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UNITED NATIONS

CONFERENCE

ON

FREEDOM OF INFORMATION

Held at Geneva, Switzerland,
from 23 March to 21 April, 1948

FINAL ACT



LAKE SUCCESS, NEW YORK

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FINAL ACT
OF THE
UNITED NATIONS CONFERENCE ON FREEDOM
OF INFORMATION

1. Pursuant to Resolution 74 of the Fifth Session of the Economic and Social Council, the United Nations Conference on Freedom of Information met at the European Headquarters of the United Nations, Geneva, Switzerland, during the period from 23 March to 21 April 1948.

2. Delegations representing the following Governments attended the Conference:

- | | |
|--|--|
| 1. Afghanistan | 29. Italy |
| 2. Albania | 30. Lebanon |
| 3. Argentina | 31. Luxembourg |
| 4. Australia | 32. Mexico |
| 5. Austria | 33. Netherlands |
| 6. Belgium | 34. New Zealand |
| 7. Brazil | 35. Nicaragua |
| 8. Bulgaria | 36. Norway |
| 9. Byelorussian Soviet Socialist
Republic | 37. Pakistan |
| 10. Canada | 38. Panama |
| 11. Chile | 39. Peru |
| 12. China | 40. Philippines |
| 13. Colombia | 41. Poland |
| 14. Costa Rica | 42. Portugal |
| 15. Cuba | 43. Roumania |
| 16. Czechoslovakia | 44. Sweden |
| 17. Denmark | 45. Switzerland |
| 18. Dominican Republic | 46. Turkey |
| 19. Ecuador | 47. Ukrainian Soviet Socialist
Republic |
| 20. Egypt | 48. Union of South Africa |
| 21. El Salvador | 49. Union of Soviet Socialist
Republics |
| 22. Ethiopia | 50. United Kingdom |
| 23. Finland | 51. United States of America |
| 24. France | 52. Uruguay |
| 25. Greece | 53. Venezuela |
| 26. Guatemala | 54. Yugoslavia |
| 27. Hungary | |
| 28. India | |

Observers representing the following Governments attended:

Bolivia Iran Ireland

Observers and consultants from the following organizations attended:

Inter-governmental:

International Labour Office.
International Telecommunications Union.
United Nations Educational, Scientific and Cultural Organization.

Non-governmental:

International Co-operative Alliance.
International Organization of Industrial Employers.
International Organization of Journalists.
Inter-Parliamentary Union.
World Federation of United Nations Associations.

3. The Conference elected Ambassador Carlos P. Romulo (The Philippines) as President. Delegates representing the following countries were elected Vice-Presidents: Canada, China, Cuba, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America.

4. The Conference adopted as its Agenda the Provisional Agenda proposed by the Economic and Social Council with the addition of the two Resolutions referred to the Conference by the General Assembly, on Measures to be Taken Against Propaganda and the Inciters of a New War and False or Distorted Reports; and two proposals made by the International Organization of Journalists.

5. The Conference adopted as its Rules of Procedure the Draft Rules of Procedure prepared by the Secretary-General at the request of the Economic and Social Council. When challenged, the decision of the Council that voting rights at the Conference be exercised only by Members of the United Nations was reaffirmed.

6. The Conference set up the following committees:

(a) A General Committee (Bureau), comprising the President of the Conference, the Vice-Presidents, and the Chairmen of the four principal committees;

(b) Four principal committees upon which each delegation was invited to be represented:

(i) Committee I, on the basic tasks of the Press and other media of information, and the basic principles of freedom of information, as well as general problems common to other committees.

This Committee held thirty-one meetings. Dr. G. J. van Heuven Goedhart (the Netherlands) was elected Chairman; Mr. Franco Rossi (Uruguay), Vice-Chairman; and Mr. Nihat Erim (Turkey), Rapporteur.

(ii) Committee II, on the gathering and international transmission of information.

This Committee held twenty-two meetings. Dr. Vladislav Ribnikar (Yugoslavia) was elected Chairman; Mr. Jamil Mikaoui (Lebanon), Vice-Chairman; and Mr. Sven Dahlman (Sweden), Rapporteur.

(iii) Committee III, on the free publication and reception of information.

This Committee held eighteen meetings. Dr. Raul Noriega (Mexico) was elected Chairman; Mr. Christian Christensen (Norway), Vice-Chairman; and Mr. S. M. Ikram (Pakistan), Rapporteur.

(iv) Committee IV, on law and continuing machinery.

This Committee held twenty-seven meetings. Sir Ramaswami Mudaliar (India) was elected Chairman; Mr. Alexei Romanov (Byelorussian SSR), Vice-Chairman; and Professor Fernand Dehousse (Belgium), Rapporteur.

(c) A Committee on Credentials, comprising the representatives of Argentina, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark, Egypt, Pakistan and Venezuela, of which Mr. Emilio D. Cipoletti (Argentina) was elected Chairman and Rapporteur. This Committee held three meetings, and reported to the Conference on the credentials of the representatives.

7. The Conference resolved:

(i) That all documents passed by the Conference, resolutions or draft conventions, be referred to the Economic and Social Council for study at its next session;

(ii) That all Governments invited to this Conference be requested to forward to the Secretary-General of the United Nations before 5 July 1948 their comments on the draft conventions proposed by the Conference and proposals for other Draft Conventions based on the recommendations of this Conference;

(iii) That the Economic and Social Council be requested to examine, at its seventh session, the draft conventions referred to it by the Conference, in the light of such comments and other proposed Draft Conventions as provided in paragraph 2; and to submit to the General Assembly, at its third session, draft conventions which may thereafter be opened at that session for signature or accession by those States entitled and willing to become parties thereto and remain open subsequently for additional accessions.

8. On the basis of the deliberations of the Conference and its committees, as recorded in the records and reports of the plenary meetings and the meetings of the respective committees, the Conference prepared and forwarded to the Economic and Social Council the Draft Conventions referred to above, which are appended to this Final Act as Annex A.

9. At the request of the Economic and Social Council, the Conference also prepared draft articles for the Draft Declaration on Human Rights. These draft articles are appended to this Final Act as Annex B.

10. In addition, the Conference adopted the resolutions which are appended to this Final Act as Annex C.

11. The Conference authorized its Executive Secretary to bring this Final Act to the attention of the Economic and Social Council.

12. IN WITNESS WHEREOF the President and Executive Secretary of the Conference have signed this Final Act in the English and French languages, in the City of Geneva, this 22nd day of April 1948, each text being equally authentic. Texts in the five official languages of the United Nations will be deposited with the Secretary-General of the United Nations who will send certified copies to each of the Governments invited to send representatives to the Conference.

The President of the Conference:
(Signed) Carlos P. ROMULO

The Executive Secretary of the Conference:
(Signed) John P. HUMPHREY

DRAFT CONVENTIONS

I. DRAFT CONVENTION ON THE GATHERING AND INTERNATIONAL TRANSMISSION OF NEWS

The Contracting States,

Desiring to implement the right of their peoples to be fully informed,

Desiring to improve understanding between their peoples through the free flow of information and opinion,

Having resolved to conclude a Convention for this purpose,

Have agreed as follows:

Article 1

For the purposes of the present Convention, the following expressions are to be understood in the sense hereinafter defined.

