

would in turn have to report to the General Assembly, which would refer the matter to the Third Committee at its following session. It should not be forgotten that freedom of information was democracy's principal problem. The draft was an acceptable basis for discussion.

58. The Mexican delegation was in favour of opening the convention on the transmission of news for signature.

59. The CHAIRMAN decided to put first to the vote the Netherlands, United Kingdom and United States draft resolution proposing to refer the question to the Commission on Human Rights (A/C.3/L.5).

60. Mr. TERROU (France) requested that the vote be taken by paragraphs.

61. The CHAIRMAN put the three recitals of the draft resolution to the vote successively.

The first recital was adopted by 39 votes to none with 7 abstentions.

The second recital was adopted by 38 votes to none, with 9 abstentions.

The third recital was adopted by 37 votes to none, with 6 abstentions.

62. The CHAIRMAN called for a vote on paragraph 1 of the operative part.

63. Mr. TERROU (France) requested that the vote be taken by roll-call.

Sweden, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Ecuador, Egypt, Greece, Honduras, Iceland, Iran, Lebanon, Liberia, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland.

Against: Union of South Africa, Uruguay, Yugoslavia, Afghanistan, Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ethiopia, France.

Abstaining: Syria, Venezuela, Burma, India, Israel, Mexico, Saudi Arabia.

Paragraph 1 was adopted by 30 votes to 12, with 7 abstentions.

64. The CHAIRMAN put paragraph 2 of the operative part to the vote.

65. Mr. TERROU (France) requested that the vote be taken by roll-call.

A vote was taken by roll-call.

El Salvador, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Greece, Honduras, Iceland, Iran, Liberia, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland, Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Ecuador.

Against: Ethiopia, France, India, Israel, Lebanon, Mexico, Union of South Africa, Uruguay, Yugoslavia, Argentina, Brazil, Chile, Colombia, Costa Rica.

Abstaining: Saudi Arabia, Syria, Venezuela, Afghanistan, Burma, Cuba, Egypt.

Paragraph 2 was adopted by 28 votes to 14, with 7 abstentions.

66. The CHAIRMAN put the draft resolution (A/C.3/L.5) as a whole to the vote.

67. Mr. TERROU (France) requested that the vote be taken by roll-call.

A vote was taken by roll-call.

Saudi Arabia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Ecuador, Greece, Honduras, Iceland, Iran, Liberia, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland.

Against: Union of South Africa, Uruguay, Yugoslavia, Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ethiopia, France, Israel, Mexico.

Abstaining: Saudi Arabia, Syria, Venezuela, Afghanistan, Burma, Egypt, India, Lebanon.

The draft resolution as a whole was adopted by 28 votes to 13 with 8 abstentions.

68. The CHAIRMAN next put to the vote the joint Netherlands, United Kingdom and United States draft resolution (A/C.3/L.4) which proposed opening for signature the Convention on the International Transmission of News and the Right of Correction.

The resolution was rejected by 18 votes to 16, with 13 abstentions.

The meeting rose at 6.15 p.m.

TWO HUNDRED AND THIRTY-FIFTH MEETING

Held at Lake Success, New York, on Wednesday, 28 September 1949, at 10.45 a.m.

Chairman: Mr. Carlos E. STOLK (Venezuela).

Freedom of information — Access for news personnel to meetings of the United Nations and the specialized agencies (A/965)

1. Mr. BRAÑA (Cuba) said that at the previous meeting a member of the Committee had expressed his disappointment at a certain tendency to curtail

free access to sources of information despite all the encouraging and seemingly sincere promises made to the Press in the past. Those who had followed the development of the question could not but agree with the pessimistic statement when they saw that the work and achievement of several years might be undone at one stroke. A Cuban proposal had been the origin of resolution No. 9

adopted by the United Nations Conference on Freedom of Information which recommended that accredited news personnel of all countries should have free access to all sources of information connected with meetings of the United Nations or the specialized agencies. That resolution had then been weakened by various amendments adopted by the Economic and Social Council, on which Cuba was not represented.

