

424 (V). Freedom of information: interference with radio signals

The General Assembly,

Whereas freedom to listen to radio broadcasts regardless of source is embodied in article 19 of the Universal Declaration of Human Rights,⁸ which reads: "Everyone has the right to freedom of opinion and expression" and whereas this right "includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers",

Whereas article 44 of the International Telecommunication Convention, Atlantic City, 1947,⁹ provides that "All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio service or communications of other members or associate members . . . [and that] Each member or associate member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph",

Considering that the duly authorized radio operating agencies in some countries are deliberately interfering with the reception by the people of those countries of certain radio signals originating beyond their territories, and bearing in mind the discussion¹⁰ which took place in the Economic and Social Council and in the Sub-Commission on Freedom of Information and of the Press on this subject,

Considering that peace among nations rests on the goodwill of all peoples and governments and that tolerance and understanding are prerequisites for establishing goodwill in the international field,

1. *Adopts* the declaration of the Economic and Social Council contained in its resolution 306 B (XI) of 9 August 1950 to the effect that this type of interference constitutes a violation of the accepted principles of freedom of information;

2. *Condemns* measures of this nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers;

3. *Invites* the governments of all Member States to refrain from such interference with the right of their peoples to freedom of information;

4. *Invites* all governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively;

5. *Invites* also Member States to give every possible facility so that their peoples may know objectively the activities of the United Nations in promoting peace and, in particular, to facilitate the reception and transmission of the United Nations official broadcasts.

*325th plenary meeting,
14 December 1950.*

⁸ See resolution 217 A (III).

⁹ See *Final Act of the International Telecommunication and Radio Conferences, Atlantic City, 1947*, International Telecommunication Union, Geneva.

¹⁰ See documents E/AC.7/SR.135 to 139, E/SR.405 and E/CN.4/Sub.1/SR.68 to 86.

425 (V). Question of the freedom of information and of the Press in times of emergency

The General Assembly,

Considering that freedom of information and of the Press is one of the fundamental freedoms and should be advanced and safeguarded,

Considering that limitations might be placed on this freedom in emergencies or on the pretext of emergencies,

Recommends to all Member States that, when they are compelled to declare a state of emergency, measures to limit freedom of information and of the Press shall be taken only in the most exceptional circumstances and then only to the extent strictly required by the situation.

*325th plenary meeting,
14 December 1950.*

426 (V). Draft Convention on Freedom of Information

The General Assembly,

Recalling its resolution 313 (IV) of 20 October 1949, the recommendation¹¹ of the sixth session of the Commission on Human Rights regarding freedom of information and the discussion¹² concerning that recommendation at the eleventh session of the Economic and Social Council,

Considering that freedom of information and the Purposes of the United Nations are indivisible,

1. *Appoints* a Committee consisting of the representatives of the following fifteen countries: Cuba, Ecuador, Egypt, France, India, Lebanon, Mexico, the Netherlands, Pakistan, the Philippines, Saudi Arabia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, which shall meet at the Headquarters of the United Nations as soon as possible, but not later than 1 March 1951, to prepare a draft Convention on Freedom of Information, taking into consideration the draft¹³ approved by the United Nations Conference on Freedom of Information held at Geneva from 23 March to 21 April 1948; the text¹⁴ voted during the second part of the third session of the General Assembly; article 14 of the provisional text¹⁵ of the draft First International Covenant on Human Rights; and the observations¹⁶ contained in the summary records of the meetings of the Third Committee dealing with the question;

2. *Requests* the Committee to report to the Economic and Social Council at its thirteenth session on the results of its work and to submit recommendations, in particular, with regard to the advisability of con-

¹¹ See *Official Records of the Economic and Social Council, Fifth Year, Eleventh Session, Supplement No. 5, annex IV.*

¹² See *Official Records of the Economic and Social Council, Eleventh Session, 404th meeting, and document E/AC.7/SR.139.*

¹³ See *Official Records of the General Assembly, Fourth Session, Third Committee, Annex, documents A/961 and A/C.3/518, and A/C.3/518/Corr.1.*

¹⁴ See resolution 277 A (III).

