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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Text of Statement on Overall Programme of Sub-Commission Made at
Third Meeting of First Session of Sub-Commission on Freedom of
Information and of the Press by Mr. A.R.K. Mackenzie
(United Kingdom)

It seemed to me, now that we have had some chance to analyze the different papers before our Sub-Commission, it would be useful at the very outset of our work to get some idea of the overall programme we have to set for ourselves.

I think this would help us greatly in deciding what to tackle at each new stage of the road ahead. When I think of that, the first point I feel we have to bear in mind is that we in this Sub-Commission are not alone in working in this field of freedom of information. We, ourselves, have a parent body to whom we have responsibilities; that is to say, the Human Rights Commission. We also have a World Conference on Information, which is coming up, to which we also have responsibilities. In the field, there is also UNESCO at work, and back in our respective countries there are individuals and groups who are very much interested in this question.

I think it is well that we keep in mind these different bodies working in the field, because it seems to me that we need not tackle everything all at once, nor feel oppressed by the thought that we have to do everything ourselves. The important thing is to try to make sure that the work that is being done and will be done in the course of the coming year by these different bodies will fit together and will advance the cause that we all have so much at heart.

I think we have, as the result of these different bodies working in the field, to bear in mind certain things. We have, for example, special items

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to prepare for the Human Rights Commission. They are drawing up an International Bill of Human Rights, and we have the job of preparing the section in that Bill concerned with the rights regarding information and freedom of the press. I would also hope that we would be able to give to the Human Rights Commission, in due course, practical suggestions as to how the general principles that will be in the Bill can be put into effect.

Secondly, we have specific things to prepare for the Economic and Social Council in connection with the World Conference which is coming up.

Thirdly, I think the fact that there are these various bodies working in the field means we must reserve the right to review at a later stage some of the work that we begin to do now, so that at a later stage we are able to gain the fruits of our work which may be accomplished in some of these other bodies.

Therefore, if I were trying to outline on a map the long-term kind of programme which we should set for ourselves, I should have thought that it would be something of this nature. I do not say we must get rigid agreement on this at this stage, but if we could tentatively view the whole picture, we could then work back and decide what we must tackle next.

I should think that in the broad picture there might be three stages in the work of this Sub-Commission. The first stage is the one we are at now, where we must make arrangements for the forthcoming World Conference and submit these to the Economic and Social Council at its next session, and where we will also start work on defining freedom of information. It is my view - and you will see that I am speaking for Mr. Cruikshank in the paper he has given you - that we cannot, and ought not, try to conclude at this First Session the whole work of defining freedom of information.

It may be that we can offer some interim report to our parent body, the Human Rights Commission, but I do not think we should attempt to finish this work at this stage. These are the two first stages.

Then we would presumably separate, after two to three weeks, and go back

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to our respective countries. That would provide an opportunity to discuss with interested parties there, and with the press and radio and so on, this whole field of freedom of information.

That, I hope, would help us when we renewed our labours, because I think that later in the year would come the second stage, when we might have a second meeting of this Sub-Commission. That might be in November or December. At that meeting, we would continue this discussion on the whole concept of freedom of information and how it can be implemented, and by that stage we would have the benefit of views given to us from other quarters. If, for example, the second meeting of our Sub-Commission could be arranged to take place after the UNESCO meeting, at the beginning of November, then it might be that we would have some contribution from UNESCO to take into consideration in our preparations. After that second meeting, we might perhaps want to offer another interim report to the Human Rights Commission.

Then would come the World Conference, which will take place either at the end of this year or, much more likely, I should think, early next year. It would be my hope that this Sub-Commission could then have its third, and perhaps its final, session after the World Conference, so that once again we could bring to bear the light thrown upon this problem by the World Conference and receive its added help. Then we could finalize the work, which we hope will be acted on by the Economic and Social Council and by the General Assembly of the United Nations, which is the supreme body to which our work is addressed and through which the proposals we draw up can be given effect.

That is a very, very broad outline of the kind of work I see ahead of us, and I submit it in a most tentative manner.

In the light of that, what is the next subject for us to tackle right now, this morning and in this particular session of the Sub-Commission? Before I say what I feel on that, I should like to make just one or two brief points on the whole subject matter on which we are working. The more I have thought of it the more I have felt that the whole emphasis is on freedom. The title of this

Sub-Commission and the title of the World Conference is: "Freedom of Information." Being a good Scottish Presbyterian, I am aware that freedom implies obligations, but the emphasis in the title is on freedom. As we set out on this work, I think we have to keep that emphasis in mind. Why was this body set up? It was set up by the United Nations because representatives to the United Nations were concerned that the freedom which is enshrined as a general principle in the Charter is not fully realized in the world today.

I cannot help thinking that the world would be disappointed if the fruits of our labours were to be no more than a list of obligations, for example, which might seem to be simply restrictions. I think we must keep obligations very much in mind and must find a place for them, but the dominant emphasis, I think, must be on freedom. Our motto should be to let truth prevail and to make the channels of information free, more free than when we started our work. None of us is perfect in that regard, and probably none of our countries is perfect. However, we can all contribute something, and if, at the end of our labours, we are able to ensure that more people obtain more truth more of the time, I think that would be an appropriate measure of our success. In that endeavour, the United Kingdom would like to make as great a contribution as it can.

I think we have to bear in mind too that our problem is a problem of fundamental human rights and not just the rights of any particular profession. I feel that the freedom to gather news is very important in all the work we are about to undertake, but the freedom to receive information is important too. I think we have to keep our minds open on that; that it is not just the rights of a particular profession but basic human rights we are concerned with.

Now, in the light of that, we can, at this point, start in either of two ways.

We can start by discussing the concept of freedom of information. If it is the will of the Sub-Commission to start on that, then I would offer the first part of Mr. Cruikshank's paper to the Sub-Commission as a possible basis for work.

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I agree with the member from the Philippines who said yesterday that that, in logic, is the way we should start; that the whole concept of freedom of information is the most fundamental thing we have to tackle.

But since we are not going to try to do everything at one session - I hope - it may be that it will be more practical to start with something more tangible which is equally imposed on us; namely, to make the preparations for the Conference. In that connection, I would say just this: that our task is not simply to prepare the agenda of the Conference. It is wider. It is to make the arrangements, all the preparations for the Conference. And it may be again that we will find it useful, before tackling specific points on the agenda of the Conference, to discuss the arrangements for it as a whole; for example, when should this World Conference be held? We must make a recommendation on that. It is of great importance to our own work and to that broad map which I tried to outline earlier as to when this Conference is going to be held. If it were the wish of the Sub-Commission to start on the discussion of that, I should be happy to make suggestions in line with those that Mr. Cruikshank has outlined in his paper.