2. While not objecting to the first two paragraphs of resolution 241 (IX) A submitted by the Economic and Social Council for the approval of the General Assembly, he pointed out that the Spanish version of sub-paragraph *b* was somewhat ambiguous. The original resolution adopted by the Conference on Freedom of Information at Geneva had made it quite clear that accredited news personnel of all countries should have free access to all sources of information connected with meetings of the United Nations or its specialized agencies except in cases where, in accordance with the rules of procedure, meetings were held in private. The inclusion of the word "public" before the words "information sources and services" in the amended text of the resolution before the Committee might be construed to mean that the Press would have access only to those sources and services which were of a public character. Such a discriminatory restriction would greatly limit the right of the Press to be fully informed of everything connected with meetings and conferences of the United Nations and the specialized agencies and would in fact be inconsistent with the second part of sub-paragraph *b*. The same applied to the English version of the draft resolution, although not to the French text.

3. He therefore proposed that sub-paragraph *b* of the Economic and Social Council resolution should be amended to read:

"(b) To all information sources and public services of the United Nations and the specialized agencies and to all meetings and conferences of the United Nations or of the specialized agencies which are open to the Press, equally and without discrimination."

4. Mr. AZKOUL (Lebanon) pointed out that the text before the Committee was somewhat incoherent and ambiguous in parts. First, the operative part of the draft resolution urged all Member States to grant news personnel of all countries accredited to the United Nations or specialized agencies free access to countries where meetings of the United Nations or specialized agencies took place. In his opinion, such free access should extend to all countries. Secondly, the draft, resolution stated that free access should be granted in accordance with the terms and conditions of agreement made by the United Nations or its specialized agencies with the Governments of the countries in question. It was self-evident that, whenever there were specific agreements, their provisions should be respected and there should be no grounds for doubt or mistrust.

5. To remedy the differences and discrepancies between the various agreements already concluded in that field, and to obviate the danger of such differences in the future, he suggested that the Secretary-General should be asked to prepare a standard agreement on the subject and submit it to the Committee. That standard agreement, to be approved by the United Nations, would be

signed by States whenever they were to act as a host country to any United Nations meeting. States would thus be fully acquainted in advance with all the relevant conditions and would, therefore, be in a position to reject proposals that meetings should be held on their territory if they were not prepared to abide by the conditions of the agreement. Should that suggestion find any support among members of the Committee, he would submit it as a formal proposal.

6. Mr. KATZNELSON (Israel) said he would support any proposal expressing the duty of Member States to admit correspondents to cover international conferences freely and efficiently.

7. The question before the Committee, however, raised an even more fundamental problem of access. Indeed, even the rights of Member States to send their representatives to conferences of United Nations organs had been violated on more than one occasion. Such violations had occurred although it was obviously the duty of Member States to facilitate the access of all representatives entitled to attend international meetings held on their own territory, irrespective of the political relations between them and the other countries concerned. The Egyptian Government, for instance, had adopted discriminatory practices against the Israeli delegation in connexion with the World Health Organization Conference which was to have been held in Alexandria in August 1949, while the Lebanese Government was acting likewise in connexion with the Food and Agriculture Organization meeting in Beirut. Such practices were utterly inconsistent with the principles and purposes of the United Nations, for in both cases the Government of Israel not only had definite rights but also a constructive contribution to make to the general welfare of all peoples. It was his strong conviction that any country in which an international conference was to be held should be called upon to give unconditional assurances that it would admit on equal terms all the representatives and observers entitled to attend the conference. Failing such an undertaking, the conference should be transferred to another country.

8. His delegation reserved the right to make a formal proposal to that effect at a later stage.

9. Mr. BAROODY (Saudi Arabia) said that in view of the observations made by the Lebanese representative on sub-paragraph *a* of the draft resolution before the Committee, it might be advisable to divide that sub-paragraph into two parts—the first ending with the words "the Governments of such countries"—and to vote separately on each.

10. Referring to the Israeli representative's statement, he emphasized that even representatives to international conferences were ordinary men and women, subject to all human frailties, and that no Government could, therefore, renounce its right to refuse admission to those individuals whom it considered undesirable or likely to endanger its national security.

11. Mr. TEJERA (Uruguay) supported the Cuban representative's proposal as he felt that it would promote greater freedom of information. Speaking as a former journalist, he emphasized the importance of free access to all sources of information and to the localities where various meetings were held.

12. He also supported the Lebanese representative's suggestion that the Secretary-General should be asked to draw up a standard agreement on access for news personnel to meetings of the United Nations and the specialized agencies. Indeed, if members of the Committee wished to ensure full authority for any resolution that the General Assembly might adopt on the subject, they should first of all give serious consideration to the Lebanese suggestion. The proposed standard agreement would set up definite standards and would make it possible for Member States to adopt the draft resolution which was before the Committee.

