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VERBATIM RECORD OF THE ONE HUNDRED AND SIXTEENTH MEETING

Lake Success, New York,
Thursday, 14 August 1947, at 10:30 a.m.

Acting President: Mr. Jan PAPANEK (Czechoslovakia)

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Corrections to the text of original speeches should be sent to the Secretary of the Economic and Social Council for the guidance of the writers of the summary records.

The PRESIDENT: I declare the one hundred and sixteenth meeting of the Economic and Social Council open.

REPORT OF THE SOCIAL COMMITTEE CONCERNING THE REPORT OF THE
SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

The PRESIDENT: There is a mistake in the agenda for today, document E/552. The last item we were discussing yesterday was omitted in today's agenda, but it was understood that we should continue with that item and finish it if possible.

I hope that the Members of the Council will have no objection to going on with the Report of the Social Committee concerning the Report of the Sub-Commission on Freedom of Information and of the Press.

Mr. STINEBOWER (United States): When we adjourned last evening, we were in a little bit of procedural difficulty it seemed to me. Certainly we had agreed to hold a further session of the Social Committee to consider the request for information which is referred to on page 3 of the document.

At the close of the meeting, I had thrown out a suggestion which I think I had not made fully clear. At least, I had the feeling that I had not made the purpose of it clear. If it would meet with the approval of the Members around this table, we could avoid the meeting that is scheduled for this afternoon.

Overnight, we have all had a little more time to look at the document E/550. I think we can see that aside from various drafting changes--when we all get our hands on a document, we have individual expressions that we think we can improve--basically, it is based on the agenda that we shall adopt.

If, in the course of our further discussion this morning, we modify that Agenda, it would follow that this request for information might have to be somewhat altered. But I still see no reason why, having approved an agenda for the Conference, it is incumbent upon us carefully to consider every word of the request that goes out to the Governments, or why we cannot leave that in the hands of the Secretary-General.

That would be quite simply accomplished if, on page 3, we were to omit the following words in paragraph 7: "To approve the following request for information concerning freedom of information" and then make the next line read: "To request the Secretary-General to send a request, based upon the Agenda of the Conference, to all states Members of the United Nations" and so on.

In that event, we could also omit the blank which refers to the request for information. In other words, make this a Secretariat task rather than a formally approved memorandum of this Council.

Mr. BORIS (France)(Interpretation from French): If the representative of the United States had not taken this initiative, I should have been ready to take a similar initiative, since having acquainted myself with the text I felt that it needed some changes. However, I was afraid that a long discussion might ensue in an endeavour to find a text on which there would be agreement, and I therefore feel that the text suggested by the United States representative should be accepted.

It should be understood, however, that as the original document was to be submitted to the Committee, the new text should similarly be submitted, as no doubt all Members will have observations to make upon it. In the light of the discussion which will take place in the Committee this afternoon, the Secretary-General may be able to change the text so as to take into account the observations made. Personally, I shall have some serious observations to make on this text.

The PRESIDENT: Does the Council agree on the amendment proposed by the representative of the United States, which is to the effect that the first paragraph of Point 7 should be omitted, and the second paragraph changed so that it would read:

"To request the Secretary-General to send a request for information based upon the agenda of the Conference to all states Members of the United Nations and to all states non-members of the United Nations which will be invited to the International Conference on Freedom of Information; and

"To Request the Secretary-General to prepare a memorandum based upon the replies received as documentation for the Conference; and

"To Request UNESCO to submit..." etc.

The amendment, therefore, is to delete the first paragraph and to insert in the second a reference to a request for information.

Mr. MOE (Norway): I think it would be more correct to say, "the provisional agenda", because it is only provisional.

Mr. MOROSOV (USSR) (Second Interpretation; original in Russian): With respect to the words "based on the agenda" or "based on the provisional agenda" as suggested by the representative of Norway, I should like to say that the Soviet Union delegation objects to this wording because the Soviet Union delegation is not accepting the agenda proposed by the Council and the Social Committee.

The PRESIDENT: Does the representative of the Soviet Union have any suggestions for amending the agenda?

Mr. MOROSOV (USSR) (Second Interpretation; original in Russian): Inasmuch as it has been stated that the question under discussion would be the responsibility of the Secretary-General, I do not see any necessity for the words "based on the provisional agenda", and therefore, I feel that these words should be excluded, because of the fact that it is clearly stated that it is the responsibility of the Secretary-General.

Mr. SMITH (Canada): I do not think we should exclude these words. It seems to me that to exclude them would be to place a very unfair responsibility on the Secretariat, and we should avoid that.

It appears from the discussions which we have had in the Committee and in the Council that the agenda is a very controversial topic. We shall certainly adopt an agenda; I hope we shall adopt some agenda very shortly. We are asking the Secretary-General to send out a request for information, and this inevitably raises many of the controversial points as the discussion on the agenda has raised, unless we approve the request for information. And I am willing to accept here the proposal of the United States delegation to save us time.

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We should give a lead to the Secretariat to save time in settling this matter. We should give them the instructions that it be placed on the agenda that we adopt. Otherwise, we are, in effect, avoiding our own responsibility and trying to place it unworthily, I think, on the head of the Secretary-General, who is an international civil servant

The PRESIDENT: I thought it would be based on any agenda that would be adopted. The Council must adopt a provisional agenda, and whatever will be adopted by this Council will not change the formulation of the text in this resolution; it will not affect it. It seems to me that our further discussion of Draft Resolution 6 will come, so that we can decide upon it.

