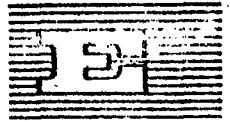


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Item 20

REPORT OF THE COMMITTEE ON THE DRAFT CONVENTION
ON FREEDOM OF INFORMATION

Suggestions and Observations of Governments on the draft
Convention

By its resolution 426 (V) of 14 December 1950 the General Assembly requested the Secretary-General to submit the report of the Committee on the draft Convention on Freedom of Information, together with the draft or drafts prepared by the Committee (A/AC.42/7), to the various governments concerned for their consideration, and invited the governments so consulted to transmit their suggestions and observations to the Secretary-General. The General Assembly further recommended the Economic and Social Council to consider the Committee's report at its thirteenth session and if it thinks fit, in the light of the Committee's recommendations and the observations of governments, and also taking into consideration the General Assembly's wish that one or more conventions to ensure freedom of information in the world should be adopted as soon as possible, to convene a conference of plenipotentiaries to meet as soon as possible and not later than 1 February 1952, with a view to the framing and signature of a Convention on Freedom of Information, based on the draft or drafts prepared by the above-mentioned Committee and on the observations of governments.

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The Secretary-General accordingly, submitted the report of the Committee on the draft Convention on Freedom of Information to the various governments for their consideration. The Secretary-General has received the following suggestions and observations:

I. Ceylon

The reply received from the Government of Ceylon, dated 4 June 1951, states that:

The Government of Ceylon has no comments to offer on the draft Convention on Freedom of Information.

II. Indonesia

The following suggestions and observations, dated 14 June 1951, were received from the Government of Indonesia:

The Committee is to be congratulated on the results of its labours as seen in the Draft Convention on Freedom of Information.

We in Indonesia strongly believe in Freedom of Information.

The Indonesian people have always considered, even before the proclamation of Indonesia's independence on 17 August 1945, that freedom of information is a conditio sine qua non for the establishment of world peace and the creation of mutual understanding between men and between nations.

After the proclamation of Indonesia's independence, the newly established Indonesian Government, amidst the turmoil of the revolutionary period, continued to regard freedom of information as essential to the progress of the Indonesian people in the political, social, economic and cultural fields, apart from its obvious importance in promoting democracy and peace.

This is clearly seen in the various constitutions, from 19 August 1945 up to the present day.

To facilitate the people's progress in these various fields, nationally as well / ^{as} internationally, the Republic of Indonesia has had from the very beginning, the benefit of a Ministry of Information which is the spearhead in the development of freedom of information and democracy.

/In truth

In truth it may therefore be said that the growth, the progress, the victories, of the Republic of Indonesia ever since the proclamation of independence were the outcome of the great measure of freedom enjoyed by the Indonesian people in the matter of seeking, receiving and imparting information and opinions, either orally, in writing or through pictures.

Five years have elapsed since Indonesia became independent, internationally and officially recognized, and with greater experience in our relations with the various countries and nations, we are now more than ever convinced that without a free flow of information between men, nations and countries, the development of international understanding which is a necessary condition for the peace and welfare of the world, would not be possible.

Aware of the fact that human effort and creations are never perfect, Indonesia which had not the opportunity of participating in the framing of the Draft Convention, nevertheless welcomes the Draft Convention on Freedom of Information with open arms.

We are pleased to note in the preamble of the Draft Convention, that the media of information should be free from pressure and dictation.

We agree with the provision of Article 2 that limitations on the freedom of information be determined by law.

We are in entire agreement with Article 16 which states that the provisions of present Conventions shall extend to or be applicable equally to a signatory metropolitan state and to all the territories, be they non-self-governing trust or colonial territory, which are being administered or governed by such a metropolitan state.

We are also very happy to note that the conception of national dignity is mentioned in Article 5.

We regret, however, that the Draft Convention does not mention anything about blasphemy.

We therefore suggest the inclusion of a clause in Article 5 aiming at the prevention of blasphemy, be it orally, in writing or by signs.

Finally, we would like to suggest that paragraph A of Article 7 be altered to read: -- A. to develop and protect its national news enterprises and its national language until such time as they are fully developed.

/We feel

We feel it necessary that the right to develop and protect the national language be mentioned in the Draft Convention in order that new countries, with their various weaknesses and shortcomings, be given the opportunity to develop their national languages and be protected against possible foreign cultural penetration of a political nature.

III. The Hashemite Kingdom of the Jordan

The reply received from the Government of the Hashemite Kingdom of the Jordan, dated 31 May 1951, states that:

The Hashemite Kingdom of the Jordan has no observations to transmit concerning the draft Convention on Freedom of Information, not being desirous to accede to the said Convention.

IV. Liechtenstein

The reply received from the Government of Liechtenstein, dated 4 May 1951, states that:

The Government of Liechtenstein has no suggestion or observation to offer on the Draft Convention.

V. New Zealand

The reply received from the Government of New Zealand, dated 14 June 1951, states that:

The Government of New Zealand do not wish, at this stage to transmit detailed observations on the text of this Draft Convention.

VI. Union of Soviet Socialist Republics

The reply received from the Government of the Union of Soviet Socialist Republics, dated 11 June 1951, states that:

The views of the Union of Soviet Socialist Republics on the draft Convention on Freedom of Information were set forth in the statement made by the Union of Soviet Socialist Republics representative in the Committee on the Draft Convention, and in his proposed amendments to that draft.^{1/}

^{1/}

See A/AC.42/L.4/Rev.1

The following suggestions and observations were received from the Government of Bulgaria under date of 10 May 1951:

The Government of the People's Republic of Bulgaria does not consider this Draft Convention in any way likely to provide a real guarantee of freedom of information and of the press, as it does not contain any clause the object of which is to free the press from private publishing monopolies; nor does it contain any text which might promote the dissemination of truthful and objective information, aimed at maintaining and strengthening international peace and security. The Convention mentions no generally approved measures, such as those referred to in General Assembly resolution No. 110 (II), of 3 November 1947, on measures "to be taken against propaganda and the inciters of a new war". There are no provisions for actively counteracting nazi or fascist propaganda, or against propaganda in favour of racial or national exclusiveness.

In view of the foregoing, the Bulgarian Government thinks that the draft Convention on Freedom of Information is neither satisfactory or acceptable, and hopes that in any final text of the Convention the above-mentioned defects will be eliminated.

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