

composite opinions of the individuals who framed them rather than the agreed policies of the respective governments of the members who sat on the Sub-commission.

CANADIAN VIEW STATED

Before the First Committee of the Conference on March 27, Mr. Désy, chief Canadian delegate, laid down the position of Canada. He held that criticism was a fundamental prerequisite of freedom of information. The Canadian delegation believed, therefore, that freedom was essential not only to the dignity of the person but to full exercise of all other liberties. In any true democracy, Mr. Désy continued, government policy derived from well-informed public opinion. For this policy, the people were ultimately responsible. Without a precise knowledge of the facts, without the facts which would permit a weighing of pro and con, without opportunity to examine differing or opposed opinions, the people could not intelligently exercise their powers of direction and control. There could be no free choice without free criticism and criticism would be distorted without full knowledge of the facts.

"We have reason to know," Mr. Désy added, "that if freedom is denied in any part of the world, freedom everywhere is endangered and that without collective freedom there cannot be full individual liberty . . . The purpose of this Conference is to draw up an international code which will expand and universalize our national freedoms, a code to assure within and beyond our borders respect for principles having the force of international law. Our task is to define this concept of freedom and to draw up rules for its application. . . . For our part we are ready to consider certain concessions on the national level which will bear fruit at the international level. In this aim, we are prepared to give wholehearted

cooperation. This is the spirit in which the Canadian delegation approaches the problems before this Conference. It will welcome projects designed to expand the concepts of freedom of information and to extend their application. But it will firmly oppose any project calculated to perpetuate restrictions of this freedom."

PEACE-TIME CENSORSHIP OPPOSED

The Canadian delegation, applying the foregoing general principles, early made clear its opposition to proposals which might open the way to peace-time censorship of news. The Second Committee on April 1 adopted a joint United States-French resolution which, among other things, proposed limiting conditions if the requirements of national military security should compel a contracting state, in peace-time, to establish censorship for a certain period of time. Mr. Paré (Canada) opposed the resolution in so far as it contemplated the establishment of censorship in peace-time. The resolution was carried by 19 for to 6 against with three abstentions. Mr. Paré voted against. The resolution eventually became Article 4 of the Draft Convention on the Gathering and International Transmission of News (Annex A of Final Act). When this Draft Convention came before a plenary session of the Conference on April 21, the Canadian delegation voted in favour, but Mr. Irwin made a reservation on Article 4. Mr. Irwin said:

"I wish briefly to explain the vote of the Canadian delegation on the Draft Convention on the gathering and international transmission of news.

"The Canadian delegation voted in favour of this Convention because we believe its primary purpose is the widening of the freedom of foreign correspondents to secure and transmit information and this objective we support.

"We reserve our posi-

tion, however, on Article 4 which we construe as an acceptance of the principle of prior censorship in peace-time to which we are strongly opposed.

"We believe in letting in the light so that all men may see the facts. But we do not believe in permitting the arbitrary hand of previous censorship to pull down the blinds in time of peace."

COVENANT ON HUMAN RIGHTS

The United Nations Sub-commission on Freedom of Information and of the Press had prepared a draft Article 17 for the proposed Covenant on Human Rights. Paragraph 3 of this Article read:

"Previous censorship of written and printed matter shall not exist."

In the Fourth Committee, the United Kingdom proposed deletion of paragraph 3.

Mr. Désy strongly opposed deletion on the ground that previous censorship, which would not be prohibited if the paragraph were deleted, was one of the most arbitrary forms of restriction on the freedom of the press. Elimination of the paragraph, Mr. Désy said, would largely negate other clauses in Article 17 which guaranteed freedom of expression.

The Swedish and Belgian delegations proposed the following in substitution of paragraph 3:

"Previous censorship of written and printed matter and radio shall not exist. Previous control of films may be maintained, provided it is exercised solely in the interests of public morals."

Zachariah Chafee, Jr., United States delegate, speaking as a member of the Sub-commission which drafted Article 17, hoped that the Committee would retain the paragraph. If it were removed, Mr. Chafee said, "We take down the flag under which men like John Milton rallied." Mr. Chafee