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Chairman: Mr. Erik NETTEL (Austria).

AGENDA ITEM 62

International Year for Human Rights (continued) (A/
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(a) Measures and activities undertaken in connexion
with the International Year for Human Rights:
report of the Secretary-General;

(b) International Conference on Human Rights

**CONSIDERATION OF DRAFT RESOLUTION A/C.3/
L.1639 (concluded)**

1. Mr. EL-FATTAL (Syria), explaining the vote cast by his delegation at the 1638th meeting, said that it had voted in favour of draft resolution A/C.3/L.1639 on the understanding that the national and international organizations to which appreciation was expressed for their efforts in connexion with the International Year for Human Rights did not include those bodies which, behind a false front of concern for the exercise of human rights, engaged in activities that had nothing to do with that subject. In a number of Western countries there were bodies of that kind which, instead of really concerning themselves with respect for human rights, were simply instruments of Zionism whose sole purpose was to launch defamatory campaigns against the Arab countries. In addition, events in recent years had revealed that some bodies supposedly concerned with the observance of human rights were infiltrated by agents who were using them for quite different purposes. Consequently, it should be clearly understood that the expressions of appreciation in the draft resolution were addressed solely to those international organizations which were really pursuing humanitarian goals.

2. Mr. ZORRILLA (Mexico) said that he had voted in favour of draft resolution A/C.3/L.1639, primarily because of the efforts his country had made to commemorate the International Year for Human Rights in a fitting manner. An official function attended by Ministers of State had been held on 10 December in the Mexican capital, to celebrate the twentieth anniversary of the Universal Declaration of Human Rights. In addition, the holding of the 1968 Olympic Games in Mexico had provided an opportunity for a large number of foreign visitors to see that the country had a multi-racial society which, while fully aware of its limitations, was determined to improve the well-being of its members to the greatest possible extent, by enabling all to share the fruits of progress, and to ensure respect for human rights. In his view, the Olympic Games, in which friendly athletic rivalry had been combined with cultural activities, had been Mexico's best contribution to the observance of the International Year for Human Rights.

3. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he had abstained from voting on draft resolution A/C.3/L.1639, because he did not think that it served any useful purpose. Firstly, there was no point in States congratulating themselves on their activities in connexion with the International Year for Human Rights, and, secondly, the issuance of the bulletin referred to in that text, which would be sent to individuals and private institutions, was totally unnecessary. Moreover, such a measure would be contrary to the interests of the United Nations, since, as was indicated in the statement of financial implications (A/C.3/L.1651), it would require the diversion of funds and staff that could be put to better use elsewhere. His delegation hoped that it would be possible in future not to have draft resolutions of that type, which occasioned additional expenditure and achieved nothing worthwhile.

**CONSIDERATION OF DRAFT RESOLUTION
A/C.3/L.1640/REV.1**

4. Mr. LOPEZ (Philippines), introducing draft resolution A/C.3/L.1640/Rev.1, said that its aim was to bring back to the mainstream of United Nations endeavours the sadly neglected question of freedom of information. It was a paradox that freedom of information, which the General Assembly itself had described as the touchstone of all the freedoms upheld by the Organization, had received such scant attention in the past ten years. The draft Convention on Freedom of Information, of which only the preamble and the first few articles had been adopted, had last been considered in 1961. As for the draft Declaration on Freedom of Information, nothing had been done since the Economic and Social Council had submitted it to the General Assembly in 1960.

5. Freedom of information was a prerequisite to the enjoyment of other rights, and it was therefore the first to come under attack when tyrants or invading armies wanted to oppress peoples. Without it, there could be no peace in the world other than that of a prison camp or of the cemetery. Moreover, in an ideologically divided world like that of the present day, freedom of information could have different and contradictory meanings—a fact which enormously complicated the consideration of the problem. Nevertheless, while the recognition of those difficulties had prevented the General Assembly from considering the item for almost a decade, the media of information had not remained static. Modern technology had vastly increased the influence of the Press, radio, cinema and television; communications satellites had eliminated national frontiers and, at the same time, the gap in information media and facilities between the developed and the developing countries had grown still wider. The time had therefore come for the United Nations to assume its responsibilities in that extremely vital field. In that connexion, although he was aware that it would be an illusion to expect sudden success where only frustration had been met with thus far, he hoped that some progress could be made on the long road towards an agreement.

