

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
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ET SOCIAL**

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ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS OF THE ECONOMIC AND SOCIAL COUNCIL
SUMMARY RECORD OF MEETINGS

Tenth meeting held on Friday, 10 May 1946 at 3:30 P.M.

Chairman: Mrs. Franklin D. Roosevelt.

The Chairman suggested that the Commission should first decide on the size and composition of the Sub-commission on Freedom of Information and of the Press.

Mr. Neogy felt that the decision as to the exact size of the Sub-commission should be left to the Economic and Social Council and that the Commission on Human Rights should point out only the importance of due representation of geographic regions and of different stages of development in the field of information. The members of the Commission should be chosen by the Economic and Social Council from nominations by the Member countries of the United Nations.

It was also suggested that some members of the Human Rights Commission might serve as ex-officio members of this Sub-commission as they are serving on the Sub-commission on the Status of Women.

Mr. Kriukov pointed to Page 39, Paragraph 57 of the Report of the Preparatory Commission of the United Nations, which suggested that "most commissions should contain a majority of responsible, highly qualified governmental representatives". He, therefore, was in favour of a mixed representation and felt that the Economic and Social Council should decide which governments should be represented.

The Chairman stated that it was also necessary to have experts with specific knowledge on the media of collecting and disseminating information and that other than governmental representatives might be

more qualified in that field.

Dr. Hsia agreed with Mr. Kriukov that governments had a very definite place in this Sub-commission, especially as any international agreement that might be recommended by this Sub commission could be made valid only by governments.

Mr. Neogy proposed that the compromise recommended by the nuclear Commission on Human Rights for the composition of the full Commission, should be accepted for the composition of the Sub-commission on Freedom of Information and of the Press.

M. Cassin agreed and suggested that the Sub-commission should not consist mainly of press representatives nor should it be solely a committee of government representatives. Technical experts in all fields could be called in by the Sub-commission whenever needed.

1. The majority of the Commission then decided to recommend that the Sub-commission on Freedom of Information and of the Press should consist of twelve members.

TYPE OF MEMBERSHIP

The Chairman summarized the discussion on the type of membership during which it had been suggested that members of the Sub-commission should have wide general knowledge in the field of information and that they should represent regions with different stages of development. While some members of the Human Rights Commission suggested that they be elected in the same way as Members of the full Commission on Human Rights, others had favoured mixed representation.

1. The majority of Commission members voted to recommend to the Economic and Social Council that the members of the Sub-commission on Freedom of Information should be selected and appointed in the same way as was recommended for the full Commission on Human Rights.

M. Cassin suggested, and the other members agreed, that the report to the Economic and Social Council should state that wherever possible, people with knowledge of different aspects in the field of information and people representing different regions and different stages of development

should be appointed.

TERMS OF REFERENCE

The Chairman pointed out that while the Commission might want to use the United States memorandum (E/Commissions/4) as a basis for discussion, one amendment dealing with the necessity for establishing an international organ or association to check violations against Freedom of Information and of the Press had already been suggested.

Mr. Neogy proposed that all documents dealing with freedom of information and of the press which were now before the Commission or which the Commission might receive later should be transmitted to the Sub-commission.

M. Cassin suggested that the Summary Records of the Commission's meetings should be included and Mr. Brkish proposed that his recommendation concerning responsibility for disseminating information which would endanger friendly relations between peoples should be transmitted as well.

1. The Commission agreed to recommend to the Economic and Social Council that all documents pertaining to Freedom of Information and of the Press, including complete records of the meetings held by the nuclear Commission on Human Rights should be transmitted to the Sub-commission on Freedom of Information and of the Press.

The Chairman stated that while freedom of information and of the press included a very broad field, namely, press, radio, motion pictures, books, magazines, and public relations, the Sub-commission should be allowed to divide its work into different sections and to ask for the assistance of experts in each section. With the aid of reports from these experts, these very wide fields could be covered. The problem before the Commission now was to decide whether it would recommend detailed terms of reference for the Sub-commission or would limit itself to recommending only very general and broad terms.

M. Cassin agreed that the Sub-commission would have a very wide field to cover, but that it could do so with the help of experts.

Dr. Hsia, however, felt that the terms of reference in the United States memorandum (E/Commissions/4, Paragraph I (a), (b), (c), (d), (e)) were too wide and that it might be possible to suggest that the Sub-commission should in the beginning limit itself to I (a) of E/Commissions/4, which reads:

"Determine what rights, obligations, and practices should, in the Sub-commission's opinion, be included in the concept, freedom of information".

Mr. Neogy suggested that I (b) of E/Commissions/4, "consider and report on the extent to which freedom of information as thus defined, is accorded to the purpose of the United Nations; and the nature and extent of obstacles thereto;" be included.

The Chairman suggested that it might be possible to recommend rather general terms of reference, but to suggest that I (a) and (b) of E/Commissions/4 be taken as a guide.

Dr. Hsia asked whether the inclusion of I (b) would not mean that conditions in all countries would have to be studied in detail, but Mr. Neogy suggested that it was not necessary to have detailed information. He felt, however, that the question of freedom of information and of the press would not have to be taken up if there were not restrictions and obstacles of such freedom and that a definition of the term, freedom of information, would necessarily include a definition of these obstacles and restrictions.

M. Cassin suggested that the Commission might recommend that the Sub-commission should first deal with I (a) (E/Commissions/4).

The Commission thereupon agreed to recommend to the Economic and Social Council that:

the function of the Sub-commission should in the first instance be to determine what rights, obligations, and practices should be included in the concept, freedom of information, and to examine and report on any issue that might arise from such examination.

The meeting adjourned at 5:05 P.M.