

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
ET SOCIAL**

E/AC.7/SR.19
8 August 1947

ORIGINAL: ENGLISH

**FIFTH SESSION
SOCIAL COMMITTEE**

SUMMARY RECORD OF THE NINETEENTH MEETING

Held at Lake Success, New York, on Wednesday, 6 August 1947 at 2:45 p.m.

Present:

Chairman:	Mr. MOE	
	Mr. Kaminsky	(Byelorussian Soviet Socialist Republic)
	Mr. Davidson	(Canada)
	Mr. Larrain	(Chile)
	Mr. Sun	(China)
	Mr. Osuna	(Cuba)
	Mr. Stolz	(Czechoslovakia)
	Mr. Boris	(France)
	Mr. Ahmad	(India)
	Mr. Hakim	(Lebanon)
	Mr. Van der Mandele	(Netherlands)
	Miss Hampton	(New Zealand)
	Mr. Seyersted	(Norway)
	Mr. Yazici	(Turkey)
	Mr. Mackenzie	(United Kingdom)
	Mr. Stinebower	(United States of America)
	Mr. Lomakin	(Union of Soviet Socialist Republics)
	Mr. Perez-Perozo	(Venezuela)

Representatives of Specialized Agencies:

Mr. Arnaldo (UNESCO)

Consultants of Non-Governmental Organizations:

Category (a):	Mr. Udi	(International Co-operative Alliance)
Secretariat:	Mr. Stanczyk	(Representing the Assistant Secretary-General for Social Affairs)
	Professor Humphrey	(Director, Division of Human Rights)
	Mr. Delierneux	(Division of Social Activities)
	Mr. Hogan	(Division of Human Rights)
	Mr. Messing	(Joint Division of Co-ordination and Liaison)

- Transfer to the United Nations of Functions and Powers Previously Exercised by the League of Nations Concerning the Suppression of the Traffic in Women and Children and the Suppression of the Circulation and of the Traffic in Obscene Publications (E/444, E/444/Add.1, E/482).

The CHAIRMAN proposed that a committee, consisting of the representatives of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom, France, China, Peru and Norway, be appointed to study

/documents E/444, E/482

documents E/444, E/482 and the resolutions and other comments submitted by the various delegations.

DECISION: The proposal was adopted unanimously, and it was agreed that the Secretariat should arrange a meeting of the committee as soon as possible.

Continuation of Consideration of the Provisional Draft Agenda of the Report of the Sub-Commission on Freedom of Information and of the Press (E/441)

2. Indian Proposal to Add a New Sub-paragraph (iv) to Item 5(b)

Mr. AHMAD (India) presented a revised draft of his amendment which read: "considering the present unequal development of news agencies in certain countries, and recognizing the need of fostering the development of national news agencies through provisional measures until such time as these news agencies are capable of meeting international competition."

Mr. BORIS (France) and Mr. LARRAIN (Chile) supported the proposal.

Mr. STINEBOWER (United States of America) felt that the problem of fostering the development of national news agencies was adequately covered by the first part of Item 5(b) (iii).

Mr. AHMAD (India) could not agree with the United States representative, and was of the opinion that the Council should invite the conference to recognize and discuss the need for development of national news agencies since it involved an important principle.

Mr. STINEBOWER (United States of America) accepted the principle, but could not accept the proposed formulation, which was broad enough to suggest a stage of domestic monopoly and exclusion of foreign news agencies.

DECISION: It was agreed that the Indian and United States representatives should jointly attempt to formulate a satisfactory text.

3. United Kingdom Amendment to Insert a Sub-paragraph (iii) to Item 5(a)

Mr. MACKENZIE (United Kingdom) proposed a revised text to his amendment (document E/AC.7/33) which substituted the words: "covering all bands used for domestic and international broadcasting" for "of their own choosing".

The CHAIRMAN stated that since the principle of the amendment had been accepted in the previous meeting the revised text would be adopted if there was no opposition.

DECISION: The United Kingdom amendment was adopted unanimously.

4. Preparation of a Written Request for Information Concerning Freedom of Information (document E/441, Page 7, Chapter II, Paragraph 9)

Mr. HOGAN (Secretariat) stated that the postponement of the session of the Commission on Human Rights till after the General Assembly would not allow sufficient time for the Commission to consider the request for information, for it to be circulated to governments, and for the replies /to be collated.

to be collated. It might be possible, however, to present a draft of the request for information to the Council towards the end of the coming week. After due consideration, it could then be circulated to governments, which would have time to consider it and give their answers.