13. The CHAIRMAN stated that, as the Lebanese representative had not submitted any formal proposal, his suggestion could not be considered as constituting a previous question.

14. Mr. RAMADAN (Egypt) thought there was no connexion between the subject under discussion and the Israeli representative's statement. Each State was free to act in accordance with its general policy in any situation.

15. Mr. AZKOUL (Lebanon) said that the relations or lack of relations between Israel and the Arab States were well known to all and so were the restrictions and precautions which they inevitably entailed on both sides. There was hardly any need to emphasize that considerations of national security remained paramount in view of prevailing circumstances.

16. Mr. SCHACHTER (Secretariat) pointed out that the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations already contained provisions concerning the access of news personnel to meetings of the United Nations and the specialized agencies. That Agreement had been approved by the General Assembly in its resolution 169 (II) and if the Secretariat were asked to prepare a standard agreement it would naturally base such an agreement on the provisions which already existed.

17. Mr. KAYSER (France) said that the question had been exhaustively debated by the Economic and Social Council. There were already various separate agreements in existence: besides the Headquarters Agreement, there was also an agreement between the French Government and the United Nations Educational, Scientific and Cultural Organization. He admitted that the Lebanese representative's suggestion seemed logical, but asked whether the proposed standard agreement was intended to supersede the existing agreements or simply to serve as a pattern for the future. He would be prepared to support the suggestion as long as it did not affect the existing agreements, because any attempt to revise them might give rise to grave difficulties.

18. Mr. AZKOUL (Lebanon) said that his Government also had an agreement with UNESCO, so that in that respect he was in the same position as the representative of France. Nevertheless, his Government would be prepared to sacrifice the existing agreement for the sake of uniformity if the Assembly were to approve a new standard agreement as a pattern for all cases when meetings of United Nations organs or of specialized agencies were held away from the Headquarters. If other representatives felt that it would be too difficult to revise the existing agreements, he

would limit his proposal to cover only the agreements which might be signed in the future.

19. In reply to Mr. Schachter, he said that the new standard agreement might differ slightly from the existing Headquarters Agreement or it might be based on exactly the same lines. In any event, the Headquarters Agreement itself would not be affected.

20. Mr. TEJERA (Uruguay) said that he would favour the revision of any existing agreements if a new standard agreement according even more freedom of access to information sources could be prepared.

21. Mr. CONTOUMAS (Greece) was in favour of the existing text of the resolution as recommended by the Economic and Social Council. He pointed out that it applied only to a limited category of news personnel, namely those who had been accredited to the United Nations or to specialized agencies. The advantage of the existing text lay in the fact that it left Member States free to negotiate their own agreements. Furthermore the adoption of the resolution would not in any way preclude the preparation of a standard agreement to supersede all other agreements at some future date.

22. Mr. BRAÑA (Cuba) agreed with the representative of Greece that the Lebanese proposal should be considered after the adoption of the resolution, rather than before, as advocated by the representative of Uruguay.

23. Mr. DAVIES (United Kingdom) did not think there was any need for a standard agreement because, as the representative of Greece had pointed out, the resolution was limited in scope and was intended solely to prevent any discrimination between the correspondents covering meetings of United Nations organs or of the specialized agencies.

24. He could not agree to the Cuban amendment to sub-paragraph *b* because he thought its adoption would lead to a certain ambiguity in the text. If the word "public" were omitted before "information sources," it might be taken to mean that news personnel were entitled to access to all information sources of any kind. For example, delegations sometimes wished to hold Press conferences for only some of the news personnel and that practice might become impracticable if the Cuban amendment were adopted.

25. The Economic and Social Council had taken great trouble to draft an acceptable text and he urged the Committee to adopt that text without alteration.

26. Mr. GONZÁLEZ (Chile) agreed with the United Kingdom representative that the adoption of the Cuban amendment might lead to ambiguity, both in the English and Spanish texts.

27. He therefore favoured the original text of the resolution as recommended by the Economic and Social Council.

28. With regard to the Lebanese proposal for the preparation of a standard agreement, he would be prepared to support the idea, but he thought it should be considered after the adoption of the resolution rather than before.

29. Mr. KAYSER (France), referring to the Cuban amendment, pointed out that the word "public" did not appear at all in the French text.

30. The CHAIRMAN explained that the English text had been the one on the basis of which the Economic and Social Council had originally adopted the resolution. The French text should therefore be brought into line with the English.

