with regard to the freedom to seek, receive and impart information and ideas through any media and regardless of frontiers

Freedom of information is regarded in Poland as a fundamental civil right and is guaranteed by the Constitution. Article 71 point 1 of the Constitution reads as follows: "The Polish People's Republic guarantees its citizens freedom of speech, of the press, of meetings and assemblies, of processions and demonstrations." At the same time, freedom of information in Poland as a socialist State, has also material guarantees in the form of socialized mass media (press, radio, television, film, publishing houses).

Freedom of information in Poland, treated as a fundamental civil right, can be considered as two scopes of rights that are included in it:

- (a) free access to information - the right to be informed,
  - (b) freedom to impart information - the right to inform.
- (a) The right to be informed means:
- (1) for the citizen: a possibility to make oneself acquainted with all aspects of public life and, above all, with the authorities activities and their attitude towards current events,
  - (2) for the mass media (journalists): a possibility of free access to the sources of information.
- (b) The right to inform means:
- (1) for the citizen: the right to free expression of his views and opinions through the mass media,
  - (2) for the mass media: the right to report and comment.

Freedom of information like other democratic freedoms is treated in Poland both in legislation and in social practice not in an abstract way, but in conformity with the principles of socialist democracy. The subject of authority in socialist democracy are working people and it is they who enjoy all the civil freedoms and liberties, together with freedom of speech and information. On the other hand, the role and function of the mass media in Poland has to be considered with regard to the functioning of the whole socio-political system of the socialist State. In that matter the mass media are of essential importance. They operate as a factor stimulating and forming social initiative, as an organizer of social activity. Their activity enables permanent confrontation of the decisions passed by the authorities with aims and views of people, which represents a precondition of their approval or correction and, at the same time, stimulates citizens' personal involvement in the course of public affairs.

The mass media in Poland do not function as commercial enterprises and are completely independent from advertisement profits. Thus, they form an institution of public life and the journalists practically perform the duties of citizens' trustees.

The important role of press, radio and television in Poland consists in the fact that they serve as an instrument and forum for intermingling and complementing of information and ideas coming from the political and state authorities with information, ideas, views and opinions of the citizens and the whole community. The independence of the mass media from the power of money and their submission to social interests enables a wide range of publication on social, economic, political, cultural and other subjects, knowledge of which is necessary for the citizen to be fully acquainted with the problems of the contemporary world.

In practice the press in Poland is at the disposal of the political parties, social, religious, cultural, scientific, trade unions and minority organizations and associations. Apart from the papers that represent and avow the Marxist ideology there are others, of a different than Marxist standpoint.

Radio and television are managed by the Committee for Radio and Television, the organ of state administration under the authority of the Chairman of the Council of Ministers.

The period under report (1970-1975) was characterized by great acceleration of socio-economic development. The mass media during the period were also considerably developed: that includes the growth in circulation of press, the number of radio and television licence-holders, the length of broadcast hours and technical base of radio and television. A notable progress was observed in co-operation between Polish and foreign news agencies, in exchange of journalists, in import and distribution of press publications from all over the world.

## II. Influence of United Nations instruments

During the period in question Poland had not adopted any constitutional or legislative decisions that could be considered as falling under the direct influence of the United Nations and of its resolutions.

## III. Legislative and other measures adopted during the period

During the period under review a number of important measures has been taken in order to expand the scope of various contacts between the representatives of authorities and the community - contacts that make political life in Poland more open. Here the establishment of the office of, the Press Spokesman of the Government has to be mentioned. The duties and competence of the Press Spokesman include in particular:

- providing the public opinion with a constant flow of information about the activity and projects of the Government, its departments and central institutions,

- presenting the Government's position in matters of interest to the people and in other important questions,
- presenting and inspiring the circulation of information concerning important initiatives and actions of the Government,
- assisting the press, radio and television in their efforts to obtain information of interest to the public,
- demanding appropriate reaction, required by law or custom, from institutions and public administration to views, suggestions, readers' letters and other materials presented by the mass media.

The First Secretary of the Central Committee of the Polish United Workers Party, the Prime Minister and other representatives of the Party and Government hold regular meetings with journalists from the whole country. The mass media have considerably extended the coverage of actual tasks performed by the Political Bureau of the Central Committee of the Party and of the Government. During the said period there were initiated some highly popular television discussion shows (e.g. "Forum") in which journalists and managers of respective governmental departments take part.