6. The draft resolution was essentially a restatement of facts and principles which were widely known or accepted in the United Nations. The preamble and operative paragraph 1 and 2 reflected ideas contained in various resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights concerning freedom of information. The fourth preambular paragraph paralleled paragraph 18 of the Proclamation of Teheran, and operative paragraph 3 repeated language already used in resolutions of the General Assembly and the Economic and Social Council. Paragraph 4 referred to an aspect of the problem which was the special responsibility of UNDP, UNESCO, the ILO and ITU. While paragraph 5 commended the practice of triennial reporting on freedom of information, it suggested that that routine procedure did not permit the study of problems in depth, for which the services of a special rapporteur would be needed. The last paragraph proposed that the General Assembly should give priority to the consideration of the draft Declaration on Freedom of Information; that would considerably facilitate work on the draft Convention on Freedom of Information.

7. Mrs. BARISH (Costa Rica) said that the principle of freedom of information, which her country held most dear, was guaranteed in the Constitution of Costa Rica and was respected in all areas of national life. She agreed with the Philippine representative that the international community should examine the question carefully and consider the possibility of adopting measures to promote and ensure freedom of information. In her view, the provisions of the draft resolution under consideration (A/C.3/L.1640/Rev.1) would help to safeguard that fundamental right.

8. Mr. FORSHELL (Sweden) stressed the deep respect accorded in his country to the freedoms set forth in the Universal Declaration of Human Rights, among which Sweden attached prime importance to freedom of expression and information. For that reason, he considered that the draft resolution before the Com-

mittee (A/C.3/L.1640/Rev.1), which was in accord with the provisions of resolution XXVI of the Teheran Conference, was most significant. However, he regretted that the Committee had not enough time to study the text more thoroughly and to propose amendments that might improve it. For instance, operative paragraphs 2 and 3 had certain technical implications regarding which he could not commit his Government. Again, he had some doubts about the need to prepare a draft convention on freedom of information, mentioned in paragraph 6, since that right was already set forth in the Universal Declaration. He would, however, have no objection to the formulation of a draft declaration on the subject. With those reservations, he was prepared to vote for the text.

9. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that there were contradictions in the draft resolution (A/C.3/L.1640/Rev.1), which was an attempt to set aside all the past resolutions of the United Nations and to undermine the established practice of the Organization. His delegation was opposed to changes in accepted procedures and believed that the preparation of the Convention on Freedom of Information should be brought to an effective and speedy conclusion, as provided in General Assembly resolution 840 (IX), so that priority consideration could be given to that extremely important task at the next session. For that reason, it categorically rejected the latest initiative, the aim of which was to jettison all the work already performed on the subject. Although his delegation had reservations about what had been done with regard to the draft Convention, it was, in principle, in favour of the formulation of that instrument and could not accept the idea that it should now be abandoned, after the preamble and the first few articles had been adopted.

10. As the draft resolution had been submitted at the end of the session, when the Committee no longer had time to consider it in detail, and in view of the fact that, for the same reason, it had not been possible to study the question at the Teheran Conference, he proposed that the text should be considered at the twenty-fourth session of the General Assembly in connexion with the item on freedom of information.

11. Mr. VELA (Guatemala) expressed reservations concerning both the wording of the draft resolution under consideration (A/C.3/L.1640/Rev.1) and the ideas it expressed. In particular, he thought it would be inadvisable to offend the information media by asserting that the State should encourage them to assume their responsibility for the advancement of national progress and the promotion of friendly relations among nations, as was done in operative paragraph 3. He also considered that the idea of setting standards for the conduct and performance of information media was dangerous. In that connexion, he recalled that the 1968 Editors' Roundtable held at Santiago, Chile, under the auspices of the United Nations Office of Public Information had adopted resolutions which were incompatible with some of the ideas expressed in the text under consideration.

12. In his view, the moral need for freedom of information could hardly be met by encouraging government interference with the free flow of information. He felt that on the contrary, that purpose could be

better achieved by adopting measures to safeguard freedom of information than by imposing restrictions. He also considered that greater attention to the training of journalists to assume the public function which they performed would be a more constructive contribution to the attainment of the objectives in question.