Could the Council decide on this amendment?

Mr. MOROSOV (USSR) (Second interpretation; original in Russian): I must again draw the attention of the Council to the fact that the draft agenda which has been submitted by the Social Committee, a Committee of the Whole of the Economic and Social Council is not acceptable to the Soviet Union delegation. As I stated yesterday, the Soviet Union delegation will vote against this draft, to the extent that it does not reflect the basic tasks of the press, which follow from the basic tasks of the United Nations. Here we have a wording which refers to this agenda. The Soviet Union delegation therefore does not accept this wording, and I propose that we exclude it.

Mr. STINEBOWER (United States): I am sure we all respect the right of the Soviet Union delegation to hold their own view as to what should be the nature of the agenda. That is not quite what is in question here. When a majority view has been expressed a little later, when we come to the agenda, we have the task of asking the Secretary-General to prepare the preliminary documentation for the Conference. If we were to omit the words suggested by the Soviet Union there would be no instruction whatever to the Secretariat. We would ask them to send a request to all states Members of the United Nations. It does not even say on what, and it does not even say for what purpose.

Despite the fact that we may have a divided view in reaching our agreement on what is to be the nature of the agenda, once we have come to that decision, we must ask ^{the} Secretary-General to collect information relevant to the agenda so that the Conference may have the views of the governments before it.

It seems to me, therefore, that it does not prejudice the views of the Soviet Union representative to express his opinions quite fully when we come to hear this question of the agenda. But if we come to a decision, as we did in the Social Committee, which does leave him in the minority, it seems to me that we will still not be able to make a worthwhile questionnaire to governments unless we make a questionnaire that is pertinent to what the Conference is asked to discuss. I do think that this is a procedural issue which is distinct from the substance of the agenda itself.

Mr. MACKENZIE (United Kingdom): It was my Government that originally felt most strongly that this request for information should be submitted for approval to some governmental body such as this.

It is a document going to governments and will have to be answered by governments, and it was our understanding that the Secretariat would have been glad to get such a check on their product. However, as we know, the whole calendar has been changed by decisions made here in the last few weeks, and I would personally like to congratulate the Secretariat in getting out this provisional document E/550 in such short time so that we could see it here.

In the circumstances, therefore, I am prepared to accept the change suggested by the United States. As for the point raised by the representative of the Soviet Union, I can not really think that there is a serious point of issue here because surely he must agree, just as much as any of us, that if there is going to be a request for information--and I may say that the original phrasing of this in the Sub-Commission's Report was very carefully considered in order to meet the points raised by the Soviet Union representative on that Sub-Commission--then it must be information relevant to the Conference. There is no other point in sending out the questionnaire, and I should have thought we are just stating that obvious truth in stating that it should be based on the agenda whatever the agenda is going to be.

The PRESIDENT: Perhaps after these explanations we can decide on the amendment of the representative of the United States. I will read the amendment again and then we will vote on it.

On page 3, under Point 7, the first paragraph would be deleted, and the first line of the following paragraph would read as follows: "To request the Secretary-General to send a request for information based upon the provisional agenda to all states Members." The text would follow.

The amendment was adopted by fifteen votes to two, with one abstention.

The PRESIDENT: The words between Points 7 and 8 "request for information" would be deleted. Point 8 would follow.

If there are no comments on this draft resolution, we will vote on its adoption as it was amended yesterday and this morning, and as it is found in document E/547 under heading One.

The resolution was adopted by fifteen votes to none, with three abstentions.

By this decision of the Council, there is no necessity of having a meeting of the Social Committee this afternoon.

Are there any comments on the draft resolution proposed by the Committee under Section II? You will find that draft resolution on page 4 of document E/547.

Mr. STINEBOWER (United States): I do not attach much importance to this comment, but it was my understanding that what appears as sub-paragraph (d) was more by way of a Committee noting a procedural question and did not enter into the formal resolution.

If, on the other hand, there are those who think it should remain, I would not press the point. But my understanding is that the formal resolution that the Council itself adopts should end with sub-paragraph (c).

The PRESIDENT: As there is no objection to the suggestion of the United States representative, sub-paragraph (d) will be deleted from the draft resolution.

Draft resolution II, as amended, was adopted.

Draft resolution III was adopted.

Draft resolution IV was adopted.

The PRESIDENT: Is there any objection to draft resolution V?

Mr. STINEBOWER (United States): Here again, I have not the slightest objection to the resolution, but it seems to me that it is in the nature of a report to this Council of what the Social Committee did. I doubt if it is the kind of item that we would see in our final resolutions when they are printed together.

I would suggest its deletion, not on the basis of any opposition at all, but as being again a procedural internal matter.

Mr. MOE (Norway): I agree entirely with the representative of the United States so far as sub-paragraphs (b) and (c) of resolution V are concerned. But I think that sub-paragraph (a) should be retained, because that was the decision of the Committee.

The PRESIDENT: Is there any objection to the deletion of sub-paragraphs (b) and (c)?

Mr. MacKENZIE (United Kingdom): I would support the United States suggestion. I think that none of the paragraphs here especially join in with the report we are passing now. I do not take exception to the substance of any one of them.