The remarkable development of all the mass media can be observed. This fact is best reflected in the following statistics:

	<u>Newspapers and periodicals</u> <sup>1/</sup>	
	<u>1970</u>	<u>1975</u> <sup>2/</sup>
Number of titles:		
Newspapers	81	87
Periodicals	2,669	2,950
Average circulation in thousands of copies:		
Newspapers	8,523	10,270
Periodicals	26,732	30,900
Total circulation in millions of copies:		
Newspapers	2,332	2,650
Periodicals	730	970

---

<sup>1/</sup> The previous report, covering the period between 1 July 1967 and 30 June 1970 quoted the number of titles of the newspapers and periodicals based on different classification. Now Poland has adopted, in accordance with the UNESCO recommendations, a system for classification of publications independently from frequency with which the periodicals are issued.

<sup>2/</sup> Estimates development of press in 1975.

Newspapers and periodicals (contd.)

	<u>1970</u>	<u>1975</u>
Per capita circulation:		
Newspapers	70	85
Periodicals	20	25

Radio licence-holders

	<u>1970</u>	<u>1974</u> (31 Dec.)
In thousands	5,658	5,921
Per thousand	174	175

TV licence-holders

In thousands	4,215	6,100
Per thousand	129	180

As far as the growth of the press is concerned, the spectacular success of the country's leading newspaper the Trybuna Ludu (the organ of the Central Committee of the PUPP) should be mentioned. Its circulation has almost doubled in 1970-1975, reaching on the average 850,000 copies, whereas Sunday and holiday issues exceeded 1,250,000 copies. The popularity of the paper is borne out by the fact that hundreds of thousands of people participate in the Trybuna Ludu Festival celebrated annually since 1972. This Festival is organized independently of the traditional "Education, Book and Press Days".

The newspapers and periodicals issued by the United Peasants Party include six titles with a circulation of 543,000, the Democratic Party has three titles with a circulation of 293,000. The trade unions publish 8 newspapers and periodicals titles with a total circulation of 334,800 copies.

Religious press is also published in Poland. It embraces 52 titles issued by the Roman-Catholic diocese curias and monastic orders (weeklies, monthlies, quarterlies, half-yearlies and yearbooks) with a joint average circulation of over 225,000. The press of the Catholic denominational associations (PAX, Znak, Caritas and others) numbers 22 titles which have aggregate average circulation of 325,300 copies, including the daily Slowo Powszechnie with a circulation of 100,000 copies. The non-Catholic religious publications (21 titles) have an average circulation of approximately 74,000 copies.

As regards the expansion of radio broadcasting and television, a new longwave radio transmitter was put into service during the period under report. Its power rating of 2,000 KW puts it among the world's most powerful transmitters. Both radio and television have considerably increased their broadcast hours. There has been a considerable expansion of educational programmes, such as foreign language courses. At present the Polish Radio broadcasts five foreign language training courses (English, French, German, Russian and Spanish) while four (English, French, German and Russian) are on TV.



A substantial increase in import of foreign publications has also been observed. In 1975 Poland imported 16,462 titles of foreign press in a total of 54,258,400 copies. The import of publications from certain countries is as follows:

	<u>Titles</u>	<u>Thousands of copies</u>
Federal Republic of Germany	2,545	2,238.5
France	1,495	692.3
German Democratic Republic	709	1,917.6
Italy	614	178.1
Sweden	157	15.4
Switzerland	544	167.3
United Kingdom	2,157	548.1
United States	2,564	676.7
USSR	1,690	46,383.2

National and foreign press publications are distributed through 32,537 shops and news-stands. In addition national and foreign press can be read free of charge in the International Book and Press Clubs (at present there is about a hundred of such clubs, where each copy of a publication is read by many readers), Farmers Clubs and in public and high-school reading rooms.

Recent years have also brought about many favourable changes in professional training of journalists. Several universities (such as in Kraków, Wrocław, Katowice and Poznań) have introduced special post-graduate external courses for journalists. The number of professional training courses organized by the Union of Polish Journalists has also considerably increased. The journalist collective work contract of 1972 made higher education mandatory for journalists working with the press, radio, television and news agencies.

#### IV. Limitations upon the exercise of freedom of information

During the period under report no legal changes occurred with regard to the exercise of freedom of information (in comparison to the period of the previous report).

