

ANNEX A

TEXT OF DRAFT CONVENTION ON FREEDOM OF INFORMATION AS DRAWN UP BY THE COMMITTEE ON THE DRAFT CONVENTION ON FREEDOM OF INFORMATION

Preamble

The States Parties to this Convention,

Bearing in mind the Charter of the United Nations and the Universal Declaration of Human Rights;

Considering that freedom of expression and the free interchange of information and opinions, both in the national and in the international spheres, are fundamental human rights and essential in the cause of democracy and peace and for the achievement of political, social, cultural and economic progress;

Desiring to co-operate fully with one another to guarantee these freedoms and thereby to promote democratic institutions, friendly relations between States and peoples and the peace and welfare of mankind; and

Recognizing that in order to achieve these aims the media of information should be free from pressure or dictation, and that these media by virtue of their power for influencing public opinion bear a great responsibility to the peoples of the world;

Have accepted the following provisions:

Article 1

Subject to the provisions of this Convention,

(a) Each Contracting State shall secure to its own nationals, and to such of the nationals of every other Contracting State as are lawfully within its territory, freedom to seek, receive and impart without governmental interference and regardless of frontiers information and opinions orally, in writing or in print, in the form of art or by duly licensed visual or auditory devices;

(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 as are lawfully within its territory on political grounds or on the basis of their race, sex, language or religion.

Article 2

The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may therefore be subject to limitations, but only to such as clearly defined by law; applied in accordance with the law and necessary with regard to:

(a) The protection of national security;

(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 intended for them;