As regard to sub-paragraph (a), I think that it was a most informal decision of the Council as far as referring to this particular document. There have been many statements from different delegations on the general principles of information. I felt that the Sub-Commission thought that at the time the Soviet Union statement was made, it was not appropriate to discuss it, but that it would be discussed later, like many others in the Sub-Commission. I just wonder whether we need to make very special reference to it here.

I therefore support the United States suggestion.

Mr. MOROSOV (USSR) (Second Interpretation. Original in Russian): At the first meeting of the Social Committee, the Soviet Union representative indicated that the proposal of the Sub-Commission on Freedom of Information and of the Press did not contain a formulation of the principles of freedom of information and of the press. In the opinion of the Soviet Union delegation, the omission of such an important element constitutes a very serious shortcoming and, therefore, the Soviet Union delegation submitted to the Social Committee, which is an organ of the Economic and Social Council, a proposal concerning the formulation of these principles.

If the Economic and Social Council feels that it cannot consider this question -- a point of view with which the Soviet Union delegation does not agree, because without a formulation of these principles it is not possible to determine exactly the discussions of the Conference -- it is only natural that these proposals be considered by the Sub-Committee at its next session. The Social Committee has suggested the procedure which has been adopted and used many times in the past by the Economic and Social Council for the consideration of documents on which discussion had not been finished, and when it was found necessary to continue the discussion of a question contained in these documents.

That is the intent of the proposal we have here; it does not refer to the substance, but simply means that the question would be referred for consideration by the appropriate organ of the Economic and Social Council. What is there abnormal in this procedure?

Mr. STINEBOWER (United States): I want to assure the representative of the Soviet Union that I do not find anything abnormal in this procedure. As he said, we have done it many times. I had assumed it was

the practice of the Security Council to transmit to the next meeting of any sub-commission all the documents, all the proposals, and all the relevant discussions that had taken place on this subject in the Economic and Social Council and the Social Committee.

What I had in mind when I said it seemed to me that this was a procedural matter, and not a formal resolution we need to adopt, was that all these documents would go to the Committee. It is furthest from my intention to suggest the repression of discussion on a subject such as freedom of information. That would be an inconsistency which would be hardly tolerable. I spoke in good faith when I suggested this, because I had not realised we had taken quite so formal a decision in the Social Committee. I speak subject to correction by the Chairman of the Social Committee, but I think that at the end of the discussion it was said, as it is so frequently said, "this will be brought to the attention of the Sub-Commission on Freedom of Information and of the Press." I had not realised we were singling ^{out} one of our documents, and adopting a formal motion that it would be brought to the attention of the Sub-Commission on Freedom of Information and of the Press. I assumed that it would be, and that everything said on the subject would be brought to the attention of the Sub-Commission. That was my only point.

Mr. AHMAD (India): I am frankly alarmed at the way in which even small matters of procedure discussed and decided in the Social Committee are being re-opened here. Coming to the substance of this, I really do not see anything too repugnant to our procedure or precedent in referring this document to the Sub-Commission on Freedom of Information and of the Press; especially since this was a decision of the Social Committee.

We have already taken note of the document submitted by the International Organisation of Journalists, and decided that the resolution should be called to the attention of the Conference. In our last plenary session, an agenda was submitted by the representative of France, and this Council, in its Resolution, took note of that, and decided to pass it on to the Sub-Commission on Freedom of Information and of the Press.

I really do not see any reason why, when a document is presented and the Committee takes a decision to pass it on to the Sub-Commission, we should try to reverse that decision. In fact, this is the least that can be done in respect to the document that has been discussed, unless we take a vote on it and reject it. Evidently, in this particular case the Social Committee was of the opinion that this document merited further consideration, and, therefore, decided to remit it to the Sub-Commission on Freedom of Information and of the Press. I think that (a) should stand as it is.

Mr. MOE (Norway): Since the question has been raised, I think that the decision of the Committee was more formal than usual, because the situation was this. The representative of the Soviet Union pressed for a discussion of the principles of the freedom of information and what constitutes the concept of freedom of information. The attention of the Soviet Union representative was then drawn to the fact that discussions had taken place in the Sub-Commission on Freedom of Information which planned to discuss the subject at its next session; the Committee therefore refused to enter into any discussion of the substance of the question and decided to transmit the document to the Sub-Commission for its consideration at its next session.

Naturally, I agree with the representative of the United States to a certain extent; this is something of an automatic reference, but on the other hand I would also call attention to the fact that this has been incorporated in a document which is before the Economic and Social Council and I am very much afraid it would give rise to wrong interpretations if we decided to delete it. Therefore I ask the Members of the Council to let it stand as it is.

Mr. McKENZIE (United Kingdom): I am not interested in pursuing this point but I feel I should like to make two corrections of what has just been said by the representative of India. The first is the comparison he drew between this item and the question of the international organization of journalists item. I think there is a very significant difference in that the item regarding the international organization of journalists relates directly to the World Conference, which is the subject of this Report; we should be negligent if we did not specifically enter into it. The item we are concerned with now is called "Miscellaneous Items"; it

is not directly germane to the World Conference, although it may be indirectly. I am not interested in pursuing that.