#### V. Action with a view to ensuring that freedom of information and access to information are enjoyed by increasing numbers of the population without distinction of any kind

Measures undertaken in Poland with a view to ensuring freedom of information to and access to information by increasing numbers of the people without distinction as to race, colour, sex, language, religion, political and other opinions, national or social origin, wealth etc. are manifold and can be considered in various aspects. First of all there are full legal guarantees concerning freedom of information embodied in the Constitution as well as in other legal rules. In this respect the

status of the journalist and his professional organization, the Union of Polish Journalists, is of major importance. The statutory obligation of the Union is to safeguard the freedom of information. In accordance with respective rules and regulations Polish journalists are guaranteed the right: to seek, gather, receive and impart information, to comment, the right to intervene (the right to deal freely with complaints and suggestions passed by the readers to editorial offices).

Secondly, apart from legal guarantees there also exist material guarantees, particularly in the form of socialized mass media. The rapidly increasing level of public education should also be emphasized. Today 95 per cent of youth in Poland continue their education after completing primary school and in the nearest future all the young people will receive full secondary education. Courses in foreign languages, mainly Russian, English, French and German, are also highly popular and enjoy full support of the State authorities. Millions of people in Poland learn foreign languages, not only pupils and students, but adults, who combine their professional activities with learning languages at courses organized either by their own institutions without charge or with nominal charge, or by specialized schools open to all.

VI. Difficulties experienced in ensuring the enjoyment of freedom of information and access to information and methods and measures utilized to overcome these difficulties

Methods and measures applied to overcome the difficulties in ensuring the enjoyment of freedom of information also depend upon the form of relations reached by the States participating in the exchange of information. Poland takes an active part in the efforts of the United Nations and the specialized agencies in that field and also initiates co-operation between States in the exchange of information, ideas and views, supports co-operation with different mass media institutions including news agencies, participates in the exchange of radio and television programmes, holds round-table meetings with journalists taking part in them, guided by the desire that the freedom of information, its circulation, the exchange of ideas and views between peoples shall contribute to the peaceful coexistence in the world, to better understanding between nations, to the purposes outlined in the Final Act adopted by the Conference on Security and Co-operation in Europe.

Legal and material safeguards actually existing in Poland provide full guarantees of freedom of information.

SWEDEN

[Original: English]

[20 May 1976]

The Government of Sweden has so far not submitted any report on the subject of freedom of information. The scope of the present report will, therefore, have to be made somewhat wider than requested in the note, i.e. a description of developments during the period beginning 1 July 1970, and ending 30 June 1975.

1. The 1974 Constitutional Act provides inter alia that every citizen shall in relation to the community be guaranteed the freedom of expression and the freedom of the press (the freedom to communicate information and express opinions either orally, in writing, in pictorial representations or in any other way) as well as the right to information (the right to seek and receive information). The Act further stipulates that with regard to the freedom of the press and the right to have access to public documents the Freedom of the Press Act shall apply.

The 1949 Freedom of the Press Act is part of the Swedish Constitution, and amendments to the Act require two decisions by the Parliament with elections in between. The Act affords protection of the freedom of the Press in four important respects:

- (i) it gives protection against the authorities raising obstacles to the printing, publication and distribution of printed matter,
- (ii) it promotes the supply of news,
- (iii) it specifies in essential respects the borderline between what may and what may not be stated or published in printing,
- (iv) it provides guarantees against a "police-like" or bureaucratic spirit in cases of interventions against abuse of the freedom of the press.

As regards the freedom to impart information, the printed word is, thus, particularly well protected by the Freedom of the Press Act. The concept of freedom of the press is defined in chapter 1, section 1, of the Act in the following terms (unofficial translation into English):

"Freedom of the press means the right of every Swedish national, without any hindrance beforehand by any authority or other public body, to publish any written matter, thereafter not to be prosecuted on account of the contents of such publication otherwise than before a legal court, and not to be punished therefore in any case other than such where the contents are in contravention of the express terms of law, enacted in order to preserve general order without suppressing general information".

No previous censorship or publication ban is allowed. Action against the author or the publisher of printed materials may only be taken after their publication. The right of everyone who furnishes information to the press to remain anonymous is also an important principle, which facilitates for the press and the public to obtain important information.

