

FREEDOM OF INFORMATION

Statement by Mrs. Alene Holt, Canadian Representative
on the Third (Social, Humanitarian and Cultural)
Committee of the United Nations General Assembly, on
November 30, 1959

...The history of this item in the United Nations has been long and difficult. It is now 13 years since the Assembly resolved that "freedom of information is a fundamental human right, and the touchstone of all the freedoms to which the United Nations is consecrated". In the last few years, a deeply-rooted divergence of opinion has unfortunately arisen in this Assembly on the content of the basic concept of freedom of speech and opinion, and the purpose which a convention on freedom of information should serve. Should it help to insulate countries against news and opinions they want to control or should it help to bring about a more universal respect for freedom of thought and expression within and across frontiers? It is easy for a Canadian to make a choice between these two alternatives.

We have in Canada - and we are proud of it - an old and distinguished tradition of freedom of speech and of the press. Canadians are very jealous of their rights in this field and would stand no interference with or arbitrary restriction of what they regard to be one of their principal liberties. It follows that Canada is convinced of the desirability of a convention that would safeguard this most important human right and ensure its world-wide observance.

As it stands now, the Draft Convention prepared by the ad hoc Committee of the General Assembly does not appear to promote freedom of information. In addition to being as a whole much too permissive, the text is lacking in clarity in many places while it appears to contradict itself in many others. Surely, our job here is not made easier through the fact that we must base our discussions on a deficient text that, apart from any question of substance or objectives, would need to be substantially recast and streamlined if it were only to look like an international instrument.

Madam Chairman, I am aware that in the past tempers have often flared up on this subject and clashes of opinions have been commonplace. This is why I am ready to confess to a certain feeling of anxiety when I approach this item. I cannot forget that an important principle is at stake here which I would not like to see sacrificed to short-term aims. It is indeed because of the very importance that is attached in my country to freedom of information that I will try and contribute as much as I possibly can to the work of the Committee on that complex problem. I will do so in the hope that a useful common denominator will emerge as a result of our joint efforts. In this connection, I do not entirely reject the possibility that, at some stage of our work, a majority of delegations might come around to the view that it might be advisable to reach agreement first on what we all mean by freedom of information and what principles we think should guide individuals and governments in regard to that freedom before continuing to struggle with a convention. For this purpose, a Declaration of Freedom of Information would deserve careful consideration. It would be valuable not only in itself but also possibly as a means to pave the way to a convention. In this light,

I am pleased to note that the General Assembly may soon have to pronounce itself on a declaration of this nature. I am now referring to the Declaration that was adopted by the Economic and Social Council on July 30, 1959, and has now been referred to governments for their comments.

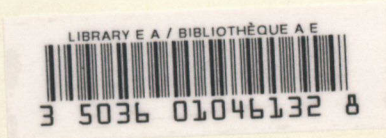
Madam Chairman, I am aware of the fact that many growing countries are anxious to facilitate the establishment on their soil of information media which would correspond more adequately to their needs and their particular conditions. I am in full sympathy with their efforts in this domain. Responsible media of information and opinion can contribute most significantly to national life and culture. They do also tend to reduce the possibility of outside interference. It is therefore a matter of gratification for me to note that attention is now being given at the international level to the practical problem of assisting less-developed countries in their task of promoting the development of independent, responsible and efficient information media of their own. I regard this as a positive and fruitful approach towards the solution of the problem of new countries that want to stop depending exclusively on outside sources for news and related services. I oppose this approach to a negative process of fence-building behind which misunderstanding might perhaps too easily grow.

Every right may be abused. There is no reason to concentrate ourselves in connection with the right of freedom of information more on the abuses than on the right itself. Let us be careful not to replace one kind of abuse by another which might perhaps be worse because it could assume a character of authority.

I do not object to the idea of legitimate reservations. These are required to ensure that the right that is safeguarded in a convention cannot be abused. However, I doubt the advisability of giving complete prominence to reservations, especially if they are based on very broad and ill-defined grounds.

Madam Chairman, many areas of our world are now going through a period of transition. May I express the hope that an international instrument concerning a fundamental human right will not be used to serve a temporary purpose.

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