The second point in the remarks of the representative of India to which I wished to refer is that certainly there is nothing repugnant in transmitting item (a), and I do not think either the United States representative or the United Kingdom representative suggested that there was. Perhaps the representative of India has overlooked the fact that we also wanted to cut out item (b), which is a recommendation that certain United Kingdom and United States documents should be passed on. There was no attempt to distinguish in any way between British, Soviet Union, Czechoslovak or any other documents.

Mr. SMITH (Canada): It seems to me that we are spending a great deal of time on a very small point. There are only two issues here. The first is whether we should allow a report of the statement by the Soviet Union representative on the subject of the general principles of freedom of information to be lost sight of. The answer, clearly, is no.

The second question is whether we should single out, and thus discriminate against, other statements on this question, and the answer here, clearly, should again be no. I would suggest that we substitute for this resolution the following:

"The Economic and Social Council calls the attention of the Sub-Commission on Freedom of Information and of the Press to the various statements concerning the general principles of freedom of information made by Members of the Council at its Fifth Session."

If we adopt that, I think we could get on with our business.

Mr. MOROSOV (USSR)(Interpretation from Russian): First of all, I should like to express my surprise at the remarks made by the representative of the United Kingdom. The general meaning of his remarks were, if I understood them, that the Soviet Union proposal containing general principles on the freedom of press and information had no direct bearing on the subject of the World Conference. To say the least, this seems strange to me, and I cannot agree with his point of view.

I cannot agree either with what has been said about some sort of discrimination that had been suggested here. That deals with the document that had been formally submitted as a draft resolution to the Economic and Social Council, and bears a special part of the agenda. I do not know whether there had been any other formal documents of this kind submitted in writing to the Economic and Social Council. I have never heard of them. But, of course, if any delegation had submitted formally in writing any proposal analogous to the Soviet Union proposal, it should be dealt with in exactly the same way.

It had also been mentioned that the attention of the Council was drawn to this point out of proportion with its importance, and in this connection, the Canadian representative has mentioned the necessity for economizing time. It is always the habit to mention the necessity of saving time when the Canadian representative does not like the contents of a proposal. I am afraid that on this point I cannot be of any help to him.

Mr. AHMAD (India): I must clear the misunderstanding that seems to have arisen, particularly in the mind of the representative of the United Kingdom, that I had in view any distaste for this document.

I can assure him that my remarks were based entirely on principle and my remarks would have been the same irrespective of the source of the document in question. My main point is this: We have a documentation submitted by a Member State. This documentation is germane to the problem of the World Conference on Freedom of Information.

The Economic and Social Council in its fourth session adopted the following resolution: "Transmits to the Sub-Commission on Freedom of Information and of the Press, the draft agenda for the Conference on Freedom of Information, presented by the delegation of France, and any other similar communications received from Member States."

Irrespective of the source or of the name of the State from which a communication comes, if there is something which is germane to the problem; if it is something which has not been adopted or rejected by the Social Committee or by this Council; if it is something in respect of which it is felt that further consideration is necessary, we have to refer it to the Sub-Commission. In this particular case,-- and again speaking irrespective of the source of the document -- the Social Committee discussed it; the Social Committee did not adopt it; the Social Committee did not reject it; the Social Committee showed that it merited further consideration, and referred it to the Sub-Commission on Freedom of Information and of the Press, and it is exactly this which we are now deciding upon.

I really do not see any particular reason for deleting this item from the agenda, and again, I must clear the misunderstanding which seems to be in the mind of the representative of the United Kingdom.

There is no question of any particular Member state here at all. It is purely a question of principle of a document which has been

considered, but which has not been adopted or rejected but which has been found worthy of further consideration and is being referred to the Sub-Commission. I should like to know why this Council cannot take a decision on this.

Mr. van der MANDELE (Netherlands): My delegation would not like to go on record as belittling the importance of the document mentioned in the proposal which is before us. On the contrary, I think it is a highly important document, and after the discussion we have had, my delegation is afraid that by rejecting this proposal which we have before us, we would give the impression that we do belittle its importance. Therefore, we would not vote for the proposal to delete this proposal altogether.

On the other hand, my delegation is of the opinion that the discussions which followed the submitting of this document in the Committee are also very important and very relevant to the subject we have under discussion. Therefore, my delegation supports the proposal made by the Canadian representative.

Mr. SANTA CRUZ (Chile) (Interpretation from Spanish): The Chilean delegation agrees with the view expressed by the representative of the United States that it is not necessary to have here the resolution that we have before us, but we are also of the opinion that there is no reason to have it here as it is.

We agree with what has been said by the representative of Norway, that under present circumstances we might give the impression in the present resolution that we are in disagreement with what the Soviet delegation has represented, and also that we should like to avoid further discussion on this point. Under such circumstances, although we know it is not true, we may give such an impression. For this reason, we support the maintenance of paragraph (a) of this resolution.

Mr. BORIS (France) (Interpretation from French): I will be very brief on a subject which I do not feel has the merits to retain so long the attention of the Council. The French delegation did not attach a very particular interest to the wording of the resolution under discussion. We felt that it was natural inasmuch as the Soviet Union delegation had submitted a substantial work on the freedom of information and the press, and that the Committee had examined this document in some respects and recommended that it be referred to the Sub-Commission which is competent to concern itself with this matter.