Mr. MACKENZIE (United Kingdom) was prepared to accept the proposal provided the Social Committee had several days in which to consider the draft.

DECISION: The proposal outlined by the Secretariat was unanimously accepted.

5. Consideration of Chapter II, Item 5(c)

DECISION: The Introduction was unanimously adopted.
Sub-paragraph (i) was unanimously adopted.

Sub-paragraph (ii)

Mr. STOLZ (Czechoslovakia) inquired whether social security facilities would be the concern of a Journalist's country of nationality or of the country to which he was accredited.

The CHAIRMAN replied that that was part of the problem of the protection afforded aliens.

Mr. LOMAKIN (Union of Soviet Socialist Republics) felt the point was not clear, and agreed with the Czechoslovak representative that due attention should be given the question of social security.

The CHAIRMAN pointed out that the purpose of the provisional draft agenda under discussion was to draw attention to points needing discussion and not to make concrete recommendations.

Mr. LOMAKIN (Union of Soviet Socialist Republics) felt that the answer avoided the issue, and proposed the deletion of the final phrase.

Mr. PEREZ-PEROZO (Venezuela) accepted the paragraph as submitted, and proposed the inclusion of "passport visas" among the facilities enumerated.

The CHAIRMAN drew the Venezuelan representative's attention to Item 3(a) regarding measures for facilitating entry of news personnel.

Mr. LOMAKIN (Union of Soviet Socialist Republics) objected to further additions, and proposed leaving the enumeration of specific facilities to the Conference, which, from experience, was better qualified.

Mr. AHMAD (India) could not accept the amendment of the representative of the Union of Soviet Socialist Republics, since it would make the paragraph a general statement applicable to the entire agenda. It would be preferable to omit the whole paragraph rather than accept the shortened form.

DECISION: The amendment of the representative of the Union of Soviet Socialist Republics was rejected by six votes to three.

/Mr. PEREZ-PEROZO (Venezuela)

Mr. PEREZ-PEROZO (Venezuela) maintained that "passport visas" should be included, since departure as well as entry should be covered.

The CHAIRMAN proposed the words "obtaining of passport visas for entry and exit".

Mr. LOMAKIN (Union of Soviet Socialist Republics) objected on the grounds that it might interfere with the regulations of countries.

Mr. STINEBOWER (United States of America) proposed deletion of the whole paragraph.

DECISION: The United States proposal was adopted by ten votes to one with three abstentions.

Sub-paragraph (iii) (1)

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic), supported by Mr. BORIS (France) proposed deletion of the word "persistent", since he felt the qualification was undesirable.

Mr. MACKENZIE (United Kingdom) supported the original wording as he maintained it served a purpose, and also because it would be more difficult to detect and authenticate isolated reports than persistent ones.

DECISION: The amendment of the representative of the Byelorussian Soviet Socialist Republic was accepted by seven votes to four with four abstentions.

Sub-paragraph (iii)(1) was adopted, as amended, unanimously.

Proposal of the Representative of the Union of Soviet Socialist Republics for a New Sub-Paragraph (2) to Item 5(c) (iii)

Mr. LOMAKIN (Union of Soviet Socialist Republics) proposed the insertion of the following new sub-paragraph (2): "in conformity with the postulate that freedom pre-supposes responsibility to recommend the adoption of legislation which will bring effective pressure on owners of such organs of the press and information as spread false and libellous information regarding other peoples and States. The severest action should be taken in the case of false information which leads the public astray with the object of worsening relations between nations, or provoking conflicts and inciting to war."

In reply to a question from Mr. MACKENZIE (United Kingdom), Mr. LOMAKIN replied that Soviet newspapers were owned by social organizations which were well-qualified to take action in the case of the spreading of false information.

Mr. MACKENZIE (United Kingdom) proposed the inclusion of "and social organizations" after "owners".

Mr. LOMAKIN (Union of Soviet Socialist Republics) could not accept that amendment, since the aim was to put an end to the dissemination of

/false news

false news whatever the source.

Mr. STOLZ (Czechoslovakia) supported the representative of the Union of Soviet Socialist Republics.

Mr. STINEBOWER (United States of America) opposed the proposal as being a specific addition to a broad item already adequately covered by 5(c) (iii). He pointed out that there was also a danger that it would lead to abuses of its own, such as, for instance, the suppression of an opposition press.

Mr. AHMAD (India) supported the United States representative and pointed out that there was an Indian amendment (document E/AC.7/35) seeking a specific statement of the obligations of the press, which, together with 5(c) (iii), would cover the point of the amendment under discussion.

