

External Affairs
Supplementary Paper

No. 61/16

Freedom of Information

Statement by Mrs. Jean Casselman, Canadian
Representative on the 3rd Committee of the
United Nations General Assembly, October 16,
1961.

Mr. Chairman,

When we began our discussion on this article, my delegation indicated its preference for the existing text. I have listened with great interest to the many excellent speeches which have been made, reflecting as they do the various points of view held by different delegations on this important subject. It seems to me that despite these differences, which tend at times to obscure the main issue with which we are concerned, ... there is a good deal of common ground. It is significant that we have accepted the Universal Declaration of Human Rights, which contains in Article 19 substantially the same provisions as those set forth in the first two paragraphs of Article 19 of the Covenants. With this in mind I should like, if I may, to take this opportunity to inform the Committee of the reasons why we prefer the text of Article 19 as it stands.

In dealing with a subject, by its very nature so diffuse and intangible, there is much to be said for trying to achieve a clear concise statement of the principles involved. The truly memorable declarations on freedom, with which all here are familiar, have followed this general rule. They continue to appeal to us, not only because of the historic events with which they are associated, but also because they are written in clear simple terms and can be readily understood by every man. By way of example, for English-speaking peoples, the rights enumerated in the 1689 Bill of Rights are assertive, lucid statements of principle which continue to inspire in the minds of people who are free a fundamental respect for the liberties of the individual. To French-speaking peoples, and even more relevant to the topic we are discussing is Article II of the Declaration of the Rights of Man in 1789, which, translated into English, had this to say: "The unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write and publish freely, provided he be responsible for the abuse of this liberty, in the cases determined by law".

In my own country, which has always had the basic freedoms guaranteed by English Common Law and the Quebec Civil Code, Parliament enacted in 1960 a Canadian Bill of Rights which states that: "It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely: the freedom of speech; the freedom of the press". I shall not, Mr. Chairman, go on to enumerate those freedoms which are irrelevant to Article 19 of the Covenants.