We felt that it was quite natural to make mention of this reference. We also felt that if it were decided otherwise, it would not be incorrect if the documents were referred to the Sub-committee without any resolutions. But after the discussion which has taken place, we agree with the representatives of Norway and Chile -- and the French delegation also agrees -- that if this text is not adopted as it stands at the present time, it might lead to interpretations which the French delegation would find regrettable.

Under the circumstances, I feel that we should bring to an end this long and somewhat desultory discussion, put the resolution to a vote, and accept it as it stands.

Mr. KAMINSKY (Byelorussian S.S.R.)(Interpretation from Russian):
This discussion is very indicative of the views of the Members of the Council. It was started on the initiative of the representative of the United States. I wish, however, to remind the Members of the Council that in the Social Committee there were no objections whatever as to the decision of referring this document submitted by the Soviet Union delegation, concerning one question which has not been discussed but which is important, to the Sub-commission on Freedom of Information and of the Press, for its consideration.

We are dealing here not with the text of a statement concerning a question which has been discussed and decided upon, but we are discussing the status of a formal document which appears on the agenda of the Conference and which has not been discussed by the Sub-Commission, and which in the opinion of the Members of the Social Committee merits the attention of the Committee, and if my memory is correct, it was a unanimous decision which called for the reference of this document to the Sub-Commission.

I feel that the question has been sufficiently clarified and that we should proceed to vote on this matter. Therefore, I support the motion to vote on this question.

The PRESIDENT: I have two more Members on my list of speakers and I hope after that we will proceed to the vote. This matter has been discussed for over an hour.

Mr. SMITH (Canada): I apologize for speaking again. I merely want the record to show that this document under discussion contains two parts. The second part is a proposal for amendments to the agenda. That part was voted on in the Committee clause by clause, and therefore has been dealt with. The first part exists because the very important statement made by the representative of the Soviet Union was made in the Committee of the Whole, not in plenary session, where there was no verbatim report, and it was at my suggestion that the Soviet Union representative gave this to the Secretariat so that we could have it in writing. I appreciate his kindness in doing that but I do want the record to show that the first half of the document is exactly on a footing with the verbatim statements made by every other delegation. It would not have existed if I had not made that suggestion. The second part, as I have stated, was discussed and voted on in the Committee of the Whole.

It may be, in discussing the matter in plenary session, we shall have to vote again on these questions.

Mr. KARIM AZKOUL (Lebanon) (Interpretation from French): The Lebanese delegation would be in favour of voting for the maintenance of the text as it stands; that is, the text we are now discussing. The Lebanese delegation is firmly convinced of the importance of this problem. As this question sets forth the principles from which all decisions will emanate concerning the freedom of the press in the future, and as the study of the problem was not carried out to a sufficient degree in the original project, we consider that the best way to draw the attention of the Sub-Commission to this point is to state it in the resolution, and we would vote for the text as it stands.

Mr. SUN (China): In connection with the problem of whether we should refer the document to the Sub-Commission, our delegation is inclined to think along the same line as the delegations of the United Kingdom and the United States for the same reasons presented by those representatives.

At this point I wish to direct the attention of the Council to paragraph (a) which reads: "The Economic and Social Council refers document E/AC.7/30, Statement made by the Delegation of the Union of Soviet Socialist Republics, to the Sub-Commission..." It seems to me that the whole document would be submitted to the Sub-Commission.

With regard to document E/AC.7/30 I would like to put a question to the President. On page 5, the last paragraph on that page, under III (a) and (b), it reads "To approve the Sub-Committee's proposal that participation in the Conference on Freedom of Information should not be confined to Member states..." Then there is another paragraph relating to the Mongolian People's Republic.

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I think these two items have already been voted upon. So if we are going to take a vote upon paragraph (a) in document E/547, we must first consider that the last paragraph in document E/AC.7/30 should be deleted. That is just a question I have in my mind.

The PRESIDENT: There are three proposals before the Council if we should consider the point of view of the representative of Norway as a proposal for points (b) and (c).

The first proposal is that of the representative of the United States to the effect that draft resolution V, which you find on page 5 of the document, should be deleted. We will vote on that proposal.

The proposal was rejected by ten votes to five, with three abstentions.

Is it a formal proposal?

Mr. MOE (Norway): I withdraw my proposal.

The PRESIDENT: In that case, we have the proposal of the representative of Canada which reads:

"The Economic and Social Council calls the attention of the Sub-Commission on Freedom of Information and of the Press to the various statements concerning general principles of freedom of information made by Members of the Council at its fifth session."

Mr. SANTA CRUZ (Chile) (Interpretation from Spanish): I should like to know whether this has to take the place of sub-paragraph (a) or has to be added to the resolution.

The PRESIDENT: As I understand it, it is in replacement of the draft resolution V. It is an amendment of the draft resolution V contained in the document.

Mr. KAMINSKY (Byelorussian SSR) (Second interpretation; original in Russian): I consider that this amendment could be accepted, but we have two distinct questions here; the first one being a formal proposal in the form of a document, and the second one being a statement in reference to the questions which have been discussed. The Canadian amendment specifically refers to this statement.

Therefore, I feel that if we are to accept sub-paragraph (a) of the resolution, then we could add to it the Canadian proposal.

