

EIGHTH SESSION
SOCIAL COMMITTEE

SUMMARY RECORD OF THE SIXTY-SIXTH MEETING

Held at Lake Success, New York
on Wednesday, 16 February 1949 at 11. a.m.Contents:

Sub-Commission on Freedom of Information and of the Press
 (E/CONF.6/79, E/W.3, E/1125, E/1125/Add.1, E/1128, E/1128/Add.1,
 E/AC.7/W.43, E/AC.7/W.44, E/AC.7/W.45, E/AC.7/W.47, (see also E/1118
 and E/CN.4/Sub.1/68))

Chairman: Mr. STOLK

<u>Members:</u>	Mr. JCKEL	Australia
	Mr. WOULBROUN	Belgium
	Mr. de SOUZA GOMES	Brazil
	Mr. STEPANENKO	Byelorussian Soviet Socialist Republic
	Mr. LARRAIN	Chile
	Mr. WU	China
	Mr. FRIIS	Denmark
	Mr. ORDONNEAU	France
	Mr. SHASTRI	India
	Mr. HAKIM	Lebanon
	Mr. LENDRUM	New Zealand
	Mr. ENCINAS	Peru
	Mr. BORATYNSKI	Poland
	Mr. SAVUT	Turkey
	Mr. BORISOV	Union of Soviet Socialist Republics

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Members: (continued)

Mr. MACKENZIE	United Kingdom
Mr. FREE	United States of America
Mr. PEREZ PEROZO	Venezuela

Representative of the Specialized Agencies:

Mr. CARNES	UNESCO (United Nations Educational Scientific and Cultural Organization)
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Secretariat:

Mr. HUMPHREY	Director, Division of Human Rights
Mr. HCGAN	Chief, Section of Freedom of Information
Mr. LANSKY	Chief, Accounts Control Section
Mr. DUMONTET	Secretary of the Committee

Sub-COMMITTEE ON FREEDOM OF INFORMATION AND OF THE PRESS (E/CONF.6/79,
E/W.3, E/1125, E/1125/Add.1, E/1128, E/1128/Add.1, E/AC.7/W.43,
E/AC.7/W.44, E/AC.7/W.45, E/AC.7/W.47, (see also E/1118 and E/CN.4/
Sub.1/68))

Document E/1125, Section VI, Paragraph 2

The CHAIRMAN drew the Committee's attention to the second
last paragraph of the United States amendment (E/1125) to the draft
resolution concerning the Sub-Commission on Freedom of Information
and of the Press and also the Chinese amendment (E/AC.7/W.47) to
that paragraph.

Mr. LANSKY (Secretariat) at the request of Mr. BORISOV
(Union of Soviet Socialist Republics), stated that if every representative
came to New York from the capital of his own country for a special
meeting of the Commission on Human Rights, the estimated travel costs
would be \$19,605. He pointed out that the total allotment for the
travel of representatives to the Third Session of the Commission had
amounted to \$9,344. He also drew the Committee's attention to a
document prepared by the Secretary-General at the request of the
USSR representative giving details of the travel costs of members
of the Commission on Human Rights (document E/AC.7/W.48).

Mr. JOCKEL (Australia) remarked that on the previous day,
\$800 had been quoted as the average travel cost for one representative
attending a special meeting of the Commission whereas the average
figure in 1948 had been approximately \$500.

As the average amount had now been made known, the provisions
of rule 30 of the Council's rules of procedure had been satisfied
and the Secretariat therefore was required to make no further
estimate.

Mr. LANSKY (Secretariat) explained that the figure of
\$800.00 represented the average amount per representative taking into
account all commissions. Naturally, the figure would vary according
to the composition of the various commissions.

Mr. ORDONNEAU (France) stated that he would vote against the
Chinese amendment (E/AC.7/W.47) for reasons of principle; the Council
should not decide on financial grounds that representatives and
delegates to an important mission should be limited to a given number

/and should

and should necessarily be appointed from among people available in New York. States must be able to choose whom they wished to send.

Mr. WU (China) replied that, in the case of important meetings, he was of the same opinion as the French representative, but the meeting under discussion was not of that nature.

In reply to the Australian representative, he explained that he had used the word "invite" in his amendment as the most apposite term; he was well aware that the Council could not oblige governments to designate alternates.

Mr. PEREZ PEROZO (Venezuela) said that, if the Chinese amendment were rejected, the suggestion made by the Venezuelan delegation on the previous day could still hold good; namely, that the report accompanying the Committee's resolution should request the Economic and Social Council to authorize the Secretary-General to inform members of the Commission on Human Rights that, if their representatives could not attend the special meeting of the Commission, the Council felt that alternates available in New York might be designated.

He agreed with the French representative that Governments were sovereign and could send which representatives they pleased. It was advisable to avoid a direct invitation on the lines of the Chinese amendment and he would vote against that amendment.

Mr. ORDONNEAU (France) and Mr. LINCINAS (Peru) supported the Venezuelan suggestion.