A. Information Agency

A Press, radio or film organization, whether public or private, created or organized under the applicable laws and regulations within the territories of a Contracting State, regularly engaged in the collection and dissemination of news (including opinion) to the public, including Press associations, news feature services, newspapers, periodicals, radio and television broadcasting organizations, and newsreel companies.

B. Foreign Correspondent

An individual employed by an information agency, or a national of a Contracting State, who in either case is regularly engaged in the collection and reporting of news (including opinion) to the general public, and who is the holder of a valid passport identifying him as a correspondent or of a similar document internationally accepted identifying him as such.

C. News Material

All news material, whether of information or opinion, and whether visual or auditory, for public dissemination.

Article 2

In order to encourage the freest possible movement of foreign correspondents in the performance of their functions, the Contracting States shall

expedite, in a manner consistent with their respective laws and procedures, the administrative measures necessary for the entry, residence, movement and travel of foreign correspondents, together with their professional equipment, and shall impose no special, discriminatory or unusual restrictions on such ingress or egress, nor upon the transit through or residence in their territories of such correspondents.

Article 3

The Contracting States shall permit and encourage the widest possible access to news, official and non-official, for all foreign correspondents on the same basis as for national correspondents and shall not discriminate among foreign correspondents as regards such access.

Article 4

The Contracting States shall permit egress from their territory of all news material of foreign correspondents and foreign information agencies without censorship, editing or delay; provided that each of the Contracting States may make and enforce regulations relating directly to the maintenance of national military security. Such regulations must, however, be communicated to foreign correspondents and apply equally to all foreign correspondents and foreign information agencies.

If the requirements of national military security should compel a Contracting State, in peace-time, to establish censorship for a certain period of time, it shall:

(1) Establish in advance such categories of news material for the use of an information agency in another country as are subject to previous inspection and publish the directives of the censor announcing forbidden matters;

(2) Carry out censorship as far as possible in the presence of the foreign correspondent;

(3) Where censorship in the presence of the person concerned is not possible:

(a) Fix the time-limit allowed the censors for the return of the news material;

(b) Require the return of news material submitted for censorship direct to the foreign correspondent or foreign information agency so that they may know at once what has been censored in their text and what use they may make of the censored information;

(c) Base the charge on the number of words composing a telegram after censorship;

(d) Return the total telegraph charges for telegrams submitted for censorship, the transmissions of which has been delayed more than six hours.

Article 5

The Contracting States, while recognizing that foreign correspondents must conform to the laws in force in the countries in which they are operating, agree that foreign correspondents legally admitted into their territories shall not be expelled on account of any lawful exercise of their right to seek, receive or impart information or opinion.

Article 6

The Contracting States agree that foreign correspondents shall have access to all facilities generally and publicly used for the international transmission of news material and may transmit news material from one country to another on the same basis and at the same rates applicable to all other users of such facilities for similar purposes.

Article 7

Each of the Contracting States agrees to permit all news material of foreign correspondents and information agencies of the other Contracting States to enter its territory and reach information agencies operating therein on the same conditions as are accorded to any other foreign information agencies.

Article 8

Nothing herein contained shall be construed as depriving any Contracting State of its right to make and enforce regulations prohibiting obscene news material.

Article 9

The present Convention shall not apply to foreign correspondents who, while not otherwise admissible under article 2 into the territory of a Contracting State, are nevertheless admitted conditionally in accordance with an agreement between that Contracting State and the United Nations, or a specialized agency thereof, in order to cover its proceedings, or pursuant to a special arrangement made by the Contracting State in order to facilitate the entry of such correspondents.

Article 10

Nothing herein contained shall be interpreted as exempting foreign correspondents or foreign information agencies from public laws and regulations promulgated by any Contracting State for the protection of national security.

Article 11

The present Convention shall be ratified on behalf of the States signatory hereto in conformity with their respective constitutional procedures. The

instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify all signatory and acceding States of each deposit.

Article 12

The present Convention shall remain open for accession of all States which are not signatories. Instruments of accession shall be deposited with the Secretary-General of the United Nations, who shall notify all signatory and acceding States of each such deposit.

Article 13

The present Convention shall come into force as soon as two States have deposited their respective instruments of ratification or accession. The Convention thereafter shall come into force with respect to each other State on the date of the deposit of its instrument of ratification or accession.

Article 14

(a) A State party to the present Convention may at the same time of its accession thereto or at any time thereafter by notification addressed to the Secretary-General of the United Nations declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification.

The respective Contracting States undertake to seek immediately the consent of the Governments of such territories to the application of the present Convention to such territories, and to accede forthwith on behalf of and in respect of each such territory, if and when its consent has been obtained.

(b) A State which has made a declaration under paragraph (a) above extending the present Convention may with the consent of the Government concerned at any time thereafter by notification to the Secretary-General of the United Nations declare that the Convention shall cease to extend to any territory named in the notification, and the Convention shall then cease to extend to such territory six months after the date of receipt by the Secretary-General of the United Nations of the notification.

Article 15

The present Convention shall remain in force indefinitely, but may be denounced by any Contracting State, by means of six months' notice in writing given to the Secretary-General of the United Nations, who shall transmit a copy of the notice to each of the other Contracting States. After the expiration

of this period of six months, the Convention shall cease in its effect as regards the State which denounces it, but shall remain in force for the remaining Contracting States.

IN WITNESS WHEREOF, the Plenipotentiaries of the respective States, being duly authorized thereto, have signed the present Convention.

DONE at this day of , 1948 in the languages, each equally authentic, the original of which shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations shall transmit certified copies thereof to all the signatory and acceding States.

II. DRAFT CONVENTION CONCERNING THE INSTITUTION OF AN INTERNATIONAL RIGHT OF CORRECTION

The Governments Parties to the present Convention,

Considering the danger to the maintenance of friendly relations between peoples and to the preservation of peace, presented by the publication of inaccurate reports;

Considering that at its second session, the General Assembly of the United Nations recommended the adoption of measures designed to promote friendly relations among nations and to combat the dissemination of false or distorted reports likely to injure the friendly relations between States;

Considering, however, that it does not at present appear possible or desirable to envisage the institution on the international level of a procedure for verifying the accuracy of a report such as might lead to the imposition of penalties for the publication of false or distorted reports;

Considering, moreover, that to prevent the publication of false or distorted news or to reduce its pernicious effects, it is above all necessary to sharpen the sense of responsibility of the various media of information and to promote the wide circulation of news;

That an effective means to this end is to give all those directly affected by a report which they consider false or distorted and which is spread by an organ of information the possibility of ensuring commensurate publicity for their corrections or replies;

That the right of reply or correction had been embodied in the legislation of a large number of States and that its legitimacy is recognized in the draft of Article 17 of the Covenant on Human Rights which the Sub-Commission on Freedom of Information and of the Press decided, at its second session, to recommend to the Commission on Human Rights;

That failing the adoption, by all States, in their own legislation, of a like right available to foreign nationals under the same conditions as to their own nationals, it is particularly desirable to institute on the international level a right of correction; that it is necessary, however, in order to prevent any abuse, strictly to define the extent of the right of correction, and clearly to specify the conditions for its exercise;

Have adopted the following articles:

Article 1

In cases where a Contracting State alleges that news reports likely to injure its relations with other States transmitted from one country to another country by foreign correspondents or by news agencies and disseminated abroad, are false or distorted, it may submit its version of the facts (hereinafter called "communiqué") to the Contracting States within whose territories such reports have been published in one or more newspapers or periodicals or disseminated by radio. Such communiqué may be issued only with respect to news reports and must be without comment or expression of opinion. As far as possible the communiqué should not contain a larger number of words than the news report objected to, and in no case more than double the number of words in the news report to be corrected. The communiqué must be accompanied by a verbatim text of the report as published or disseminated, and by evidence that the report objected to has been transmitted from one country to another by a foreign correspondent or by a news agency.