As to the offences against the freedom of the press, the Freedom of the Press Act makes a distinction between unlawful statements and unlawful publications. It contains detailed descriptions of all acts (e.g. libel, treason and incitement to crime) which are punishable as unlawful statements. With regard to unlawful publications the Act, to a large extent, refers to other laws, such as the general provision of the Penal Code on espionage and those rules of the Secrecy Act that indicate the documents to be kept secret. Action against the author or publisher of printed material may be taken only where the contents are at variance both with the Penal Code and with the specific provisions of the Freedom of the Press Act regarding the acts that constitute offences against the freedom of the press.

Radio and television differ from printed materials in the matter of freedom of expression in that they are monopolies. The 1966 Radio Act provides that an enterprise nominated by the Government, i.e. the Swedish Broadcasting Corporation (Sveriges Radio), shall be exclusively entitled to decide what programmes shall be broadcast to the public. Furthermore, the 1966 Act implementing the provisions of the European Agreement for the prevention of broadcasts transmitted from stations outside national territories makes it possible to intervene against certain broadcasts transmitted from outside Swedish territory.

Even broadcasts not intended for the general public do not enjoy the same liberty as that provided for the press. The Radio Act requires a special permission for the possession or use of radio transmitters in Sweden. On the other hand, anybody is entitled to possess and use a radio receiver.

Radio broadcasts are just as immune as the printed word from advance censorship, and the State may not prohibit a broadcast on account of its contents. An intervention after the broadcasting is only allowed in case an offence has been committed corresponding to that of an offence against the freedom of the press.

Cinema performances are still subject to advance censorship. The 1959 Ordinance on Cinema Performances enumerates various circumstances constituting grounds for not allowing films to be shown in Sweden. Such grounds are that a film is "conducive to coarseness" or "dangerously inflammatory". A proposal presented a few years ago by a Government Commission called for the abolition of censorship of films for adult exhibition, while censorship in respect of children's films should be retained. This proposal has not, however, been carried through.

2. The principle of the freedom of the press has a long tradition in Sweden. The first Freedom of the Press Act was passed in 1766 following a period during which the printed word was subject to control and censorship. Since then, the idea of a free press has, certainly, suffered set-backs, but it has survived periods of severe limitations. The 1766 Act was superseded by an Act of 1810, which in its turn was superseded by an Act of 1812. The latter Act, although amended in many respects, remained in force until 1 January 1950, when the 1949 Freedom of the Press Act entered into force.

It goes without saying that United Nations instruments have had no general influence on the development of the principle of freedom of information in Sweden. In one respect, however, such an influence has been exercised in recent years. Before Sweden ratified, in 1971, the International Convention on the Elimination of All Forms of Racial Discrimination, the Freedom of the Press Act was amended to include "contempt for a group of people of a particular race, skin-colour or national or ethnic origin" as an offence against the freedom of the press.

On the other hand, the provision in article 20, paragraph 1, of the International Covenant on Civil and Political Rights that any propaganda for war shall be prohibited by law has not caused an amendment to be made to the Freedom of the Press Act, but when ratifying the Covenant Sweden made a reservation to the effect that the article would not apply. One of the reasons for this was that it was feared that a penal provision on the subject would be detrimental to the free public debate.

3. Certain amendments have been made to the Freedom of the Press Act during the period 1 July 1970-30 June 1975. Ever since 1809 the freedom of the press has been based on the Constitutional Act. In connexion with the constitutional reform in the beginning of the 1970s the basic provision on freedom of the press was, however, transferred to the Freedom of the Press Act (chapter 1, section 1 - see 1. above). Another amendment aimed at eliminating the uncertainty which up to then had prevailed as to the application in respect of ADP-recordings and other recordings of a technical nature of the principle of the right of the public to have access to documents kept by the authorities. The amendment implied that the rules governing the access to documents shall, as far as possible, be applied to technical recordings.

4. A Government Commission on Mass Media was appointed in 1970 and charged with the task of investigating the possibility of uniform rules, in the form of constitutional law, for the freedom of expression in mass media. The Commission, which submitted its report in 1975, has suggested the enactment of a "Mass Media Constitutional Act" to replace the Freedom of the Press Act and containing rules on the freedom of expression with regard to printed, mimeographed or otherwise reproduced works, radio, television and film.