Mr. MACKENZIE (United Kingdom) supported the Indian representative.

Mr. BORIS (France) felt there was some overlapping between the amendment and 5(c) (iii), and proposed with regard to the responsibility of the press to substitute the wording: "the study of measures, mainly legislative measures, which are designed to establish the responsibility of newspaper owners who spread false and tendentious reports of a nature such as to worsen relations between peoples or provoke conflicts and incite to war."

Mr. LOMAKIN (Union of Soviet Socialist Republics) could not accept the French amendment to his proposal, and suggested that it should be taken separately.

DECISION: The amendment of the representative of the Union of Soviet Socialist Republics was rejected by eight votes to four with four abstentions.

The French amendment was adopted, subject to review of the text, by seven votes to five with three abstentions.

Item 5 (c) (iii) (2)

DECISION: No objection being raised, ~~the~~ CHAIRMAN declared the item accepted.

Item 5 (c) (iii) (3)

DECISION: No objection being raised, the CHAIRMAN declared the item accepted.

Item 5 (c) (iii) (4)

DECISION: No objection being raised, the CHAIRMAN declared the item accepted.

Item 5 (c) (iv)

DECISION: No objection being raised, the CHAIRMAN declared the item accepted.

Item 5 (c) (v)

DECISION: No objection being raised, the CHAIRMAN declared the item accepted.

/Consideration

Consideration of the Proposal of the Delegation of India for New Item 6
(document E/AC.7/35)

Mr. BORIS (France) said that in view of the fact that he was not sure of the meaning of the first words of the Indian proposal, he would have to make a special reservation regarding it.

Mr. AHMAD (India) said that "rights" meant "freedom rights" of media of information. He wished to make it clear that India wished the widest possible measure of freedom of information; the people of India had had to struggle against press fetters and had suffered in the struggle, and the new India was safeguarding this fundamental freedom. He had voted affirmatively on all agenda items which were designed to advance freedom, but now intended to go a step further. Sub-paragraph (a) of his amendment was intended to ensure that not only would the Conference discuss freedom of information but it would devise some positive measures. Sub-paragraph (b) was a simple proposition in ethics; there could be no concept of moral rights without acceptance of moral duties. The suggestion which he had heard advanced in plenary session of the Council, that responsibility might be synonymous with restrictions, was surely wrong. He was suggesting no restrictions. The obligations of the Press had been stated already in broad terms, but he would like to see a clear codified statement. He pointed out that the trend of development of the press tended to concentrate power in fewer hands. When he referred to measures to ensure responsibility, he was not necessarily meaning governmental or legislative measures. He welcomed the possibility of the International Organization of Journalists or other agencies prescribing for themselves standards and disciplinary measures.

Mr. MACKENZIE (United Kingdom) agreed with the representative of India in the emphasis he placed on responsibility but wondered whether the agenda did not already cover the points he had brought up, especially in the first chapter and in Item 8. The Committee had also approved an item regarding professional bodies laying down for themselves standards of professional competence.

Mr. STINEBOWER (United States of America) also maintained that the major points of the amendment had already been covered by the Sub-Commission's agenda. As regards Item 8, however, he wondered whether the Conference would have time to carry out the tasks suggested. The view of his delegation was that this item could best be left to the Commission on Human Rights or to continuing machinery such as the Sub-Commission itself.

The CHAIRMAN suggested that the representative of India might advance his proposal as an addendum to Item 8.

/Mr. AHMAD (India)

Mr. AHMAD (India) remarked that he had been placed in a difficult position by the fact that the Sub-Commission had not discussed the whole question of the concept of freedom of information. In reply to the representative of the United States he would point out that if the Conference could find time to draft agreements, there was no reason why it could not draft a charter and suggest means to implement it. He did not see any recognition in the agenda of the obligations of the press; the main emphasis was on facilities for newsgathering, transmission of information etc. There was no reason for not including on the agenda an item which would ensure consideration of the question of obligation of its own right.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) said he agreed in principle with the representative of India. The agenda merely touched on the subject of responsibility, and the Social Committee had avoided it. The point was important, and should be considered exhaustively.

Mr. LOMAKIN (Union of Soviet Socialist Republics) said he would like the representative of India to advance his proposals concretely in the form of agenda items. He pointed out that Item 8 dealt not so much with responsibility as with how best to utilize the results of the Conference. They were now considering how best the work of the Conference could be directed.

DECISION: Since seven votes were cast in favour of the Indian proposal and seven votes against, with three abstentions, the CHAIRMAN ruled that the vote would be taken again at the next meeting of the Committee.