Article 2

1. Any Government of a Contracting State receiving such a communiqué shall, whatever be its opinion concerning the facts in question, make available to the news enterprises functioning in the territory where it exercises its authority the communiqué of the Government exercising the right of correction and, within five clear days from the date of receiving this communiqué, shall facilitate its dissemination through customary channels in accordance with its procedure for releasing news concerning international affairs.

2. In the event of the failure of any Contracting State to discharge its obligation under this article with respect to the communiqués of another Contracting State, the latter may discharge on the basis of reciprocity its obligation with respect to any communiqués thereafter submitted to it by the defaulting State.

Article 3

If any of the Contracting States to which this communiqué has been transmitted fails to fulfil, within the prescribed time-limit, the obligation laid down in the preceding article, the Government exercising the right of correction may submit the said communiqué to the Secretary-General of the United Nations who shall, within five clear days from the receipt thereof, give it appropriate publicity. This paragraph shall come into force as soon as the General Assembly of the United Nations has instructed its Secretary-General to perform this duty.

Article 4

Every Contracting State may, to the extent strictly limited by the exigencies of the situation, derogate from its obligations under the present Convention,

(a) As long as a state of war or public emergency prevails in its own territory,

(b) As long as such a state prevails in the territory of one or other Contracting States, but only with regard to those States.

Article 5

Any dispute between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall be referred to the International Court of Justice for decision unless the Contracting States agree to another mode of settlement.

Article 6

The present Convention shall be open for accession to every State invited to the United Nations Conference on Freedom of Information held at Geneva in March and April, 1948, and to every other State which the General Assembly of the United Nations shall, by resolution, declare to be eligible.

Article 7

When any two of the States mentioned in article 6 have deposited their instruments of accession, the present Convention shall come into force between them on the thirtieth day after the date of the deposit of the second instrument of accession. It shall come into force for each State which accedes after that date on the thirtieth day after the deposit of its instrument of accession.

Article 8

Any Contracting State may denounce the present Convention by notification of denunciation to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

Article 9

1. A State party to the present Convention may at the same time of its accession thereto or at any time thereafter by notification addressed to the Secretary-General of the United Nations declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the

Secretary-General of the United Nations of the notification. The respective Contracting States undertake to seek immediately the consent of the Governments of such territories to the application of the present Convention to such territories, and to accede forthwith on behalf of and in respect of each such territory, if and when its consent has been obtained.

2. A State which has made a declaration under paragraph 1 above extending the present Convention may, with the consent of the Government concerned, at any time thereafter by notification to the Secretary-General of the United Nations declare that the Convention shall cease to extend to any territory named in the notification, and the Convention shall then cease to extend to such territory six months after the date of receipt by the Secretary-General of the United Nations of the notification.

Article 10

The Secretary-General of the United Nations shall notify each of the States referred to in article 6 of the date of the deposit of every instrument of accession and of the date on which this Convention comes into force and of any information received by him in accordance with the provisions of article 5 and of every notification received by him in accordance with the provisions of articles 7 or 8.

III. DRAFT CONVENTION ON FREEDOM OF INFORMATION

The States Parties to this Convention,

Considering that the free interchange of information and opinions, both in the national and in the international sphere, is a fundamental human right and essential in the cause of peace and for the achievement of political, social and economic progress, and

Desiring to co-operate fully with one another to promote the peace and welfare of mankind by this means,

Have accepted the following provisions:

Article 1

Subject to the provisions of Articles 2, 4, 5 and 6 of this Convention,

(a) Each Contracting State shall secure to all its own nationals and to the nationals of every other Contracting State lawfully within its territory freedom to impart and receive information and opinions, orally, by written or printed matter, in the form of art, or by legally operated visual or auditory devices without governmental interference;

(b) No Contracting State shall regulate or control the use or availability of any of the means of communication referred to in the preceding paragraph, in any manner discriminating against any of its own nationals or of the nationals of any other Contracting State on political or personal grounds or on the basis of race, sex, language or religion;

(c) Each Contracting State shall secure to all its own nationals and to the nationals of every other Contracting State, freedom to transmit and listen to information and opinions within its territories and across its frontiers by any legally operated means without governmental interference;

(d) Each Contracting State shall permit the nationals of other Contracting States as much freedom to seek information as it grants to its own nationals;

(e) The Contracting States shall encourage and facilitate the interchange between their territories of those of their nationals engaged in the gathering of information and opinions for dissemination to the public and shall deal expeditiously with applications by such persons to enter their territories.

Article 2

1. The freedoms referred to in paragraphs (a), (c) and (d) of article 1 carry with them duties and responsibilities and may therefore be subject to necessary penalties, liabilities and restrictions clearly defined by law, but only with regard to:

- (a) Matters which must remain secret in the interest of national safety;
- (b) Expressions which incite persons to alter by violence the system of government or which promote disorder;
- (c) Expressions which incite persons to commit criminal acts;
- (d) Expressions which are obscene or which are dangerous for youth and expressed in publications intended for them;
- (e) Expressions which are injurious to the fair conduct of legal proceedings;
- (f) Expressions which infringe literary or artistic rights;
- (g) Expressions about other persons, natural or legal, which defame their reputations or are otherwise injurious to them without benefiting the public;
- (h) Legal obligations resulting from professional, contractual or other legal relationships including disclosure of information received in confidence in a professional or official capacity;
- (i) The prevention of fraud;
- (j) The systematic diffusion of deliberately false or distorted reports which undermine friendly relations between peoples or States.

2. A Contracting State may establish on reasonable terms a right of reply or a similar corrective remedy.

Article 3

Each Contracting State shall encourage the establishment and functioning within its territory of one or more non-official organizations of persons employed in the dissemination of information to the public, in order to promote the observance by such persons of high standards of professional conduct, and in particular:

(a) To report facts without prejudice and in their proper context and to make comments without malicious intent;

(b) To facilitate the solution of the economic, social and humanitarian problems of the world as a whole and the free interchange of information bearing on such problems;

(c) To help promote respect for human rights and fundamental freedoms without discrimination;

(d) To help maintain international peace and security;

(e) To counteract the persistent spreading of false or distorted reports which promote hatred or prejudice against States, persons or groups of different race, language, religion or philosophical conviction.

Article 4

Nothing in the present Convention shall affect the right of any Contracting State to take measures which it deems necessary in order:

(a) To bring its balance of payments into equilibrium;

(b) To develop its national news enterprises until such time as such news enterprises are fully developed;

(c) To prevent agreements in restraint of the free flow of information or the cartelization in regard to information:

Provided that such measures may not be used as a means of preventing the entry of nationals of other Contracting States who are engaged in the gathering of information and opinions for dissemination to the public.

Article 5

Nothing in the present Convention shall prevent a Contracting State from reserving under its legislation to its own nationals the right to edit newspapers or news periodicals produced within its territory.

Article 6

Nothing in the present Convention shall limit the discretion of any Contracting State to refuse entry into its territory to any particular person, or to restrict the period of his residence thereon.