The question of affording constitutional protection to human rights and fundamental freedoms was not finally solved during the constitutional reform in the beginning of the 1970s. A Government Commission was, thus, appointed in 1973 with the task of studying inter alia the possibility of extending the protection given by the Constitutional Act to fundamental rights and freedoms. The Commission presented its report in 1975, and this report forms the basis of a Government Bill proposing amendments to the Constitutional Act. These amendments also relate to the freedom of expression and the freedom of information. The definition of these freedoms has been broadened. Restrictions may only be imposed by law, i.e. by a law adopted by the Parliament, and only for purposes acceptable in a democratic society. These purposes shall be specifically stated in the Constitutional Act. Unless otherwise provided for by law, aliens shall have the same rights as Swedish nationals with regard to freedom of expression and freedom of information.

5. The Press Fair Practice Commission is an honorary tribunal set up by the press itself and competent in matters relating to fair publicity. The Commission tries cases involving newspapers, magazines and other periodicals made available to the public. Cases are referred to the Commission on the initiative of the Press Ombudsman. If the Ombudsman decides not to refer a case to the Commission, an individual is entitled to do so provided that the matter concerns the applicant himself. The Commission is not an official body. Its decision has the form of a statement of opinion, which cannot be enforced by law.

The Press Ombudsman is appointed jointly by the Swedish Publishers' Club, the Swedish Journalists' Association and the Swedish Newspaper Publishers' Association.

There are two Academies for Journalists in Sweden, one in Stockholm and one in Gothenburg.

As to the question of the participation of journalists and the public in the ownership or control of the media, the rules governing the rights of the journalists to a voice in decisions to be taken do not, unless otherwise negotiated in a contract, differ from the similar rights of employees in other lines of work. There are no general provisions for the participation in the ownership or control of the media by the public.

6. A basic principle in the Freedom of the Press Act is that every Swedish national shall have free access to official documents. This right shall be subject only to such restrictions as are demanded either out of consideration for the security of the State and its relations with foreign powers, or with regard to the activities for inspection, control or other supervision carried out by public authorities, or for the prevention and prosecution of crime, or in order to protect the legitimate economic interests of the State, communities and individuals, or out of consideration for the maintenance of privacy, security of the person, decency and morality.

Those cases in which official documents are to be kept secret shall be clearly defined in a specific act of law. This has been done in the 1937 Secrecy Act. This act is at present being modified on the basis of a report submitted in 1975 by a Government commission.

The 1966 Radio Act does not prescribe any limitations upon the exercise of freedom of information but provides that the radio and television monopolies have to be practised with objectivity and impartiality.

The freedom of expression in general is restricted only by special provisions designed to safeguard public or private interests. As an example it can be mentioned that a statement may be punishable according to the Penal Code as defamation, perjury, untrue statement by a party to court proceedings, false certification, spreading socially harmful rumours, agitation against an ethnic group, unlawful discrimination or violation of duty to maintain silence.

7. There is at present no specific constitutional provision to the effect that freedom of information shall be enjoyed without distinction of any kind.

In the aforementioned Government bill (para. 3 above) on the extension of the protection afforded by the Constitutional Act to human rights and freedoms, the Government has, however, proposed safeguards against discrimination. In respect of freedom of expression and freedom of information a prohibition against inter alia restrictions solely on the grounds of political, religious, cultural or any other such opinion is foreseen.

8. It follows from what has been said above that much attention is being devoted in Sweden to the question of freedom of information. The work towards the strengthening of the constitutional protection of the freedom of information and the access of the public to information is continuing. The Swedish Government will, at the appropriate time and place, revert to future developments in this field.

TRINIDAD AND TOBAGO

[Original: English]

[19 May 1976]

1. During the period under review -- 1 July 1970 to 30 June 1975 -- the people of Trinidad and Tobago continued to enjoy a democratic way of life and consequently remained free to seek, receive and impart information and ideas through any media. Moreover no regulations have been passed nor legislation enacted to limit the exercise of freedom of information.
2. The period saw some important developments with respect to freedom of information. The nationally owned (State-owned) media -- Trinidad and Tobago Television Company Limited and National Broadcasting Service (NBS) Radio 610 -- both acquired membership in two (2) regional organizations -- the Caribbean Broadcasting Union and the Caribbean News Agency (CANA).
3. All the State-owned radio and television stations in the Commonwealth Caribbean are members of the Caribbean Broadcasting Union, whose aim is to increase the volume of regional news and current affairs programming.
4. The Caribbean News Agency (CANA), which has replaced the Reuter Caribbean News Service, has to its credit a membership comprising almost all the newspapers, radio and television stations operating in the Commonwealth Caribbean.