13. For those reasons, his delegation supported the USSR representative's proposal that the draft resolution should be considered at the next session. Although he was sure that the text had been submitted with laudable motives and zeal, he felt that the Committee had not enough time to consider so complex a subject with the necessary care.

14. Mrs. AFNAN (Iraq) said that there were obvious discrepancies between the preamble of the draft resolution under consideration (A/C.3/L.1640/Rev.1), each paragraph of which expressed principles and objectives of the highest value, and the provisions of the operative part. For example, she felt that paragraph 1 sanctioned the possibility that the information media might suppress any information which did not further their own ends, since it did not speak of all information. Paragraph 2 was of great interest but was imprecise, since it did not indicate whether the citizens of a State were to have access to the foreign Press at prices they could afford. Although paragraph 3 reflected a desire that was shared by all, she felt that its provisions could hardly be implemented in countries where the Press was privately owned and was completely free to pursue its profit-making aims. As to paragraph 4, she considered it equally necessary to improve the information media of the developed countries. With respect to paragraph 5, she wondered who would decide whether it was necessary to appoint a special rapporteur on freedom of information.

15. For those reasons, her delegation was opposed to the proposed text and considered that work should continue on the draft Convention on Freedom of Information.

16. Mr. VASS (Hungary) agreed with the previous speakers who had said that a subject so controversial and open to dispute as freedom of information deserved much more attention than it could be given in the circumstances in which the Committee's discussions were proceeding. Lack of time and other factors were not conducive to thorough examination and constructive debate, especially in the case of so complex and important a question, and would diminish the value of the draft resolution under consideration (A/C.3/L.1640/Rev.1) if it was adopted. The draft resolution might therefore be taken up in connexion with item 60, on freedom of information, at a more favourable time, perhaps at the twenty-fourth session of the General Assembly.

17. Mr. GAIFFIER d'HESTROY (Belgium) recalled that his country had supported all efforts since 1947 to formulate a Convention on Freedom of Information, precisely because it attributed great importance to that subject. Although the draft resolution before the Committee (A/C.3/L.1640/Rev.1) did not treat the serious problem of freedom of information with the depth it deserved, it at least testified to the fact that that important question had not been ignored at the twenty-third session of the General Assembly.

18. However, he considered that it was not enough to mention article 19 of the Universal Declaration of Human Rights in the proposed text as ensuring the exercise of freedom of opinion and expression; the right of every one to those freedoms must also be reaffirmed. He would therefore have preferred the operative paragraphs not only to stress the function of the information media and the responsibility of States, but also to set out the inalienable and fundamental rights of the human person in that connexion. A clear reference to the right of everyone to seek, receive and impart information and ideas freely and without limitation would round off the text and make it more uniform.

19. With regard, in particular, to paragraph 5, it would be difficult for him to cast a vote concerning the appointment of a special rapporteur without knowing what kind of duties he would have. If the special rapporteur's terms of reference were to ensure that those working in the information field had high standards of conduct and to see that the right of States to develop their national information enterprises and the right to combat practices tending to restrict the information media were safeguarded, his delegation would be able to support the draft resolution with more enthusiasm.

20. Mrs. ROQUET (Canada) said that she supported the draft resolution because she considered it opportune and necessary. The objectives set out in operative paragraph 3 were laudable, but her delegation was somewhat concerned about the standards and principles that would govern national progress or friendly relations among nations; in its view, those principles should be defined by the United Nations. She therefore proposed that, in order to make the draft resolution more acceptable to all delegations the words "in accordance with the principles defined by the United Nations in each of those spheres" should be inserted after the word "nations" and that the comma between the words "progress" and "for" should be replaced by the word "and".

21. Mr. BARODY (Saudi Arabia) said it was regrettable that some Western Powers used the argument that information should flow freely and without impediment as a pretext for protecting their propaganda activities. At present, the information media of certain countries gave a distorted picture of reality, slanting and falsifying some news items and omitting others. Human rights would be trampled underfoot if the organizations responsible for disseminating information did not adopt a world-wide code of ethics.