Mr. SMITH (Canada): I once knew a hotel in Tours which was known as Hotel de l'Univers et du Portugal, the Hotel of the University and of Portugal. It seems to me we have that sort of situation here. I would certainly include the Soviet Union statement, to which I attach great importance, among the other statements covered by my

resolution. It seems to me unnecessary to name specifically every general statement on the subject, and I intended my resolution, therefore, to call the attention of the Sub-Commission to all the relevant statements, including that made by the Soviet Union representative.

The PRESIDENT: We will now take a vote on the draft resolution proposed by the Canadian representative, which would replace draft resolution V of the Committee.

The resolution was rejected by eight votes to ten.

The PRESIDENT: We will now vote on draft resolution V as it stands in the document.

Resolution V was adopted by ten votes to none.

Mr. STINEBOWER (United States): I apologize for delaying this, but I do want to apologize for you for having the question, in all sincerity, in this Council that it was straight procedure. I asked a very simple question; it could have been answered.

I would direct the Council's attention, when the verbatim is ready, to the original inquiry I made and to the second statement which I made after the representative of Norway intervened. I mention it because we still have some work to finish in this Council, and I, for one, am distressed that it is impossible to raise small procedural questions of interpretation without setting off a terrific debate on substance. I do feel that it puts a great burden on an individual who does not want to challenge decisions of sub-committees, does not want to re-open issue, but simply asks a question or makes a simple proposal without re-opening any issues.

While I am speaking, I want to raise just one other issue which I did not raise, you will recall, in debate. I think I will have to ask

the President to make an explicit statement for the record inasmuch as various other statements have been made. The point is, that certainly in referring this document to the Sub-Commission, the Council is in no way referring to the Sub-Commission items on which the Council itself has taken a negative vote. That must be in the interpretation of what we are doing, otherwise we will be making an early foolish procedure in the Council.

The PRESIDENT: Several times in the past, I have declared that documents which are prepared by various Members of this Council, and which are referred to commissions or organizations without any specific recommendation or instruction, are the opinions expressed by these Members. But I do not feel that at this point we can reopen a question, as I was asked by the representative of China, which is not on the agenda. That does not belong here at this time.

The PRESIDENT: We will now take Resolution VI.

Mr. BORIS (France) (Interpretation from French): The French delegation shares the opinion of the Chilean and the Norwegian delegations on the subject of resolution VI and has the honour to submit an amendment to it. If the Council will allow me, I would like to elaborate the reasons why we are submitting this amendment in a plenary session without having given an opportunity to have a discussion upon it in Committee. This amendment is designed to complete paragraph 2 of chapter I of the agenda by giving a more precise definition of the fundamental principles of freedom of information and the press. If this amendment is accepted, subparagraphs (c) and (d) would read:

"(c) to help to promote respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion; to combat fascist ideology by removing the remnants of fascism and collaborationism from the media of information;

"(d) to help maintain international peace and security through understanding and co-operation between peoples, and to combat forces which incite war by removing bellicose influences from media of information."

We have already had a debate in the Sub-commission on two texts, and the majority showed its favour for the document now under discussion. The reason for which the majority indicated its opinion in this way is that this text gave affirmations of a more general and vague character. This text was preferable in the opinion of the majority, although I should like to point out that some of the experts who were present, including Mr. de Rose of France, felt that in the other text there were elements with which they were

in sympathy and which they felt should be adopted or at least considered with a view to seeing whether they could be incorporated in the final text.

On two or three occasions we have had debates in the Committee in rather particular circumstances. By this I mean that it was not possible for the Members of the Committee to seek a formula by which they could amalgamate the two texts into a single coherent whole. The alternatives with which the Committee was confronted were either to adopt one text en bloc or to adopt the other text en bloc. In so far as any conclusion was arrived at, the majority of the Sub-commission adopted the text which had been adopted by the majority of the Council.

The question arose in the Sub-commission of paragraph 2, (a), (b), (c) and (d), which was adopted in the form in which it appears in the present text. At that time the Soviet Union representative proposed a new text which consisted of four points proposed as an addition to the text which was adopted. It could only be considered at that time as an addition to the original text which was not to be touched. Those additions were considered in such a manner, and were written in such a form, that very often they seemed to be a duplication of what was to be found in the original text. They repeated certain things already stated in the original text and sometimes did not conform to the notions which some countries, particularly my own, have as to the freedom of information and the press.

We felt that an opportunity should be given to have the two texts amalgamated, and therefore the French delegation did not vote at that stage on this text. It felt that the final

text should be completed with the other texts which have been submitted. That is why we are submitting this amendment in the plenary session. We feel that it is logical to amalgamate it with a document which has been elaborated in the Sub-commission, and we hope to receive the approval of the majority for this amendment.

The French delegation is happy to present this amendment, which has the approval of the delegations of Chile and Norway. We considered, as has already been stated, that the text submitted to the Sub-commission by Mr. Lomakin, and which was defended by the representative of the Soviet Union, formed a negative approach to the problem, whereas the text we have before us forms a positive approach. It is true that one text promotes certain principles whereas the other promotes different principles, and in the opinion of the French delegation one set of principles completes the other set. It is obvious that one cannot struggle for certain principles without at the same time opposing the contrary principles.

This is why we wanted to add "ideological fascists and bellicose influences" in paragraph (c) and (d) respectively in the amendment, because in paragraph (c), we are dealing with rights and freedom, and in paragraph (d), we are dealing with peace and international security.