Article 7

As between the Contracting States which become parties to any general agreement on human rights sponsored by the United Nations and containing provisions relating to freedom of information, the present Convention shall be superseded by such agreement to the extent that the two instruments are inconsistent.

Article 8

In time of war or other public emergency a Contracting State may take measures derogating from its obligations under the present Convention to the extent strictly limited by the exigencies of the situation.

Any Contracting State availing itself of this right of derogation shall promptly inform the Secretary-General of the United Nations of the measures which it has thus adopted and of the reasons therefor. It shall also inform him as and when the measures cease to operate.

Article 9

Any dispute between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall be referred to the International Court of Justice for decision unless the Contracting States agree to another mode of settlement.

Article 10

1. The present Convention shall be open for accession to every State invited to the United Nations Conference on Freedom of Information held at Geneva in March and April, 1948, and to every other State which the General Assembly of the United Nations shall, by resolution, declare to be eligible.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 11

When any two of the States mentioned in article 10 have deposited their instruments of accession, the present Convention shall come into force between them on the thirtieth day after the date of the deposit of the second instrument of accession. It shall come into force for each State which accedes after that date on the thirtieth day after the deposit of its instrument of accession.

Article 12

Any Contracting State may denounce the present Convention by notification of denunciation to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

Article 13

(a) A State party to the present Convention may at the same time of its accession thereto or at any time thereafter by notification addressed to the Secretary-General of the United Nations declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification. The respective Contracting States undertake to seek immediately the consent of the Governments of such territories to the application of the present Convention to such territories, and to accede forthwith on behalf of and in respect of each such territory, if and when its consent has been obtained.

(b) A State which has made a declaration under paragraph (a) above extending the present Convention may with the consent of the Government concerned at any time thereafter by notification to the Secretary-General of the United Nations declare that the Convention shall cease to extend to any territory named in the notification, and the Convention shall then cease to extend to such territory six months after the date of receipt by the Secretary-General of the United Nations of the notification.

Article 14

The Secretary-General of the United Nations shall notify each of the States referred to in article 10 of the date of the deposit of every instrument of accession and of the date on which this Convention comes into force and of any information received by him in accordance with the provisions of article 11 and of every notification received by him in accordance with the provisions of articles 12 or 13.

ANNEX B

DRAFT DECLARATION AND DRAFT COVENANT
ON HUMAN RIGHTS

The United Nations Conference on Freedom of Information,

Having considered the resolution of the Economic and Social Council of 3 March 1948 referring to the Conference for its consideration and report articles 17 and 18 of the Draft Declaration on Human Rights and article 17 of the Draft Covenant on Human Rights with the recommendations of the Sub-Commission on Freedom of Information and of the Press,

Is of the opinion that:

I. Articles 17 and 18 of the Declaration may be embodied in one article as follows:

Everyone shall have the right to freedom of thought and expression; this right shall include freedom to hold opinions without interference and to seek, receive and impart information and ideas by any means and regardless of frontiers.

II. Article 17 of the Draft Covenant on Human Rights may be as follows:

- (1) Every person shall have the right to freedom of thought and the right to freedom of expression without interference by governmental action; these rights shall include freedom to hold opinions, to seek, receive and impart information and ideas, regardless of frontiers, either orally, by written or printed matter, in the form of art, or by legally operated visual or auditory devices.
- (2) The right to freedom of expression carries with it duties and responsibilities and may, therefore, be subject to penalties, liabilities or restrictions clearly defined by law, but only with regard to:
 - (a) Matters which must remain secret in the interests of national safety;
 - (b) Expressions which incite persons to alter by violence the system of government;
 - (c) Expressions which directly incite persons to commit criminal acts;
 - (d) Expressions which are obscene;
 - (e) Expressions injurious to the fair conduct of legal proceedings;
 - (f) Infringements of literary or artistic rights;

(g) Expressions about other persons natural or legal which defame their reputations or are otherwise injurious to them without benefiting the public;

(h) The systematic diffusion of deliberately false or distorted reports which undermine friendly relations between peoples and States;

A State may establish on reasonable terms a right of reply or a similar corrective remedy.

(3) Measures shall be taken to promote the freedom of information through the elimination of political, economic, technical and other obstacles which are likely to hinder the free flow of information.

(4) Nothing in this article shall be deemed to affect the right of any State to control the entry of persons into its territory or the period of their residence therein.

III. *The Conference*, having considered the above Articles of the Declaration and the Covenant, and the Second Report of the Sub-Commission,

Is of the opinion that article 17 of the Covenant is intended to apply to the freedom of expression of individuals as well as to the freedom of media of information and,

Considering there are particular provisions in many sources of law which restrict the freedom of expression and information other than those permitted by the draft article 17 suggested above,

Resolves, that the problem created by the omission of such provisions be called to the attention of the Commission on Human Rights.

ANNEX C RESOLUTIONS

CHAPTER I GENERAL PRINCIPLES

Resolution No. 1

Whereas

Freedom of information is a fundamental right of the people, and is the touchstone of all the freedoms to which the United Nations is dedicated, without which world peace cannot well be preserved; and

Freedom of information carries the right to gather, transmit, and disseminate news anywhere and everywhere without fetters; and

Freedom of information depends for its validity upon the availability to the people of a diversity of sources of news and of opinion; and

Freedom of information further depends upon the willingness of the Press and other agencies of information to employ the privileges derived from the people without abuse, and to accept and comply with the obligation to seek the facts without prejudice and to spread knowledge without malicious intent; and

Freedom of information further depends upon the effective enforcement of recognized responsibilities,

The United Nations Conference on Freedom of Information Resolves, therefore,

1. That everyone shall have the right to freedom of thought and expression: this shall include freedom to hold opinions without interference; and to seek, receive and impart information and ideas by any means and regardless of frontiers;

2. That the right of news personnel to have the widest possible access to the sources of information, to travel unhampered in pursuit thereof, and to transmit copy without unreasonable or discriminatory limitations, should be guaranteed by action on the national and international plane;

3. That the exercise of these rights should be limited only by recognition of and respect for the rights of others, and the protection afforded by law to the freedom, welfare, and security of all;

4. That in order to prevent abuses of freedom of information, Governments in so far as they are able should support measures which will help to improve the quality of information and to make a diversity of news and opinion available to the people;

5. That it is the moral obligation of the Press and other agencies of information to seek the truth and report the facts, thereby contributing to the solution of the world's problems through free interchange of information bearing on them, promoting respect for human rights and fundamental freedoms without discrimination, fostering understanding and co-operation between peoples, and helping maintain international peace and security;

6. That this moral obligation, under the spur of public opinion, can be advanced through organizations and associations of journalists and through individual news personnel;

7. That encouragement should be given to the establishment and to the functioning within the territory of a State of one or more non-official organizations of persons employed in the collection and dissemination of information to the public, and that such organization or organizations should encourage the fulfilment *inter alia* of the following obligations by all individuals or organizations engaged in the collection and dissemination of information;

- (a) To report facts without prejudice and in their proper context and to make comment without malicious intent;
- (b) To facilitate the solution of the economic, social and humanitarian problems of the world as a whole through the free interchange of information bearing on such problems;
- (c) To help promote respect for human rights and fundamental freedoms without discrimination;
- (d) To help maintain international peace and security;
- (e) To counteract the spreading of intentionally false or distorted reports which promote hatred or prejudice against States, persons or groups of different race, language, religion or philosophical conviction;

8. That observance of the obligations of the Press and other agencies of information, except those of a recognized legal nature, can also be effectively advanced by the people served by these instrumentalities, provided that news and opinion reach them through a diversity of sources and that the people have adequate means of obtaining and promoting a better performance from the Press and other agencies of information.