22. Freedom of information now served to mask propaganda and pornography at the national and international levels. Licence had replaced true freedom; man had forgotten that freedom entailed responsibilities and limitations, and if he did not reform he would be the victim of his own excesses. Of course, the draft resolution before the Committee was not new, for it contained ideas already expressed in other resolutions, but it served to draw attention to the urgency of the question. It was essential that the draft Declaration on Freedom of Information should be adopted at the next session of the General Assembly.

23. Mr. KALANGALI (Uganda) said that the polemical nature of the draft resolution was clear from the first

preambular paragraph, which mentioned the right "to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers". He nevertheless agreed with the idea expressed in the fifth preambular paragraph, namely, that the time had come for the international community to take renewed interest in measures calculated to promote freedom of information and to encourage the responsible exercise of that freedom. Item 60 (Freedom of information) was undoubtedly very important and had caused great controversy. For precisely that reason, it would be inadvisable to adopt the draft resolution with a haste unworthy of the importance of the question. His delegation felt that operative paragraph 2 involved some danger, since the State was a responsible entity and must ensure national security. He therefore considered the draft resolution unnecessary, when a draft Convention on Freedom of Information was being prepared. He had no objection to the aims of the draft resolution, but, since there was no time to examine it thoroughly, he thought that a decision on it should be deferred until the twenty-fourth session of the General Assembly.

24. Mr. FRACKIEWICZ (Poland) said that the debate on the subject of freedom of information showed how difficult it was to reconcile all views and also how many problems were involved—for example, the monopolization of information by private companies or national agencies, the distinction between propaganda and information in the true sense, and so forth. The question was complex and extremely urgent, but it could not be resolved pending preparation of the draft Convention. Although his delegation appreciated the intentions of the sponsors, it wished formally to move that the debate should be closed and that the draft resolution should be considered in connexion with item 60.

25. Mr. LOPEZ (Philippines) said that he hoped that the representative of Poland would withdraw his proposal and allow the debate to proceed, out of deference to the representatives who had not yet had an opportunity to express their views on the question.

26. Mrs. FERRINGA (Netherlands) said that she too was opposed to the closure of the debate.

27. The CHAIRMAN put to the vote the motion for closure of the debate on draft resolution A/C.3/L.1640/Rev.1.

The motion for closure of the debate on draft resolution A/C.3/L.1640/Rev.1 was rejected by 49 votes to 8, with 25 abstentions.

28. Mr. PAOLINI (France), supported by Mr. LOPEZ (Philippines), expressed the opinion that, since the debate had not been closed, the second Polish proposal could not be put to the vote, for if it were adopted the decision that the Committee had just taken would be nullified.

29. Mrs. FERRINGA (Netherlands) said that the enormous technical advances made in telecommunications had considerably increased the potentiality and influence of information media. It was obvious that that influence could be for good or evil. The purpose of the draft resolution (A/C.3/L.1640/Rev.1) was to ensure that the information media fulfilled a constructive

function in influencing the development of the individual. Moreover, the draft resolution did not limit the freedom of action of those media in any way, nor did it lay down any restrictive rules. It simply asked for the valuable collaboration of those media in strengthening fundamental freedoms and democratic institutions and thus promoting progress and economic and social development. Her delegation therefore hoped that the draft resolution would be given wide support in the Committee.

30. Mrs. TSERENNADMID (Mongolia) agreed that the question of freedom of information was of great importance and deserved special attention, as was confirmed by the fact that the United Nations had been dealing with it for so many years. It was clear that the Committee had not enough time to study it thoroughly and that limitation of the time allowed to speakers prevented them from developing their ideas on the question. In her delegation's opinion, the draft resolution did not take sufficient account of the work already accomplished by the United Nations in the matter of freedom of information. Consequently, her delegation shared the opinion expressed by the representatives of the USSR, Guatemala and Hungary.

31. Lady GAITSKELL (United Kingdom) said that in her country some concern had been expressed about the need to ensure the independence of information media, since in general more efforts seemed to be devoted to devising means of limiting freedom of information, under the guise of preventing abuses of that right, than to ensuring that it was properly protected. It was admittedly difficult to draw a line between protecting the individual's right to freedom of information, on the one hand, and the need to maintain a democratic society, on the other. When it came to action at the international level, the different conceptions, practices and legislation in the field of information made it difficult to formulate provisions which could command general support.