The text we proposed and the text which Mr. Lomakin and the Soviet Union delegation supported merits the following observations. The Soviet Union proposal is not limited to a recommendation concerning the elimination of fascist ideologies and war mongers, but it also provides for very precise instructions with regard to the radio and press, such as leading organized campaigns and unmasking certain war monger personalities. This organization of campaigns and the unmasking of personalities is not compatible with our conception of the freedom of information and of the press.

If it is possible to advocate certain general principles, and express our opinions in respect to these principles, we feel that it would not be possible to order or to force the press to carry out certain campaigns which actually would lead towards aims that we feel are intimately our own.

I wish to state that we dislike, as much as any one else, fascist and war mongers, but still we are not of the opinion that journalists should be given instructions. These instructions could only be given by our Government to organize campaigns in order to fulfil these tasks. We believe that if we proceeded in this manner, we would not achieve the results we are trying to secure. Such synchronization is not our aim.

At the same time, I should like to point out that our own conception, while against totalitarianism is not one which should allow complete irresponsibility on the part of the press, because we feel that in a

commercial regime where the sole arbiter is, in the long run, money, the press and radio would become monopolistic. We have always been against monopoly in public or private organizations, as far as the press is concerned. In accordance with that, we are not leaving in the means for the press or radio whose members include fascist elements, compromised by collaboration, to put out the news.

After the storm which has just taken place, we feel that it is just that the high task of forming public opinion should not be left in the hands of those who have collaborated and who are the adversaries of the very principles of the Charter. We feel that we should not leave this media in irresponsible hands which might incite a fascist revival or be bellicose. We feel that by simply incorporating these elements which we have spoken about in our amendment, we would effectively obviate this danger.

By adopting this principle, we would ensure the freedom of information and of the press by leaving it in the hands of people who are deserving and responsible to carry out such tasks. In this manner, the freedom of information would be in the keeping of people worthy of this task. It would be placed at the service of human intelligence and wisdom, and would help to win the cause of human rights and peace which are the aims of the United Nations.

Mr. SMITH (Canada): The Canadian delegation profoundly sympathizes with and admires the objectives of the delegations of France, Norway and Chile in proposing these amendments. My delegation also would be very happy if this Council could reach unanimity on the principles of freedom of information. I regret to have to say that I do not think we shall reach unanimity. One of our Members has already stated that

he proposes to vote against the agenda submitted to us by the Committee of the whole and, of course, unless that position is reversed, we shall not reach unanimity. We, too, would be glad if we could.

I want to make a few detailed comments on some of the words in this amendment, the word "fascist", for example. I have lived in several fascist countries and I certainly share the warrants which I am sure we all do. I believe I know exactly what I mean by "fascism", exactly what techniques, what methods and so on are involved. But the word in the press of the world is used much more loosely. It is used sometimes to describe merely as a term of abuse, to describe people or principles with which one disagrees.

I would feel happier if the amendment read "to combat totalitarian ideology by removing the remnants of totalitarianism", and instead of the words "collaborationism," "fifth columnism from the media of information." I think, however, that people are more used to considering these words objectively, without the emotional comment which the word "fascist" involves. As for substituting "fifth columnism" for collaborationism", it seems to me that that would make the principle more universal.

Many countries, happily, were not occupied by fascist forces during the war, and the counterparts of the collaborationists were fifth columnist members. That is a more universal term. In other words, with these changes I would feel much happier with the amendment.

But there is a problem of basic philosophy involved, and I feel that we must give it consideration in examining this proposal. The basic function of the press, in the opinion of my delegation and in the opinion of the Canadian people, is to tell the truth. We believe that this fundamental principle is admirably formulated in paragraph (a) of the agenda recommended by the Committee of the Whole, "to tell the truth without prejudice, and to spread knowledge without malicious intent." We do believe, as a matter of faith and as a matter of knowledge based on experience in the further dictum that "the truth shall make you free." We believe that very genuinely, but we do believe that it is dangerous in philosophy to jump a stage as it were. We do believe that to say that the object of the press is not to tell the truth but to promote democracy or to promote

any other set of values however good, is mistaken in philosophy and profoundly dangerous in practice.

Let me give an illustration from quite a different field to suggest what I mean. It might be suggested that the function or purpose of a looking-glass is to reflect the beauty of a woman's face. That is a very admirable function, but I think it would be a very dangerous formulation. The function of a looking-glass is to reflect a woman's face whatever it may be and to tell the truth, and to the extent that the looking-glass performs that function, I think it will contribute to beauty.

But on the other hand, if the looking-glass could be distorted--and there have been such things--so as to reflect what might perhaps be more acceptable and more pleasant, it would not be serving its function and it would not be helping its function; it would harm it. I think that this analogy is quite relevant.

I was some years ago a working journalist, and I have learned from experience some of the purposes to which noble principles can be put. I know that many journalists have found perfectly true factual reports on matters of importance censored by certain governments, and the censors have justified their action on the grounds that the purpose of the press is to promote international friendship, that the facts reported, while true, were unpleasant and would not promote friendship, and so on.

In other words I am suggesting that inherently we are here dealing with something really serious when we get down to the level of this council of working journalists in various parts of the world. I do think that if we compromise and mitigate the basic principle that has been discussed at length in the Sub-Commission and the Committee

of the Whole and in this plenary session, we will be doing a disservice to the peoples of the world and to the working journalists of the world.

