

UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION

MEETING OF EXPERTS ON A DRAFT DECLARATION  
CONCERNING THE RÔLE OF THE MASS MEDIA

Unesco House, Paris, 11-15 March 1974

REPORT OF THE MEETING

I. INTRODUCTION

1. The meeting of experts on a draft declaration concerning the rôle of the mass media, convened further to resolution 4.113 adopted by the General Conference at its seventeenth session, was held at Unesco House, Paris, from 11 to 15 March 1974.

2. The present report of the meeting was approved unanimously.

(a) Opening

3. The meeting was opened by Mr. A. Obligado, Assistant Director-General for communication, on behalf of the Director-General of Unesco.

4. Having welcomed the participants, Mr. Obligado recalled initiatives taken not only by Unesco but also by the United Nations in fields related to the draft declaration and stressed the important rôle of the meeting in advising the Director-General on a text to be submitted to the General Conference at its eighteenth session in October-November of this year. He expressed the hope that the meeting would achieve a consensus on a draft reflecting the universal desire that the mass media should serve to promote the progress and enrichment of mankind.

(b) Participants

5. The meeting was attended by experts participating in a personal capacity and invited by the Director-General on the basis of suggestions made by the National Commissions for Unesco in the countries concerned. Representatives and observers from the United Nations and certain international non-governmental organizations as well as two consultants also took part. A complete list of participants is attached.

(c) Officers

6. The meeting elected the following officers:

Chairman: Mr. James R. Kangwana (Kenya)

Vice-Chairman: Mr. Andrés Zavala (Argentina)

Rapporteur: Mr. Peter S. Grant (Canada)

(d) Documents

7. The meeting had before it as a basis for its discussions a working paper containing a first draft of the declaration established with the help of a consultant, Professor Hilding Eek (Sweden). Another document summarized comments on the text received from two other consultants, Professor Jacques Bourquin (Switzerland) and Professor Bogdan Osolnik (Yugoslavia), to whom the draft had been submitted by the Unesco Secretariat for advice.

II. GENERAL DISCUSSION

8. General comments on the draft declaration and on its scope and objectives were made by the participating experts, observers, and consultants. Most of these comments referred to the enormous difficulty in striking an appropriate balance between, on the one hand, the concept of freedom of information and, on the other, the need for a sense of responsibility to prevent abuses of this freedom. Professor Eek, the Unesco consultant, was commended for having produced a useful and stimulating draft declaration to serve as a basis for discussion.

9. It was the general view that the draft declaration dealt with an issue of the greatest importance. One speaker recalled Mr. Justice Cardozo's statement that freedom of information was a necessary condition for the exercise of all other freedoms. Another emphasized the vast and growing importance of the mass media in ensuring the preservation of peace and mutual understanding between peoples. At the same time, a number of participants observed that the power of the mass media made it imperative to avoid misuse.

10. The concern of the participants with the rôle of the mass media took a number of forms. Speakers from the developing countries particularly stressed the problem of promoting a more balanced flow of information and opinion, so that the cultural integrity of their countries would not be submerged or dominated by foreign sources. Contributing to this problem was the enormous influence of the mass media on youth. One speaker noted that one of the aims of having a free flow of information is to ensure a diversity of sources of news and opinions; the problem for many countries was that their own economic resources were not sufficient to support strong local competing media, particularly when faced with the massive importation of foreign sources. The principle of a free interchange of information and opinion could not operate where certain countries lacked the production capacity to participate in such exchange on an equal basis.

11. Another cause for concern among a number of the speakers was that the bulk of information flow coming into the developing countries stemmed from large media organizations that were privately owned, often monopolistic in nature, and like other multinational enterprises, beyond the jurisdiction of any one State. Where such mass media were used to sow seeds of hatred or distrust, or to offend national feelings or customs, or in many cases where they failed to make even an attempt to understand the legitimate cultures and aspirations of certain countries, these countries have understandably been troubled with both a sense of concern and a sense of helplessness. It was with these points in mind that a number of speakers expressed the hope that a Unesco declaration could be most important and useful in stressing to media organizations the responsibilities that they should assume in contributing to peace and understanding. Some speakers felt in fact that countries should have the right to take measures to protect themselves against mass media that do not act responsibly in this regard.

12. At the same time, a number of speakers pointed out the difficulties inherent in drafting a set of fundamental principles intended to be applicable to the mass media. Three of the experts emphasized that any attempt to reduce such principles to writing would be bound to run the risk of abuse, since some

governments might use the principles to place unwarranted restrictions on the free flow of ideas. This problem was echoed by an observer from an international organization of journalists who noted that many governments could use the pretext of preserving their own national integrity to encroach on the necessary independence of the mass media professions, and suppress dissenting voices. One of the speakers also noted that there was no international organization in existence that could adjudicate the performance of the media and that the most that a Unesco declaration should do is to state a set of moral principles which the media should be encouraged but not required by law to follow. Two speakers noted that in any case constitutional protections of freedom of speech and of the press would preclude their respective countries from enacting legislation requiring media within their jurisdiction to comply with the declaration.

13. On the other hand, one speaker noted that legislation designed to correct economic imbalances would not be an encroachment on freedom of speech when it is neutral as to the content of the media but concerns itself only with the balance of information and opinion from foreign and domestic sources, or with the right of the audience to be heard where media voices are monopolistic in character. One speaker questioned in the light of this whether all mass media should be treated alike or whether only certain forms should be dealt with.