32. Her delegation therefore welcomed the initiative taken by the Philippine and other delegations and considered that the revised version of their draft resolution was a distinct improvement on the original. Her delegation had no difficulties with the substance of the draft resolution. The fourth preambular paragraph, in particular, was timely and to the point. The technological and scientific improvements in the field of communications, including the dissemination of information by means of satellites, opened up exciting new prospects. At the same time, it should be recognized that those new techniques could entail dangers for the privacy of the individual. Her delegation could support operative paragraph 3 in its amended form, for it held that States should not do anything more than "encourage" information media to accept their share of responsibility for promoting the objectives laid down in that paragraph. Her delegation was, however, somewhat sceptical about the recommendation in operative paragraph 5 for the appointment of a special rapporteur on freedom of information. Moreover, if, as provided for in operative paragraph 6, it was decided that priority was to be given to the draft Declaration on Freedom of Information at the twenty-fourth session of the General Assembly, there seemed to be need for the appointment of a special rapporteur for the time being. It would be better to concentrate on the draft

Declaration and then decide after that what measures might be desirable. Her delegation would therefore prefer to see operative paragraph 5 confined to reference to the periodic reports on freedom of information.

33. Mr. KACHURENKO (Ukrainian Soviet Socialist Republic) shared the views expressed by the representatives of Iraq, Guatemala and Hungary and supported the Polish proposal that the draft resolution should be considered in conjunction with item 60, which, moreover, the Committee had decided not to take up at the present session. The draft resolution as at present worded had certain defects: for example, there was no reason why the first preambular paragraph should not mention article 19 of the International Covenant on Civil and Political Rights also, and operative paragraph 5 could be interpreted as meaning that the question of freedom of information should be considered within the framework of the triennial reports. The proposal for the appointment of a special rapporteur on freedom of information had first been made ten years earlier and during the past year it had been considered by the Commission on Human Rights, but in the present case it was put forward in extremely vague terms. It would also be useful if the Secretariat could ascertain the financial implications of the establishment of that function.

34. Mr. SQUIRE (United States of America) thanked the sponsors of the draft resolution and said that the text could be improved, although his delegation had no difficulty about accepting it as it stood. He agreed, of course, that it was a highly complex problem that demanded a thorough analysis, but it should be borne in mind that the draft resolution was confined to one aspect of the question and did not attempt to cover all the aspects, as would be the case with a convention. The only concrete measure provided in the draft resolution was the decision to give priority to the draft Declaration on Freedom of Information at the twenty-fourth session of the General Assembly. Moreover, it was not true that the draft resolution disregarded the work accomplished up to the present in the field of freedom of information. In his opinion, the debate should continue and there should then be a vote on the draft resolution, instead of its being considered in conjunction with item 60. Furthermore, he did not think that operative paragraph 5 had any financial implications, since it made no concrete proposal for the establishment of a permanent post.

35. Mr. VALDIVIESO (Peru) said that information media were extremely sensitive and did not easily accept suggestions made by States. He therefore thought that the recommendation in operative paragraph 3 of draft resolution A/C.3/L.1640/Rev.1 should be addressed directly to those media. With regard to operative paragraph 4, he did not think that responsibility for the development and improvement of information media in the developing countries should be placed upon United Nations bodies or specialized agencies, even though they were certainly able to contribute to the achievement of those objectives.

36. Mrs. GROZA (Romania) pointed out that draft resolution A/C.3/L.1640/Rev.1 concerned a subject which was of great importance but which was of a very

delicate nature. The debate had shown the disparity between the views that had been advanced and the difficulty of reaching a majority agreement that would make the document effective. Her delegation agreed with the Polish representative that the draft resolution should be considered in conjunction with agenda item 60, on freedom of information.