31. Mr. RAO (India) shared the view of the United Kingdom representative concerning the probable effect of the Cuban amendment. In order to meet the point raised by the Cuban representative, he suggested that sub-paragraph *b* should be reworded as follows:

“(b) To all *such* information sources and services of the United Nations and the specialized agencies and to all *such* meetings and conferences of the United Nations or of the specialized agencies as are open to the Press, equally and without discrimination.”

32. Mr. OTAÑO VILANOVA (Argentina) agreed with the representative of Greece that the number of correspondents affected by the resolution would be very small. If, however, the last part of sub-paragraph *a* were adopted, Member States which had no relevant agreements with the United Nations might find themselves bound by obligations which they had not been able to study in detail.

33. He therefore agreed with the Lebanese representative that the drafting of a standard agreement should be a prerequisite for the adoption of the resolution.

34. Mr. KHALIDY (Iraq) supported the retention of the word “public” in the Economic and Social Council’s text and that text as a whole. The word “public” would adequately cover the intention of the Indian amendment. It was obvious that certain meetings could not be public, such as those at which the character of persons nominated to certain posts were being discussed.

35. Mr. BOKHARI (Pakistan) said that the text of the standard agreement suggested by the Lebanese representative should be available before any decision was taken on the substance of sub-paragraph *a*.

36. With regard to sub-paragraph *b*, he noted that the Indian amendment, which he would support, covered the intention of the Cuban amendment and would allay the doubts of the United Kingdom representative.

37. Mr. LÓPEZ (Philippines) agreed with the Lebanese representative that the existing text of sub-paragraph *a* might give the impression that Members of the United Nations were urged to give news personnel access to other countries—not merely to their own territory.

38. He therefore proposed that the sub-paragraph should begin:

“To their respective territories whenever meetings of the United Nations or specialized agencies or any conferences convened by them are held therein.”

39. Attention might be directed, furthermore, to cases in which Governments might prevent news personnel from leaving their territory to attend United Nations meetings.

40. He supported the Pakistan representative with regard to the desirability of having the text of the proposed standard agreement made available for study. The Committee could discuss and

adopt the resolution before it without prejudice to the subsequent examination of the standard agreement. The adoption of the resolution would, however, assist news personnel to obtain legitimate facilities in the interval before the standard agreement came into force.

41. The Indian amendment made the text of sub-paragraph *b* clearer and he would therefore support it.

42. Mr. KAYSER (France) explained that it had been intended in sub-paragraph *b* to differentiate between the United Nations meetings and information sources because of the existence of closed meetings. Precisely because some meetings were closed, news personnel needed greater access to the sources qualified to give them information about those meetings. If meetings and sources were placed on the same footing, the ambiguity previously eliminated might again result.

43. Mr. BRAÑA (Cuba) maintained that the text given in the Final Act of the United Nations Conference on Freedom of Information had been less ambiguous than that of the Economic and Social Council because it had made restriction of access subject to the rules of procedure. The difficulty felt by the United Kingdom representative arose from the discrepancy, in the latter version of sub-paragraph *b*, between the limitation established by the word “public” and the phrase “open to the Press, equally and without discrimination”.

44. Mr. TEJERA (Uruguay) felt that the examination of the proposed standard agreement should be taken up before the resolution was adopted, because that resolution might otherwise prove ineffective. The time required to draft the standard agreement would not be great. If sub-paragraph *a* were adopted as it stood, it would be tantamount to an expression of satisfaction with the existing agreements. With regard to sub-paragraph *b*, the discrepancy pointed out by the Cuban delegation was serious. It should not, however, be exaggerated. Access to meetings and conferences of the United Nations had no connexion with access to Press conferences held by the delegations; it meant only access to the meetings of substantive United Nations bodies and their commissions and sub-commissions.

45. Mr. AZKOUL (Lebanon) observed that considerable time would be needed for the drafting of the standard agreement which he had proposed, and for its circulation to the Governments for comment. In the interim, no provision would be made for free access of news personnel to meetings of the United Nations. It was therefore undesirable that the adoption of the resolution should wait upon the adoption of the proposed model agreement.

46. He therefore proposed that an additional paragraph should be inserted in the resolution transmitted by the Economic and Social Council, in which a recommendation should be made that a standard agreement be drafted, circulated to the Governments for comment, submitted to the Sub-Commission on Freedom of Information and of the Press, and transmitted by it to the Economic and Social Council for action.