The press

5. In Trinidad and Tobago several companies publish daily and weekly newspapers and periodicals. Trade unions, university students and lecturers, political parties, clubs and organizations are also publishers of weekly and quarterly newspapers in an atmosphere which makes for the expression through the press of a broad cross-section of views.
6. The Trinidad Guardian and the Express still constitute the only daily newspapers in the territory. Together they provide the public with a wide range of information under various headings such as local and foreign news, business, economics and finance, sports, public notices, advertising and professional activities, women's articles, editorials, stock markets, etc.

Political broadcasting

7. The National Broadcasting Service -- Radio and Television -- has recently decided on a policy for political broadcasting to operate during the period from nomination day to two days prior to polling day.

Free broadcasting time will be allocated to parties which nominate candidates in not less than 60 per cent of the total number of seats for the General Elections to the House of Representatives. Equal time will be allocated to all qualifying parties except that the party which has a majority in the existing House will be given an additional and a final broadcast period.

The parties must each apply in writing at least two working days before the date on which their broadcast is due to take place. All broadcasts must be pre-recorded at least 24 hours before broadcast. The political party involved must be clearly identified before and after the broadcast. The script of the broadcast must be submitted not later than six hours before the time for recording the broadcast.

Broadcasts must not include:

- (1) Any matter in contravention of the laws of Trinidad and Tobago;
- (2) any abusive comment upon any race, creed or religion;
- (3) any obscene, indecent or profane matter;
- (4) any malicious, scandalous or defamatory matter;
- (5) any matter which contains any false or deceptive statement.

The Directors reserve the right to decide whether a script or any part of it is acceptable for broadcast and once passed for broadcast, a script may not be departed from.

#### Radio and television

8. The contribution of the radio in the dissemination of information and providing entertainment continues to be of great significance, particularly in the rural areas. The hours of service are 5.30 a.m. to 12 noon and 4.00 p.m. to 11.00 p.m. The programmes of both of these media include news bulletins (local and foreign), interviews, school programmes, public notices, debates, sports, variety shows, lectures, government announcements, etc.

#### Government programming in Trinidad and Tobago

9. With a view to increasing the flow of information to its citizens, the Government has reorganized its radio broadcasting services to provide three 15-minute programmes and one half-hour programme daily over both radio stations. On the television station, the Government broadcasts four 15-minute programmes and one half-hour programme weekly.

#### Literature

10. Literature, irrespective of type and category, can be obtained at bookstores and in libraries provided by the Government.

11. In rural areas where there are no libraries, the Government provides a mobile library service so as to give an opportunity to each citizen to have free access to information.

12. The Government, however, takes steps to prevent the distribution or sale of subversive, pornographic or other undesirable literature.



### Films

13. The cinemas also play a role not inferior to those media previously noted (press, radio and television). Through it a wide range of informative news is disseminated.

14. The Government through the medium of the mobile cinema exposes the people of the rural areas where there are no cinemas to information vital to them in their everyday life on health, agriculture and education.

15. In short, the citizens of Trinidad and Tobago enjoy absolute freedom in disseminating and obtaining information through the mass media of communication so long as this information is aimed at fostering and stimulating healthy, social and intellectual growth.

### Training

16. Considerable attention has been given to training in the field of information. The specific training opportunities made available by Government were as follows:

- (a) One Government Press Officer received training which led to the award of the Diploma in Journalism at the newly established Institute of the West Indies at Mona, Jamaica;
- (b) One Government Press Officer received training at the Central Office of Information, London;
- (c) Two Government Broadcasting Officers received training at Bogota and in Holland, respectively;
- (d) Government awarded a total of seven scholarships for training leading to degrees in Communication at Universities in Canada and the United States of America.

Apart from the trainees mentioned above, a member of the Trinidad and Tobago Television Programme Department and a reporter attached to a weekly newspaper also received training which led to the award of the Diploma in Journalism.

### Standards and ethics

17. Efforts at developing standards and ethics resulted in the establishment in 1972 of a Journalist Association of Trinidad and Tobago. Apart from this the two daily newspapers, the two radio stations and the television station are members of the Caribbean Publishers and Broadcasters Association, which is in the process of establishing a Press Council of the Commonwealth Caribbean. This Council will function under the chairmanship of a former Trinidad and Tobago High Court Judge who is now the Director of the Law School of the University of the West Indies.