37. Mr. PAOLINI (France) said that he was opposed to the Polish representative's proposal, firstly because it diverged from the procedure followed in the debate on the present item 62, since, for example, draft resolution A/C.3/L.1637/Rev.2 had been studied in connexion with that item when its consideration could quite well have been deferred until the Committee took up item 57, on the elimination of all forms of racial discrimination, and, secondly, for practical reasons, since draft resolution A/C.3/L.1640/Rev.1 had already been given ample consideration and would shortly be ready to be put to the vote. Furthermore, it was quite likely that the consideration of item 60 would be deferred until the following session, whereas the draft resolution under consideration included an extremely important provision in operative paragraph 6, in which it was decided to give priority at the twenty-fourth session, pending completion of the draft Convention on Freedom of Information, to the consideration and adoption of the draft Declaration on Freedom of Information.

38. He proposed that the words "the media of information operating within their respective territories" in operative paragraph 3 should be replaced by "the institutions, bodies and persons responsible for information functions" and supported the Canadian representative's proposal regarding operative paragraph 3. He proposed that the words "the appointment" in operative paragraph 5 should be replaced by "consideration of the possibility of appointing". Lastly, he proposed that the words "conduct and" in operative paragraph 6 should be deleted, since they could lend themselves to equivocal and dangerous interpretations.

39. Mrs. STEVENSON (Liberia) stressed the importance of information inasmuch as it helped to promote greater solidarity between nations and to make people aware of their rights and eager to defend them. Although draft resolution A/C.3/L.1640/Rev.1 was not perfect, it showed the interest of the United Nations in promoting the ideals of peace and freedom. She supported the Canadian proposal regarding operative paragraph 3, as also the United Kingdom suggestion with regard to the appointment of a special rapporteur which was recommended in operative paragraph 5 and which she thought should be postponed until the draft Convention on Freedom of Information had been adopted.

40. Mr. SANON (Upper Volta), referring to the procedural difficulty that the French representative had invoked in opposing the Polish proposal, said that draft resolution A/C.3/L.1637/Rev.2 had been considered under the present item 62 simply because no one had proposed that it should be considered in conjunction with a different item.

41. He supported the Canadian proposal with regard to operative paragraph 3 of draft resolution A/C.3/L.1640/Rev.1 and thought that operative paragraph 4 should be drafted in more precise terms in order

to set forth the idea it embodied in greater clarity. Lastly, he supported the French proposal regarding operative paragraph 6, which might otherwise imply a certain degree of control.

42. Mr. ARTAZA (Chile) said that, generally speaking, he supported draft resolution A/C.3/L.1640/Rev.1. Nevertheless, the experience of his country, where the broadest freedom of information prevailed, and the experience of other developing countries led him to believe that attempts should not be made to maintain the status quo, inasmuch as freedom of information was not absolute at the present time, owing to the high cost of the technical factors involved. In many developing countries, the communication media were in the hands of giant companies which defended special interests and opposed the reform plans of progressive Governments. He therefore proposed that the following words should be added at the end of operative paragraph 1: "without lending themselves to the defence of interests which are opposed to the general good of the national community".

43. Mr. SCHREIBER (Director, Division of Human Rights), replying to a question put by the representative of the Ukrainian SSR, said that the appointment of the special rapporteur referred to in draft resolution A/C.3/L.1640/Rev.1, operative paragraph 5, would not entail any additional expenditure for the time being, since what was involved was not an actual appointment but merely a recommendation, for action by the bodies concerned.

44. He announced that some of the material commemorating the twentieth anniversary of the Universal Declaration of Human Rights which had been sent in by Member States, specialized agencies and non-governmental organization in response to a suggestion by the Secretary-General was currently on display in the part of the United Nations building open to the public.

45. Mrs. WARZAZI (Morocco) observed that freedom of information was a double-edged weapon where the developing countries were concerned, because they did not have at their disposal the enormous communication media which the developed countries had. In that respect, therefore, the two categories of countries should not be equated, and it was natural that the countries of the Third World should wish to protect themselves against the disadvantages which freedom of information might entail, not so much inside their own territories, but abroad. From that standpoint, she supported the Chilean representative's proposal regarding operative paragraph 1 of draft resolution A/C.3/L.1640/Rev.1, which could perhaps be combined with the amendment which her own delegation was proposing to the same paragraph and which consisted of replacing the words "information freely, fairly and accurately" by the words "freely objective, accurate and responsible information". She also proposed that, in paragraph 2, the words "objective and sound" should be inserted before the word "sources".

The meeting rose at 1.5 p.m.