47. With that insertion, he would accept the existing text as amended by the Philippine proposal concerning sub-paragraph *a* and with some

alteration of sub-paragraph *b*. In sub-paragraph *b* the principal difficulty appeared to be in the word "sources". All information sources were public by their very nature. The word "sources" was open to a broad interpretation and might be stretched to cover closed meetings; it might, therefore, be deleted.

48. Mr. DAVIES (United Kingdom) felt that the Indian amendment would restrict rather than broaden the scope of sub-paragraph *b*, as it would permit the interpretation that some public information sources would not be open to the Press. Furthermore, it did not remove the objection with regard to the Press conferences held by delegations, most of which assumed that they had the right, even if they did not exercise it, to restrict attendance at their Press conferences to their own nationals.

49. He would therefore support the existing text.

50. Mr. ZONOV (Union of Soviet Socialist Republics) reminded the Committee that his delegation had supported both resolution 74(V) of the Economic and Social Council and resolution No. 9 of the Conference on Freedom of Information. It would also support the Economic and Social Council resolution under discussion. It was essential to accord the fullest possible facilities to correspondents accredited to the United Nations, because the work of that Organization should be widely publicized. The adoption of such a resolution would be extremely opportune, subject to the definite understanding that access should be granted only to open meetings.

51. With regard to the proposed standard agreement, he had some hesitation owing to the length of time which would be involved in its prepara-

tion. It should therefore be examined after the Economic and Social Council's resolution had been adopted.

52. Mr. NORIEGA (Mexico) said that to impose greater restrictions on correspondents accredited to the United Nations would be inconsistent with the spirit of the Convention on the International Transmission of News and the Right of Correction which the Assembly had adopted at the previous session. With regard to sub-paragraph *b*, the word "public" was self-explanatory and possibly redundant. Press conferences of delegations had never been regarded as public information sources. The Conference text had been satisfactory in that respect. He would support the Cuban amendment because it was closer to that text than the Economic and Social Council text.

53. Mr. CISNEROS (Peru) recalled that his delegation had always favoured the utmost possible freedom of access to information sources and had originally proposed an even broader resolution, which had not been adopted; its views, however, were on record.

54. With regard to sub-paragraph *b*, the emphasis was wrongly distributed as between the meetings and conferences of the United Nations and public information sources and services. He proposed, therefore, that that order should be reversed.

55. The CHAIRMAN announced the closure of the debate on document A/965. At the following meeting the Committee would have before it only the examination of the amendment submitted by the representative of Lebanon.

The meeting rose at 1 p.m.

TWO HUNDRED AND THIRTY-SIXTH MEETING

Held at Lake Success, New York, on Thursday, 29 September 1949, at 10.45 a.m.

Chairman: Mr. Carlos E. STOLK (Venezuela).

Freedom of information — Access for news personnel to meetings of the United Nations and the specialized agencies (A/965) (continued)

1. The CHAIRMAN drew attention to document A/C.3/L.7 which contained the text of the resolution recommended by the Economic and Social Council together with all the amendments submitted at the previous meeting.

2. Mrs. ROOSEVELT (United States of America) referred to the Lebanese amendment proposing that a standard agreement should be prepared as a basis for all future agreements on the subject. Since sub-paragraph *a* of the original text of the resolution provided that Member States should grant to news personnel free access to meetings in accordance with the terms and conditions of unspecified agreements, it was perhaps plausible to propose that a basic agreement should be prepared setting forth exactly what those terms and conditions were. She feared, however, that in existing circumstances the pursuit of logic might lead to practical difficulties.

3. In the first place, it would be most logical to take the existing Headquarters Agreement entered into between the United Nations and the United States of America as a basis for all future agreements. All the Member States had participated in the drafting of that agreement and it had been unanimously adopted. It was true that the terms of agreements between the specialized agencies and their host countries might vary slightly from those of the Headquarters Agreement and, in some cases, such agreements might actually be in the process of negotiation.

4. If the Secretary-General were asked to prepare a fresh model to cover the limited class of cases dealt with in the resolution, it would not only reopen a question which, for some countries, had already been completely and satisfactorily settled, but there would also be the danger of involved and conflicting legal instruments and obligations inviting a state of general confusion.

5. In her opinion, therefore, it would be best to adopt the resolution as recommended by the Economic and Social Council without any change. She did not think that the obligations which States