The Chinese amendment was rejected by 11 votes to 5, with 2 abstentions.

Paragraph 2 in the second half of section VI of document E/1125 was adopted by 14 votes to 3, with 1 abstention.

Document E/1125, section VI, paragraph 3

Mr. FREE (United States of America) explained that paragraph 3, the final paragraph of his list of amendment, was intended as a substitute for the last item in document E/W.3. The reasons for the suggested substitution were twofold. Firstly, he objected to the reference in the Secretariat document to full time expert staff, a phrase which seemed to imply that one special group was earmarked for one organ of the United Nations; the Secretary-General /should be

should be allowed full flexibility in his choice of personnel to service the various United Nations bodies. Secondly, if the work of the Sub-Commission were to be implemented immediately, more was needed than was contemplated in the Secretariat document.

Mr. BORISOV (Union of Soviet Socialist Republics) wished to know why the wording of the United States amendment was weaker than that of the Secretariat document. As indicated in document E/1128, which dealt with the financial implications relating to resolution 39 of the final act of the Conference on Freedom of Information, a large sum of money was being asked for and the decision of the General Assembly, in that connexion, should not be disregarded. With regard to the manning table, he felt that some members of the proposed Secretariat held too high a grade and that the staff might be reduced. The United States amendment, however, seemed to encourage that uneconomical plan.

Mr. MACKENZIE (United Kingdom) also felt that there was need for economy. The United States amendment, in his view, provided a better chance for economising than the Secretariat version. His Government was concerned with the sharp rise in expenses. On page 4 of document E/1113, for example, it could be seen that the estimate in connexion with the work in this field had risen sharply from \$38,300 in 1949 to \$71,500 in 1950. An explanation had been given in document E/1128, page 2, paragraph 3. It was perhaps not the business of the Committee to go into the matter in detail, but he felt that it might be possible to curtail some of the additional posts mentioned in paragraph 4 of that document. For example, the "two general press experts in the international field" and the "two experts possessing both general experience in the field and special knowledge of specific fields such as radio, news release and news print" might be reduced to one or two.

He concluded by paying a tribute to the efficiency of the Secretariat at the first and second sessions of the Sub-Commission and at the United Nations Conference on Freedom of Information.

Mr. WOULBROUN (Belgium) said that, if the expression "full time expert" in document E/W.3 were deleted, he would fully support it.

Mr. BORISOV (Union of Soviet Socialist Republics) said that, as the United States proposal was not an amendment but an

/independent

independent resolution, the vote should first be taken on the Secretariat's draft (E/W.3) and then on the United States proposal.

The CHAIRMAN replied that, as he had considered the two documents to deal with the same subject and the United States text to represent an addition to the original wording, he had proposed to regard the United States text as an amendment in order to facilitate the Committee's work.

Mr. ENCINAS (Peru) supported the Chairman's interpretation.

The Committee decided by 15 votes to 3 to consider the United States text (E/1125, section VI, last paragraph) as an amendment.

The United States amendment was adopted by 14 votes to 3, with 1 abstention.

/Section I

Section I, paragraph 2 of the United States amendments (E/1125)

The CHAIRMAN announced that the United States delegation had accepted the United Kingdom amendment to paragraph 2 (E/AC.7/W.46).

As the third sub-paragraph of paragraph 2 had given rise to some disagreement, that paragraph would be considered and voted upon in parts. Further, it had been decided to insert the word "DECIDES" between paragraphs 1 and 2 of Section I.

Mr. FREE (United States of America) thought that objections made to the cancellation of the present terms of reference of the Sub-Commission proposed in the first sub-paragraph of paragraph 2 were fully answered by the adoption of the United Kingdom amendment. The terms of reference suggested by the Conference suffered from a lack of precision; the United States text as amended by the United Kingdom delegation, while not too far removed in substance from the original text, was neater and more satisfactory.

Mr. BORISOV (Union of Soviet Socialist Republics) drew attention to the fact that the United States - United Kingdom text omitted the important provision in paragraph (a) of the Sub-Commission's present terms of reference as contained in resolution 46 (IV) of the Economic and Social Council, according to which it was the Sub-Commission's function to report to the Commission on Human Rights on any issues that might arise from the examination of what rights, obligations and practices should be included in the concept of freedom of information. That formula had been unanimously adopted by the Council; the matter was an important one, as many representatives held that the Sub-Commission should not report directly to the Council but only to the Commission on Human Rights. Mr. Borisov could not understand why the United States delegation now proposed that that provision should be dropped from the Sub-Commission's terms of reference.

Mr. LENDRUM (New Zealand) agreed that the point raised by the USSR delegation regarding the possibility of independent action by the Sub-Commission was an important one; he pointed out that the matter would come up for consideration when the Committee took up paragraph 3, Section V of the United States amendments.

Mr. BORISOV (Union of Soviet Socialist Republics) suggested that consideration of the first sub-paragraph of paragraph 2 should be deferred until a decision had been taken on paragraph 3 of Section V.