Resolution No. 2

Whereas the peoples of the world have embodied in the United Nations their determination to protect mankind from the scourge of war and to prevent the recurrence of aggression from nazi, fascist, or any other source;

Whereas the attainment of a just and lasting peace depends in great degree upon the free flow of true and honest information to all peoples and

upon the spirit of responsibility with which all personnel of the Press and other agencies of information seek the truth and report the facts; and

Whereas, by inaccurate reports, by defective or distorted presentation and deliberate or malicious misinterpretation of facts in various parts of the world, peoples have been misled and their mutual understanding has been seriously endangered;

The United Nations Conference on Freedom of Information

Endorses the resolutions of the second General Assembly on propaganda which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and on the spreading of false and distorted reports;

Declares that all such propaganda and such reports:

- (a) Are contrary to the purposes of the United Nations as defined in the Charter;
- (b) Constitute a problem of the first importance calling for urgent corrective action on the national and international planes;

Condemns solemnly all propaganda either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and all distortion and falsification of news through whatever channels, private or governmental, since such activities can only promote misunderstanding and mistrust between the peoples of the world and thereby endanger the lasting peace which the United Nations is consecrated to maintain;

Appeals vigorously to the personnel of the Press and other agencies of information of all the countries of the world, and to those responsible for their activities, to serve the aims of friendship, understanding and peace by accomplishing their task in a spirit of accuracy, fairness and responsibility;

Expresses its profound conviction that only organs of information in all countries of the world that are free to seek and to disseminate the truth, and thus to carry out their responsibility to the people, can greatly contribute to the counteracting of nazi, fascist or any other propaganda of aggression or of racial, national and religious discrimination and to the prevention of recurrence of nazi, fascist, or any other aggression; and

Therefore recommends that all countries take within their respective territories the measures which they consider necessary to give effect to this resolution.

Resolution No. 3

Whereas the First Committee of the United Nations Conference on Freedom of Information on 9 April 1948 unanimously adopted a resolution declaring that all propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and also the spreading

of false and distorted reports likely to injure friendly relations between States, constitute a problem of the first importance calling for urgent corrective action on the national and international planes, and

Whereas in the said resolution the First Committee expressed its profound conviction that only organs of information in all countries of the world which are free to seek and to disseminate the truth, and thus to carry out their responsibility to the people, can greatly contribute to the counteracting of nazi, fascist or any other propaganda of aggression or of racial, national and religious discrimination and to the prevention of recurrence of nazi, fascist, or any other aggression, and

Whereas, the said Resolution having been adopted by this Conference, it is desirable that all appropriate steps should be taken to implement this Resolution,

The United Nations Conference on Freedom of Information

Transmits the said Resolution to the Economic and Social Council, and

Recommends that all countries should promptly inform the Secretary-General of the United Nations of any measures taken by them to give effect to the resolution;

Recommends that appropriate national bodies should supplement the work of information agencies and associations of journalists and of others engaged in the collection, publication and dissemination of news, in ensuring the impartial presentation of news and opinion;

Recommends that the United Nations should give consideration to means by which they may be able to assist in implementing the resolution; and further

Recommends that the Sub-Commission on Freedom of Information and of the Press in carrying out the functions which may be assigned to it in accordance with the recommendations of the Conference should consider appropriate means by which measures taken to give effect to the resolution may be co-ordinated.

Resolution No. 4

Considering that there are in some countries media of information which disseminate racial and national hatred,

The United Nations Conference on Freedom of Information

Recommends that the Governments of such countries should:

(a) Encourage the widest possible dissemination of free information through a diversity of sources as the best safeguard against the creation of racial and national hatred and prejudice;

(b) Encourage, in consultation with organizations of journalists, suitable and effective non-legislative measures against the dissemination of such hatred and prejudice; and

(c) Take, within their constitutional limits, appropriate measures to encourage the dissemination of information promoting friendly relations between races and nations based upon the purposes and principles of the United Nations Charter.

CHAPTER II

MEASURES TO FACILITATE THE GATHERING AND INTERNATIONAL TRANSMISSION OF INFORMATION

Resolution No. 5

The United Nations Conference on Freedom of Information

Resolves that:

1. Governments should encourage the freest possible movement of foreign correspondents in the performance of their functions; and that

2. Governments should expedite in a manner consistent with their respective laws and procedures the administrative measures necessary for the entry, residence, movement and travel of foreign correspondents, together with their professional equipment, and should impose no special, discriminatory or unusual restrictions on such ingress or egress, or upon the transit through or residence in their territories of such correspondents.

Resolution No. 6

Considering that a clear definition of which news personnel are to be regarded as professional foreign correspondents of newspapers, news agencies, periodicals, broadcasting enterprises and newsreel enterprises has not been established; and

Considering that the various recommendations adopted by this Conference are of particular importance in securing free and unhampered working conditions for foreign correspondents; and

Considering that the establishment of adequate means of identifying the professional foreign correspondents will facilitate for Governments the realization of their commitments for furthering the free flow of information;

The United Nations Conference on Freedom of Information

Recommends to the Economic and Social Council that the Sub-Commission on Freedom of Information and of the Press be requested to:

(1) Study the possibility of obtaining a clear and practically applicable definition of such news personnel as are to be given the status of professional foreign correspondents;

(2) Consider whether measures should be taken with a view to providing foreign correspondents with appropriate documents of identification as to their professional capacity;

(3) Consider whether additional administrative and technical facilities might be granted to foreign correspondents holding such documents of identification;

(4) Conduct this work in close collaboration with international and national professional organizations of the Press, radio and newsreel, especially by drawing upon the experience of news personnel actively engaged in the gathering and transmission of news; and

(5) Consider whether the task of handling any practical measures to be taken could be entirely or partially entrusted to a permanent organization collaborating with professional bodies of the Press, radio and newsreel, or to such professional bodies.

Resolution No. 7

The United Nations Conference on Freedom of Information

While recognizing that all foreign news personnel must conform to the laws in force in the countries in which they are operating,

Declares that no such person legally admitted to a foreign territory should be expelled on account of any lawful exercise by him of his right to seek, receive and impart information or opinion.

Resolution No. 8

The United Nations Conference on Freedom of Information

Resolves

That Governments should permit and encourage the widest possible access to news, official and non-official, for all foreign correspondents on the same basis as for national correspondents; and

Further resolves

That Governments should make no discrimination between foreign correspondents as regards access to news provided for in the above paragraph.

Resolution No. 9

Considering that the United Nations, in accordance with the aims and purposes of its Charter, should be prepared to grant all the necessary facilities for enabling media of information to function with full freedom and responsibility in following the course of its work and that of Conferences called by it and its specialized agencies.

The United Nations Conference on Freedom of Information

Recommends that the United Nations General Assembly adopt a resolution urging that accredited news personnel of all countries should have free access:

(a) To countries where meetings of the United Nations or its specialized agencies or any Conferences convened by them take place, in accordance with the terms and conditions of agreements made by the United Nations or its specialized agencies with the Governments of such countries; and

(b) To all sources of information connected with such meetings except in cases where, in accordance with the rules of procedure, meetings are held in private.