Consideration of Item 6 of the Provisional Draft Agenda

Mr. LOMAKIN (Union of Soviet Socialist Republics) said his delegation wished to propose that this item be referred to the Commission on Human Rights. There was no point in setting up a special body, which would only create confusion and entail expense; such questions should be centred around the Commission on Human Rights.

Mr. MACKENZIE (United Kingdom) pointed out that the Conference might decide to recommend that the content of this item be passed on to the Commission on Human Rights.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) had doubts as to the competence of the Conference to deal with this matter, which was rather a prerogative of the General Assembly. The drafting of the heading of the item, in its use of the word "preferably" was not clear.

Mr. BORIS (France) said that if concrete results were to be achieved, the Conference itself should examine the question of implementation and continuing machinery.

/Mr. STOLZ (Czechoslovakia)

Mr. STOLZ (Czechoslovakia) supported the representative of the Byelorussian Soviet Socialist Republic.

Miss HAMPTON (New Zealand) said she was not enthusiastic over the prospect of the item being referred to the Commission on Human Rights. The permanent machinery might be a continuation of the Sub-Commission itself. She wished to propose the following addition to the item: "The Conference is empowered to examine and to report to the Council on the question whether it is necessary or advisable for the Sub-Commission on Freedom of Information and of the Press to be maintained or for other machinery directly subject to the United Nations to be established or maintained to carry out the above functions. The Conference shall not, however, take any steps for the establishment of such machinery."

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) proposed the deletion of Item 6, and remarked that the New Zealand proposal was outside the scope of the Charter.

Mr. SEYERSTED (Norway) asked whether the Sub-Commission had in mind, since the word "preferably" was used, that press organizations themselves might set up continuing machinery, and whether the New Zealand proposal excluded that possibility.

Mr. MACKENZIE (United Kingdom) pointed out that Item 4 referred to the setting up of professional bodies, but the Sub-Commission had not given the idea any detailed study, preferring to leave that to the Conference.

Miss HAMPTON (New Zealand) said that her proposal would not exclude the possibility of organization by the journalists themselves.

DECISION: The proposal of the representative of the Byelorussian Soviet Socialist Republic to delete Item 6 was rejected by eleven votes to three with three abstentions.

Mr. STOLZ (Czechoslovakia) pointed out that the New Zealand suggestion that the Conference make recommendations regarding subsidiary organs of the Economic and Social Council would be creating an undesirable precedent.

Mr. STINEBOWER (United States of America) said that when the Conference was over it would be necessary for the Council to discuss the future of the Sub-Commission in the light of the results of the Conference. The Conference would not be familiar with the Council and its functions.

Miss HAMPTON (New Zealand) agreed to the deletion of the reference to the Sub-Commission in her proposal.

DECISION: The New Zealand proposal was accepted in principle by nine votes to four, with three abstentions. Precise formulation of the proposal was left to the representative of New Zealand and the Secretariat.

Mr. LOMAKIN (Union of Soviet Socialist Republics) recalled that earlier in the meeting he had proposed referring all of Item 6 to the Commission on Human Rights, and asked to have his proposal considered.

/The CHAIRMAN

The CHAIRMAN ruled that in view of the decisions already taken, the Union of Soviet Socialist Republics amendment could not be considered. The representative of the Union of Soviet Socialist Republics would, however, be able to present his views to the Council in plenary session.

Mr. LOMAKIN (Union of Soviet Socialist Republics) asked to have his vote recorded against sub-paragraphs (a), (b), (c) and (d) of Item 6.

DECISION: The Chairman declared sub-paragraphs (a), (b), (c) and (d) accepted.

Proposal of the French Delegation for New Sub-Paragraph (e) to Item 6
(Document E/510)

Mr. LOMAKIN (Union of Soviet Socialist Republics) asked the representative of France who would issue professional cards to correspondents, the country sending them, or the country receiving them.

Mr. BORIS (France) explained that the question had been discussed in the Sub-Commission. A card of a special nature for international journalists was aimed at, and its issuance must be entrusted to an international organization.

Mr. MACKENZIE (United Kingdom) pointed out that the implication was that the body issuing such cards would be the continuing machinery eventually created. If the Commission on Human Rights were that body, difficulties would arise.

Mr. STOLZ (Czechoslovakia) recalled that before the war the International Federation of Journalists had issued cards to members. An association of foreign correspondents also issued cards.

DECISION: The French addition to Item 6 was accepted by four votes to two, with eleven abstentions.

The meeting rose at 6:00 p.m.