I have one other observation to make on this matter, and that is that we are, I hope, certainly seeking to establish fundamental principles of freedom of the press. Perhaps I should not say for all time, but at least for a long time. I believe that the formulation worked out by the Sub-Commission, and adopted by the Committee of the Whole, does formulate this case very well.

To insert into these basic proposals, words based on particular political problems in particular parts of the world--which I hope belong now to a rapidly passing period in history--does seem to me most undesirable. Fundamental principles are, after all, fundamental. If we forge these principles well and express them well, they should last for centuries. If we do not forge them well for the sake of reaching unanimity, and if we do not apply them sharply and specifically to a particular problem and a particular country, we will mitigate the basic principles. Further, I think we will be doing ourselves a disservice.

For these reasons, much as I do admire and sympathize with the purpose of this amendment, I hope the Council will not adopt it,

Mr. SANTA CRUZ (Chile)(Interpretation from Spanish): The representative of France has explained in a clear and eloquent manner the reasons for which the delegations of France, Norway and Chile were presenting a proposal to the Economic and Social Council. For this reason it is not necessary for me to again relate the arguments that were in our minds in presenting this proposal, but I should like to make a few comments on the observations made by the representative of Canada. The Canadian representative stated at the beginning of his speech that he would like to see the term "fascist" replaced by some term of a more general meaning because in his mind it was difficult to make it clear and precise as to what the term "fascist" means.

I should like to submit that it is precisely because the people of the United Nations knew the meaning of the term "fascist" that we are able to be where we are today. I might add, however, that for my part I would find no difficulty in replacing the word "fascist" on one of the two occasions when it was used in the amendment by a word such as "anti-democratic" because we can conceive of anti-democratic forces and organizations which may not be fascist. Unfortunately we have some examples in Latin America, although they are fast drawing to an end, of military dictatorships that are not exactly what might be called fascist, but are certainly anti-democratic.

The next point that I wish to make is that I cannot conceive that the United Nations, which has fought fascism, which was brought into being through the fight against fascism, could consent to have the word "fascist" or "fascism" eliminated and declared taboo.

The Canadian representative also spoke of the part that the press has to play. Although I am in agreement with what the representative of France has stated and that we cannot limit the press to some definite

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ideology or compel it to express just one definite ideology.

Nevertheless, I think that the main principle of the United Nations is to defend peace and democracy and that the press has to stand by this principle. If we declare that the aim and duty of the press is to fight anti-democratic, fascist and bellicose influences, I think we are plainly performing our duty.

The Canadian representative also said that the Conference on Freedom of Information and of the Press has to establish some main basic principle, and for this reason should not consider what, to the mind of the Canadian representative, is a passing aspect of the question.

First, I should like to state that the resolutions taken by people are usually, to a very large extent, based on present conditions, and on things they actually see in the life around them. It is a fact that there are around us remnants of fascism which we must fight. The Canadian representative says and thinks that these remnants of fascism are just a passing aspect. We hope it is going to be so, but unfortunately, we cannot be absolutely sure of that.

Therefore, I think that if, for the Conference on Freedom and Information and of the Press to be held in 1948, we decided it should fight fascism, we would be recommending an action there that certainly does not lack a real and serious basis.

The resolution brought forward by the delegations of France, Norway and Chile also says that the Press must fight bellicose influences, and fight influences that are promoting war. Here, once again, we certainly cannot ignore realities, and we know that sometimes, not only by ill will, but by being irresponsible, the Press really foments war.

There are sufficient reasons to fear new conflicts. There are sufficient possibilities that might provoke them. The situation is real enough not to add new perils through this irresponsibility.

For all these reasons, I think that the Council would be wise in adopting the draft amendment presented by the three delegations, which appears to our eyes as being necessary.

Mr. van der MANDELE (Netherlands): Our distinguished colleague from France made mention of the additions to the paragraph under consideration proposed by the Soviet Union delegation, which additions were rejected by the Committee because the contents, in the opinion of the Committee, were already covered by the other points of the draft agenda, as adopted by the Committee.

If my delegation cannot give its vote to the amendment proposed by the delegations of France, Norway and Chile, it is not because it is not convinced of the importance of the struggle against fascism and incitements to war, but solely because it is of the opinion that these points are fully covered by sub-paragraphs (c) and (d) of paragraph 2.

One cannot, as in sub-paragraph (c), help promote respect for human rights and fundamental freedoms without combatting fascist ideology. One cannot, as in (d), help maintain international peace and security without struggling against remnants of fascist and Nazi sympathizers, wherever they may be found.

My delegation is of the opinion that the Sub-Commission had been very successful indeed in drafting this paragraph 2. Therefore, my delegation is for maintaining it as it stands.

The PRESIDENT: We will continue this discussion this afternoon. Before adjourning, I should like to inform the Members of the Council that the Committee on Rules of Procedure reached a decision concerning the sessions of the Council, and the Committee would like to have the

decision of the Council on that recommendation before it begins to consider the calendar. This decision will facilitate making final recommendations in regard to the calendar for 1948.

Therefore, the first item we will take will be this interim report concerning the sessions of the Council, with the hope that they will be very short, and then we will continue our previous discussion.

There will be no meeting of the Social Committee, as I said before.

The meeting of the Council is adjourned until 3:00 p.m.

The meeting rose at 1:30 p.m.