Resolution No 10

Considering that one of the purposes and principles of the United Nations as enunciated in the United Nations Charter is the encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race;

Believing that any racial discrimination is incompatible with freedom of information and that the latter can be facilitated by the unconditional application of the principle of racial equality; and

Considering that it is imperative that access to all sources of information and to public utilities should be available to foreign correspondents, within the framework of existing laws and regulations without distinction as to race;

The United Nations Conference on Freedom of Information

Declares that in order to ensure the application of this principle, it is essential that Governments and public utilities should not deny to foreign correspondents on racial grounds:

(a) Access to any sources of information within the framework of existing laws and regulations;

(b) Access to Press conferences, legislative bodies, public meetings and demonstrations, theatres, concerts, exhibitions, public lectures, and educational institutions, etc.;

(c) Access to communication facilities;

(d) Access to means of transport; and

(e) Access to facilities relative to accommodation and supplies.

Resolution No. 11

The United Nations Conference on Freedom of Information

Invites Governments to conclude bilateral or multilateral agreements with a view to eliminating unreasonable or discriminatory taxes affecting the

operations of foreign information agencies and news personnel, being guided, in particular, by the results of the work of the Fiscal Commission of the Economic and Social Council concerning double taxation.

Resolution No. 12

The United Nations Conference on Freedom of Information

Resolves

That Governments should permit egress from their territory of all news material of foreign correspondents and foreign information agencies, whether of information or opinion, and whether visual or auditory, without censorship, editing or delay; provided that Governments may make and enforce regulations relating directly to the maintenance of national military security; and that such regulations should, however, be communicated to foreign correspondents and should apply equally to all foreign correspondents and foreign information agencies;

Further resolves

That if the requirements of national military security should compel Governments, in peace-time, to establish censorship for a certain period of time, they should:

- (1) Establish in advance such categories of information or photographs for the use of a newspaper, news agency, broadcasting station or newsreel enterprise in another country, as are subject to previous inspection and publish the directives of the censor announcing forbidden matters;
- (2) Carry out censorship as far as possible in the presence of the journalists; and
 - (a) Fix the time-limit allowed the censors for the return of the copy or photograph;
 - (b) Require the return of copy submitted for censorship direct to the reporters or news agencies so that journalists may know at once what has been censored in their text and what use they may make of the censored information;
 - (c) Base the charge on the number of words composing a telegram after censorship; and
 - (d) Return the total telegraph charges for telegrams submitted for censorship, the transmission of which has been delayed more than six hours.

Resolution No. 13

Strongly convinced that freedom of information should be assured to everyone,

Holding that any form of censorship constitutes a curtailment of this freedom,

Considering that censorship deprives the information which it passes of its credibility and often gives information from unspecified sources an unwarranted value;

The United Nations Conference on Freedom of Information

Solemnly condemns the use in peace-time of censorship which restricts or controls freedom of information, and

Invites Governments to take the necessary steps to promote its progressive abolition; and

Considers that

Nothing in this resolution shall, however, prevent Governments from maintaining regulation of newsreels provided their release may only be prohibited on grounds of public morality.

Resolution No. 14

The United Nations Conference on Freedom of Information

Recommends to the Economic and Social Council for suggestion to the International Telecommunications Union that where teleprinter lines have been installed on long-term lease between two or more news agencies, not only may the agencies bound by contract exchange news over these lines, but correspondents of the affiliated agencies may also use them without extra charge for transmitting news to the agencies for which they work.

Resolution No. 15

The United Nations Conference on Freedom of Information

Resolves that foreign correspondents should have access to all facilities generally and publicly used for the international transmission of news material and should be enabled to transmit news material from one country to another on the same basis and at the same rates applicable to all other users of such facilities for similar purposes.

Resolution No. 16

Believing that the widest possible publication, circulation, movement and interchange of news, newspapers, news periodicals, newsreels, and other media of a distinct news character are a necessary part of freedom of information, and

Recognizing that Governments should, to the extent of their abilities and within the limits of their currency positions, facilitate the securing of raw materials and equipment needed for the development of their domestic information agencies and organizations,

The United Nations Conference on Freedom of Information

Recommends that, as hard currencies and foreign exchange become increasingly available and more free, Governments should encourage and, as far as practicable, facilitate the necessary action which will ease quantitative, exchange and tariff restrictions on the importation of news, news publications and productions, and raw materials and equipment therefor, and

Further recommends that the Governments of countries which possess hard currencies encourage by appropriate steps the above-mentioned action.

Resolution No. 17

Considering that it is advisable to adopt measures relating to the free reception and exhibition of newsreels,

The United Nations Conference on Freedom of Information

Recommends that all States should take steps to foster the interchange of newsreels in proportion to each nation's productive capacity, and should at the same time study the disparities in the development of the production enterprises in the different countries and deal with the problem of the development of national enterprises by means of provisional measures; and

Further recommends that monopolistic practices, in all their forms, open or concealed, in relation to the showing of such films, be eliminated, in order to avoid any kind of restriction, exclusion or privilege.

Resolution No. 18

The United Nations Conference on Freedom of Information

Considers that Governments should permit all news material of foreign correspondents and foreign information agencies to enter their territories and reach information agencies operating therein on the same conditions as are accorded to any other foreign information agencies.

Resolution No. 19

With a view to encourage wider and freer flow of information through the development of national news agencies in countries where such agencies are under-developed,

The United Nations Conference on Freedom of Information

Recommends that any foreign news agency operating within the territory of a country where national news agencies are under-developed, while it should enjoy full freedom as regards the international transmission of news, should refrain from releasing, at the locality of its operation, news concerning the country's domestic affairs, and further refrain from transmitting such news to any other locality in that country for publication, except by mutual arrangement with the national news agencies or with local newspapers.

Resolution No. 20

The United Nations Conference on Freedom of Information

While affirming its conviction

That effective news agencies are a natural outgrowth of the vigour and co-operation of the organs of publication which they serve, and

That the dependence of news agencies on those organs themselves is an important factor in ensuring the objectivity of the information which they supply,

Is however of opinion that in countries where national news agencies are not sufficiently developed provisional measures may appropriately be taken by Governments to encourage their development as independent news agencies, and is further of opinion that at no time should the development of foreign news agencies by unfair or abnormal means be allowed to prejudice the normal development of national agencies.

Resolution No. 21

Considering that the increase in the amount of information should apply without exception and in equal measure to all countries with a view to obtaining an ever-wider and more accurate knowledge of their problems, achievements and contributions to international co-operation and world peace; and

Considering that this aim has not been fully realized in the case of all nations, about some of which information is scanty and in many cases distorted or biased, and that as a result there is too often ignorance as to the true character of their civilizations and their importance in material progress, intellectual achievements and contribution to social justice, the defence of freedom and world harmony;

The United Nations Conference on Freedom of Information

Recommends that Press enterprises and agencies for the publication and dissemination of news be encouraged to establish an efficient information service dealing with all countries, and especially with their achievements and concern for human progress, for their own political, economic and social independence and for the closest friendship and harmony among peoples; and

Further recommends that stress be laid on the desirability of all Governments making permanently available to such enterprises and agencies all information material likely to contribute to the above aim, and to the elucidation or rectification of news and comments which tend to hamper or prevent its realization.