/Mr. FREE

Mr. FREE (United States of America) thought that in the interests of clarity it would be more advisable to cancel the present terms of reference before proceeding to draft new ones. The first sub-paragraph of paragraph 2 might be voted upon with the understanding that the decision would in no way prejudice the vote on paragraph 3, Section V.

Mr. SHASTRI (India) pointed out that under the new terms of reference proposed by the United States delegation, the functions of the Sub-Commission on Freedom of Information were largely of a technical nature, while the present terms of reference were far wider and more general. Consequently, while under the present terms of reference matters considered by the Sub-Commission were likely to be of direct interest to the Commission on Human Rights, its work under the new terms of reference would be of concern to the Council rather than to that Commission. He thought therefore that it would be advisable first to decide whether or not to adopt the terms of reference proposed by the United States delegation before establishing to which of those two organs the Sub-Commission should report.

Mr. MACKENZIE (United Kingdom), while not contesting the truth of the Indian representative's remarks, thought that the terms of reference proposed by the United States, taken as a whole, were sufficiently general and by no means overlooked the concept of freedom of information embodied in the present terms of reference. He was in favour of voting in order on each sub-paragraph of paragraph 2.

Mr. BORISOV (Union of Soviet Socialist Republics), supported by Mr. BORATYNSKY (Poland), criticized the arrangement of the United States amendments. Proposed amendments to the existing terms of reference were scattered, ostensibly at random, throughout the document; it was extremely difficult to establish a logical order of voting.

Mr. SHASTRI (India) pointed out that a decision on paragraph 2 could not fail to prejudice the voting on paragraph 3, as the issues involved were so closely connected. He wondered if the United States representative would accept a suggestion whereby the text of sub-paragraph (a) of the present terms of reference was added to the second sub-paragraph of the proposed United States - United Kingdom text.

Mr. FREE (United States of America) was unable to agree to the Indian representative's suggestion. The phraseology of the present terms of reference was far too vague and did not correspond to the Sub-Commission's

/need for

need for a concrete basis for action. The text proposed by his delegation, while defining far more clearly the powers of the Sub-Commission, yet left the latter quite free to examine the more general aspects of freedom of information. Thus, if the Sub-Commission decided to make recommendations with regard to the third convention on the freedom of information, sponsored by the United Kingdom delegation to the Conference, which involved the concept of freedom of information in terms of basic human rights, it was perfectly obvious that under the proposed terms of reference it would make those recommendations to the Commission on Human Rights rather than directly to the Council.

Mr. SHASTRI (India) stated that in view of the United States representative's reply, he wished his remarks to be considered as comments rather than as a suggestion.

Mr. MACKENZIE (United Kingdom) thought that the Committee ran the risk of forgetting that the Sub-Commission on Freedom of Information had already done a considerable amount of work on sub-paragraph (a) of its present terms of reference. It had drafted an article which had been included in the Declaration of Human Rights; it had submitted another article for inclusion in the proposed Convention on Human Rights; it had sent a paper on the concept of freedom of information to the Conference on Freedom of Information held in Geneva in 1948. It would therefore be somewhat misleading to re-introduce that sub-paragraph, since most of the work envisaged by it had already been accomplished.

Mr. Mackenzie pointed out further that the addition of the United Kingdom amendment to the United States text ensured the performance by the Sub-Commission of all functions which might be entrusted to it by the Commission on Human Rights. Moreover, he drew attention to the fact that sub-paragraphs 2 (a) and (d) of the draft resolution prepared by the Secretary-General (E/W.3) provided that the Sub-Commission should report and make recommendations on various matters to the Economic and Social Council.

The first sub-paragraph of paragraph 2 was adopted by 14 votes to 3, with 1 abstention.

Mr. BORATYNSKY (Poland) proposed an amendment to the second sub-paragraph of the United States text, consisting in the addition after the words "radio broadcasts and newsreels" of the words "to report to the Commission on Human Rights on any issues that may arise from such examination".

/The Polish

The Polish amendment was rejected by 9 votes to 5, with 4 abstentions.

The second sub-paragraph of paragraph 2, as amended by the United Kingdom delegation, was adopted by 13 votes to 3, with 2 abstentions.

The meeting rose at 1.15 p.m.

United Nations
ECONOMIC
AND
SOCIAL COUNCIL

Nations Unies
CONSEIL
ECONOMIQUE
ET SOCIAL

UNRESTRICTED //
E/AC.7/SR.66/Corr.1
2 March 1949
ENGLISH
ORIGINAL: FRENCH

Eighth Session

SOCIAL COMMITTEE

CORRIGENDUM TO THE SUMMARY RECORD OF THE SIXTY-SIXTH MEETING

Held at Lake Success, New York,
on Wednesday, 16 February 1949 at 11 a.m.

Page 3, penultimate line: Delete the phrase: "that representatives and alternates to an important mission should be limited to a given number and..." and substitute: "that representatives should be replaced by alternates who..."