¹⁵ See *Official Records of the Economic and Social Council, Fifth Year, Eleventh Session, Supplement No. 5, annex I.*

¹⁶ See *Official Records of the General Assembly, Fifth Session, Third Committee, 320th-324th meetings.*

vening a conference of plenipotentiaries with a view to the framing and signature of a Convention on Freedom of Information;

3. *Requests* the Secretary-General to submit the Committee's report, together with the draft or drafts of the Convention prepared by the Committee, to the various governments concerned for their consideration;

4. *Invites* the governments so consulted to transmit their suggestions and observations to the Secretary-General by 15 June 1951;

5. *Recommends* the Economic and Social Council to consider the Committee's report at its thirteenth session and if it thinks fit, in the light of the Committee's recommendations and the observations of governments, and also taking into consideration the General Assembly's wish that one or more conventions to ensure freedom of information in the world should be adopted as soon as possible, to convene a conference of plenipotentiaries to meet as soon as possible and not later than 1 February 1952, with a view to the framing and signature of a Convention on Freedom of Information, based on the draft or drafts prepared by the above-mentioned Committee and on the observations of governments.

325th plenary meeting,
14 December 1950.

427 (V). Measures for the peaceful solution of the problem of prisoners of war

The General Assembly,

Mindful that one of the principal Purposes of the United Nations is to achieve international co-operation in solving international problems of a humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Considering that the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations,

Believing that all prisoners having originally come within the control of the Allied Powers as a consequence of the Second World War should either have been repatriated long since or have been otherwise accounted for,

Recalling that this is required both by recognized standards of international conduct and the Geneva Convention of 1949¹⁷ for the protection of war victims, and by specific agreements between the Allied Powers,

1. *Expresses its concern* at the information presented to it tending to show that large numbers of prisoners taken in the course of the Second World War have neither been repatriated nor otherwise accounted for;

2. *Calls upon* all governments still having control of such persons to act in conformity with the recognized standards of international conduct and with the

¹⁷ See *Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949*, International Committee of the Red Cross, Geneva 1949.

above-mentioned international agreements and conventions which require that, upon the cessation of active hostilities, all prisoners should, with the least possible delay, be given an unrestricted opportunity of repatriation and, to that end, to publish and transmit to the Secretary-General before 30 April 1951:

(a) The names of such prisoners still held by them, the reasons for which they are still detained and the places in which they are detained;

(b) The names of prisoners who have died while under their control as well as the date and cause of death, and the manner and place of burial in each case;

3. *Requests* the Secretary-General to establish an *Ad Hoc* Commission composed of three qualified and impartial persons chosen by the International Red Cross or, failing that, by the Secretary-General himself, with a view to settling the question of the prisoners of war in a purely humanitarian spirit and on terms acceptable to all the governments concerned. The Commission shall convene at a suitable date after 30 April 1951 to examine and evaluate, in the light of the information made available to the fifth session of the General Assembly, the information furnished by governments in accordance with the terms of the preceding paragraph. In the event that the Commission considers that this information is inadequate or affords reasonable ground for believing that prisoners coming within the custody or control of any foreign government as a consequence of military operations of the Second World War have not been repatriated or otherwise accounted for, the General Assembly:

(a) Requests the Commission to seek from the governments or authorities concerned full information regarding such prisoners;

(b) Requests the Commission to assist all governments and authorities who so desire in arranging for and facilitating the repatriation of such prisoners;

(c) Authorizes the Commission to use the good offices of any qualified and impartial person or organization whom it considers might contribute to the repatriation or accounting for of such prisoners;

(d) Urges all governments and authorities concerned to co-operate fully with the Commission, to supply all necessary information and to grant right of access to their respective countries and to areas in which such prisoners are detained;

(e) Requests the Secretary-General to furnish the Commission with the staff and facilities necessary for the effective accomplishment of its task;

4. *Urgently requests* all the governments to make the greatest possible efforts, based in particular on the documentation to be provided, to search for prisoners of war whose absence has been reported and who might be in their territories;

5. *Directs* the Commission to report as soon as practicable the results of its work to the Secretary-General for transmission to the Members of the United Nations.

325th plenary meeting,
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