Resolution No. 22

The United Nations Conference on Freedom of Information

Considering the desirability for the full realization of freedom of information in all countries,

Resolves that all countries should co-operate in the procurement and advancement of the facilities for the transmission and dissemination of information.

Resolution No. 23

The United Nations Conference on Freedom of Information

Takes note of the Secretariat document on International Communications and the Freedom of Information [E/Conf.6/29], and

Recommends that, in view of the highly technical nature of the matter, the Economic and Social Council refer it to the International Telecommunications Union for its consideration.

Resolution No. 24

The United Nations Conference on Freedom of Information

Having given consideration to the problems involved in the establishment of governmental and semi-governmental information services in order to make information available in countries other than their own.

Requests the Economic and Social Council to refer consideration of this matter to the Sub-Commission on Freedom of Information and of the Press, and to draw its attention to the views expressed at this Conference and to the proposal of the United Kingdom delegation on the subject.

CHAPTER III

MEASURES CONCERNING THE FREE PUBLICATION AND RECEPTION
OF INFORMATION

Resolution No. 25

Considering that Governments should put no obstacles in the way of persons and groups wishing to express themselves through the means of mass communication,

The United Nations Conference on Freedom of Information

Recommends that all Governments should, to the extent that they make available materials and facilities for the mass media, undertake not to discriminate on political or personal grounds or on the basis of race, nationality, sex, language or religion, or against minorities.

Resolution No. 26

The United Nations Conference on Freedom of Information

Considering that, in view of the diversity of the laws of libel in force in different countries, and the diversity of legal systems and conditions with

reference to which laws are made, this Conference is not in a position to make a close study of such laws for the purpose or recommending specific improvements; and

Recognizing that all branches of law must be kept in accord with public opinion and that this is especially true of the laws relating to the liberty of discussion,

Recommends that States should from time to time review their laws of libel, taking into consideration the general conclusions of this Conference, in order to remove anomalies, and to secure to all persons the maximum freedom of expression compatible with the maintenance of order and with due regard to the rights of others; and

Considering it necessary to determine the fundamental principles in this matter which may serve as a uniform basis for the laws of the various countries,

Further recommends:

(1) That the Economic and Social Council invite a committee of jurists or an international organization (such as the International Association of Criminal Law) to:

- (a) Study the laws of libel of the various countries in order to note their defects and anomalies; and
- (b) Formulate a body of fundamental rules and principles regarding libel, taking into account the role played by the Press in a democratic State; and

(2) That the Economic and Social Council draw the attention of the various Governments to this body of rules with a view to their being taken into consideration in the formation of national laws of libel.

Resolution No. 27

The United Nations Conference on Freedom of Information

Recognizing that there is a diversity in different countries in the ownership and control of media of information and that freedom can flourish under widely different systems;

Recommends that Governments should undertake to put no obstacles in the way of persons or groups wishing to express themselves through the means of mass communication, and should ensure in so far as they are able that persons do not suffer discrimination in the use of the media on political or personal grounds or on the basis of race, sex, language or religion, and

Further recommends the investigation by each country in its own way of public and private monopoly, in ownership and control of the media of information, where such monopoly exists.

Resolution No. 28

The United Nations Conference on Freedom of Information

Considering that the free interchange of information and opinions promotes the welfare of all nations and is indispensable to the peace of the world,

Recommends that Governments grant the right to all nationals of their States to possess and operate radio receiving sets covering all the bands used for domestic and international broadcasts, free from intimidation or pressure and subject only to the accepted rules governing licensing and copyright.

Resolution No. 29

The United Nations Conference on Freedom of Information

Is of the opinion:

1. That the tax on the sale of receiving sets, valves and spare parts should be reduced to the maximum extent;
2. That the possession of receiving sets is necessary to assure a really free flow of information and is in no way a luxury;
3. That the annual, or monthly, charge payable by the possessors of such sets should be allocated exclusively to meet the operating costs of national radio organizations; and
4. That receiving sets installed in the schools of all countries should be exempt from all taxes and charges.

Resolution No. 30

Considering that in many countries the price of radio receiving sets is unduly high; and

Considering that one of the aims of the Conference is to recommend means to increase the amount of domestic and international information available to all peoples;

The United Nations Conference on Freedom of Information

Recommends to the Economic and Social Council that a study be made of all appropriate measures so that the general public can obtain radio receiving sets at low prices.

Resolution No. 31

Whereas one of the means of expanding interchange of information is by the reception of Press transmissions by radio addressed to multiple destinations, and

Whereas thirty-seven nations now permit private reception of multiple-address newscasts;

The United Nations Conference on Freedom of Information

Takes note of the practice of private reception of multiple-address newscasts, and

Suggests to the Economic and Social Council that the problem be referred for further study to the International Telecommunications Union or any other competent body.

Resolution No. 32

The United Nations Conference on Freedom of Information

Having considered the investigations of UNESCO into the technical needs of war-devastated countries,

1. *Expresses* the hope that UNESCO will proceed with the utmost speed to carry out the programmes it has prepared on this connexion;
2. *Notes* with satisfaction that UNESCO is taking expeditious steps for ascertaining the requirements of other countries, whose detailed wants have not been investigated so far but which are handicapped, on account of material inadequacies, in making satisfactory arrangements for the provision of domestic and international information;
3. *Recommends* that the Economic and Social Council instruct its regional economic commissions and request the competent specialized agencies to assist UNESCO in its task of reducing the inequalities in information facilities caused by the devastations due to war, or other handicaps, and
4. *Further recommends* that very early arrangements may be made by UNESCO, with the help of other specialized agencies concerned in the matter, for dealing with the requirements of these countries.

Resolution No. 33

Taking cognizance of the conclusions concerning newsprint reached by UNESCO as the outcome of its enquiry carried out in 1947 in twelve war-devastated countries of Europe and the Far East, and of the decision of UNESCO to continue its enquiry in 1948 in other parts of the world,

The United Nations Conference on Freedom of Information

Draws the attention of the Economic and Social Council to the harm and dangers which inadequate production of newsprint, and unequal distribution thereof, have on the exercise of freedom of information;

Recommends that the Economic and Social Council consider as soon as possible, in the light of the enquiries carried out by the Council and by UNESCO, practical measures to remedy the situation; and

Recommends that Governments give their support to the UNESCO plan for aid to war-devastated countries; and

Invites UNESCO to extend such aid to other countries suffering from an acute shortage of newsprint.

Resolution No. 34

The United Nations Conference on Freedom of Information

Taking note of the proposal submitted directly by UNESCO to establish under the auspices of that agency an International Institute of Press and Information, and

Considering that such an Institute could be conducive to the improvement of the quality of information,

Requests the Economic and Social Council to invite Governments and professional organizations, national and international, to examine together the possibility of implementing this proposal and, if it is found practicable, to co-operate in carrying it out.

Resolution No. 35

The United Nations Conference on Freedom of Information

Desiring to improve the quality of information,

Recommends

(1) That the curricula of schools of journalism, governmental and private, include

(a) Intensive study of the history and culture of other peoples as a background for correct interpretation of international news and events;

(b) Inculcation in future journalists of a keen sense of the moral and social responsibility of their profession, stressing the undesirability of commercialism, sensationalism and racial and religious intolerance; and

(c) Training in the habit of objectivity, accuracy and comprehensiveness in reporting and writing;

(2) That journalistic organizations exchange views concerning the desirable qualifications, technical requirements, and the working conditions of foreign correspondents;

(3) That systems of awards be established for news personnel for conspicuous service in upholding high journalistic ideals and for excellence in writing, especially in the field of international news and its interpretation, and in promoting the ideals of the United Nations, thereby strengthening friendship between peoples.

Resolution No. 36

Considering that the task of drafting and enforcing an international code of honour for journalists and other information personnel requires as a principal condition the discussion in advance by the professional organizations active in this field; and

Considering also that any such code of honour should be sufficiently wide to include all media of information and to cover the activities of all information enterprises, including the activities of journalists, editors, managers, directors and publishers of such enterprises,

The United Nations Conference on Freedom of Information

Recommends:

1. That the question of drafting an international code of honour and of the possibility of establishing an international court of honour be referred to the Sub-Commission on Freedom of Information and of the Press;

2. That the Sub-Commission should also examine in this connexion the Draft Convention concerning an International Court of Honour proposed by the delegations of Colombia and Peru, which the Conference has taken note of without pronouncing an opinion on its substance, and any other draft conventions of the subject referred to in paragraph 1 which may be proposed;

3. That national and international professional organizations be invited to contribute such material as they may consider to be of value to the Sub-Commission in its deliberations; and

4. That the Sub-Commission be requested to present the results of its investigations to the Economic and Social Council for consideration by any international conference of journalists, editors, managers, directors and publishers which may be convened by the United Nations to consider these specific matters.

Resolution No. 37

The United Nations Conference on Freedom of Information

Considering the desirability of encouraging the adoption of measures guaranteeing the independence of news personnel and consequently the freedom of information; and

Considering that to attain this end all those who derive their main livelihood from the practice of the profession should be assured freedom from want in their old age, or in the case of disability, sickness or unemployment, or for their families in the event of death,

Recommends:

That the Economic and Social Council invite Governments to include in their legislation a system of social security guaranteeing apart from the rights conferred on news personnel by their contracts of employment,

(a) Payment (pension or lump sum) during their old age and in the event of disability;

(b) Compensation for a certain period in the event of unemployment or sickness including an adequate notice of discharge; and

(c) Payment (pension or lump sum) to the widow and dependent children; and

Further recommends that social benefits be financed by contributions made on the one hand by employers and on the other by news personnel themselves, and, possibly, by contributions from the State.

Resolution No. 38

Considering that the problem of freedom of information, in relation to the reception and transmission of true and objective news, is intimately bound up with the economic conditions under which professional news personnel work,

The United Nations Conference on Freedom of Information

Recommends that in all States Members of the United Nations and non-member States the advisability be considered of assuring, by free negotiation between employers and employees, or, where necessary, by law, the protection of news personnel whose main source of livelihood is the gathering or dissemination of news or opinion, whether they work for daily newspapers, news periodicals, news agencies, or news departments of broadcasting or motion picture organizations; and

Further recommends that such provisions should cover the following points without exclusion of other benefits:

1. The initial emoluments of the professional journalist;
2. Automatic system of increase in salaries for seniority, taking into account previous experience;
3. Stability of employment and compensation in case of wrongful dismissal;
4. Superannuation and retirement;
5. Payment of salaries during vacations;
6. System of compensation for accidents at work and occupational diseases; and
7. Settlement of professional disputes.

CHAPTER IV

CONTINUING MACHINERY TO PROMOTE THE FREE FLOW
OF INFORMATION

Resolution No. 39

Considering that the work of the various Committees has shown the need to set up continuing international machinery to carry on the work undertaken by the Conference on Freedom of Information and, in particular, to study the problems involved in the application of the resolutions adopted by this Conference and the implementation of the draft conventions recommended by it,

Considering that it is expedient, in order to avoid the multiplication of specialized agencies, to entrust this task to the Sub-Commission on Freedom of Information and of the Press,

The United Nations Conference on Freedom of Information

Resolves

1. That the Economic and Social Council be requested to continue the Sub-Commission on Freedom of Information and of the Press for a period of three years;

2. That the Sub-Commission's terms of reference include the consideration of issues and problems involved in the dissemination of information by newspapers and news periodicals, radio broadcasts and newsreels;

3. That, to carry out these terms of reference, the Sub-Commission may:

(a) Study and report to the Economic and Social Council on:

- (1) Political, economic and other barriers to the free flow of information;
- (2) The extent to which freedom of information is accorded to the various peoples of the world;
- (3) The adequacy of the news available to them;
- (4) The development of high standards of professional conduct;
- (5) The persistent dissemination of information which is false, distorted or otherwise injurious to the principles of the Charter of the United Nations;
- (6) The operation of any inter-governmental agreements in the field of freedom of information;

(b) Receive for its own information communications from any legally constituted national or international Press, information, broadcasting

or newsreel enterprise or association relating to the items enumerated in paragraph 3(a) above with a view to assisting it in the formulation of general principles and proposals in the field of freedom of information;

- (c) Discharge with the approval of the General Assembly and the Economic and Social Council such other functions as may be entrusted to it by inter-governmental agreements on information; and
- (d) Initiate studies and make recommendations to the Economic and Social Council concerning:
 - (1) The promotion of a wider degree of freedom of information and the reduction or elimination of obstacles thereto;
 - (2) The promotion of the dissemination of true information to counteract nazi, fascist or any other propaganda of aggression or of racial, national and religious discrimination;
 - (3) The conclusion or improvement of inter-governmental agreements in the field of freedom of information; and
 - (4) Measures to facilitate the work of foreign news personnel.

4. That the General Assembly be requested to make adequate funds available for the work of the Sub-Commission and in particular, funds for providing the Sub-Commission with the full-time expert staff, within the Secretariat of the United Nations, necessary for the discharge of its important functions.

CHAPTER V

MISCELLANEOUS

Resolution No. 40

Having considered the proposal of the International Organization of Journalists regarding a Day of Friendship and Mutual Understanding in the Press,

The United Nations Conference on Freedom of Information

Requests the Economic and Social Council to refer the proposal of the International Organization of Journalists to the Sub-Commission on Freedom of Information and of the Press for consideration and such action as may be considered desirable.

Resolution No. 41

The Conference requests the Secretary-General of the United Nations to convey to Dr. Lev Sychrava its appreciation of his memorandum on The

Principles of Free Exchange of Information (*document E/CN.4/Sub.1/50*) and the regret of the Conference that he could not be present at its meetings.

CHAPTER VI

POSSIBLE MODES OF ACTION BY MEANS OF WHICH THE RECOMMENDATIONS OF THE CONFERENCE CAN BEST BE PUT INTO EFFECT

Resolution No. 42

The United Nations Conference on Freedom of Information

Resolves that some of the recommendations of the Conference can best be put into effect in the form of Conventions.

Resolution No. 43

The United Nations Conference on Freedom of Information

Resolves:

1. That all documents passed by the Conference, resolutions or draft conventions, be referred to the Economic and Social Council for study at its next session;

2. That all Governments invited to this Conference be requested to forward to the Secretary-General of the United Nations before 5 July 1948 their comments on the draft conventions proposed by the Conference and proposals for other draft conventions based on the recommendations of this Conference;

3. That the Economic and Social Council be requested to examine at its seventh session the draft conventions referred to it by the Conference in the light of such comments and other proposed draft conventions as provided in paragraph 2, and to submit to the General Assembly at its third session draft conventions which may thereafter be opened at that session for signature or accession by those States entitled and willing to become parties thereto, and remain open subsequently for additional accessions.