14. Finally, a number of speakers felt that more emphasis should be placed on the positive rôle of the media. One speaker hoped that some reference would be incorporated into the declaration to the purpose of the information media, which was in his view to propagate the truth. All speakers were conscious of the problems in drafting a declaration in an area as sensitive as this, but felt that the most important task was to strike the best balance between the desire to further a free flow of information and the moral obligation for the media to act responsibly.

### III. CONSIDERATION OF THE DRAFT DECLARATION

15. The experts then considered the draft declaration prepared by Professor Eek, first with regard to the preamble and then with regard to each article. There was a full and lively discussion on each paragraph of the draft text. In the light of this discussion, a considerable number of revisions to Professor Eek's draft (referred to below as the "initial draft"), were recommended. From the outset, the experts decided to work in consensus, so that whatever draft declaration would emerge would be unanimously supported by all the experts in their personal capacity. This was achieved, and the draft declaration appended in Annex I was found to be acceptable by all of the experts in attendance. Because the experts participated in their personal capacity, however, it was realized that their positions did not commit their respective governments. The expert from the United States wished the final report of the meeting to record that, in his judgment, the draft declaration produced at the meeting would be unacceptable to the United States Government.

#### Title and Preamble

16. The initial draft had been entitled "Draft Declaration of Fundamental Principles Governing the Use of the Mass Media". This has now been changed to read "Draft Declaration of Fundamental Principles on the Rôle of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid". This reflects the comments of some of the experts that the declaration is intended primarily as a statement of moral duties resting upon the mass media and was not intended to set out principles that would necessarily be imposed upon the mass media by legislation. Hence the words "governing the use" were inappropriate. The title is also much more

descriptive of the purpose of the declaration. It was realized that the General Conference might wish to re-examine the wording of the title, but a number of experts expressed serious misgivings over the wording indicated by the terms of the resolution calling for the declaration.

17. A number of changes were made in the references in the preamble to past conventions, declarations and resolutions. These references were grouped together in the first part of the preamble so that the general statements of purpose preceded by the word "considering" could be grouped at the end. Several of the references were reworded to correspond more precisely with the text of the document upon which they were based. A number of experts also suggested additional references to conventions and resolutions which were incorporated into the preamble.

18. The eighth and ninth paragraphs of the preamble are based on the third and fourth paragraphs of the initial draft. Originally, the freedom of interchange was so worded that it applied only to "accurate, objective and comprehensive" information and to opinions. These adjectives were removed entirely in the present draft since in the view of many of the experts they introduced an element of subjectivity which might have been used by States as a warrant to restrict free interchange. The desire for "accuracy" and "comprehensiveness" was instead added to the ninth paragraph to describe a responsibility falling upon the mass media themselves. Obviously, everyone would prefer that all dissemination of information be "accurate", but this is extremely difficult to determine objectively. Therefore, the basic protection sought in the declaration is to remind the media of a duty to report matters "in good faith" in consonance with these objectives. It may also be noted that respect for individuals "without distinction as to sex" has been added to the objectives sought for the media, in response to the suggestion of one of the observers.

19. Paragraph 10 of the preamble is new. It reflects the concern of several of the experts with the rights those receiving information and opinion as opposed to the rights of those who disseminate. In particular, several experts noted the problem that occurs when a few privately-owned foreign sources of news and opinion dominate the channels of communication within a country so that diverse voices and particularly indigenous voices are not heard.

#### Article I

20. This article is broadly based on Article II of the initial draft, but expanded to embrace the general principles stated in the Universal Declaration of Human Rights. These objectives have now been stated in terms of a direct moral obligation on the mass media, rather than an obligation of the State. The rôle of States in encouraging mass media to act in compliance with these principles has been carefully redrafted to take account of the necessity of keeping the media independent of government control. Thus legislation as such is not necessarily envisaged, and in any case, can only be enacted subject to adequate protection for the principles of freedom of speech and freedom of the press. Two experts also suggested that a reference be added in this article to the principles set out in the International Covenant on Civil and Political Rights. Since this Covenant has not yet entered into force, however, it was considered that the reference should not be added at this time but might later be added upon the coming into force of the Covenant.

#### Article II

21. This is based on Article III of the initial draft. The right to receive information has been explicitly added. Considerable discussion ensued over the use of the word "national" in describing events to be diffused under

sub-paragraph 3. The experts agreed that this sub-paragraph was intended only to refer to the concept of two-way mutual exchanges. It was not intended to be interpreted as a restriction on the nature of the news to be transmitted across borders. The access of the public to news across borders is implicitly covered by the first two sub-paragraphs.

### Article III

22. This is based on Article IV of the initial draft, reworded to emphasize the two-way obligation of the mass media in reporting to each other the aims and aspirations of peoples in various countries.

### Article IV

23. This is based on Article V of the initial draft. Again the obligation has been restated so that it has become a moral duty falling upon the media itself. The dissemination of reports conducive to racial hatred, etc. is condemned in the declaration but this is not intended to give a warrant for States to pass legislation restricting free opinions.

### Article V

24. This is based on Article VI of the initial draft, but redrafted to make it clear that acts of racial discrimination are intended to be covered rather than the mere holding of ideas.

### Article VI

25. This is a new article, suggested by one of the experts and supported by a number of others, intended to emphasize the impact of the mass media on youth and the resulting moral obligations falling upon them.

### Article VII

26. This is based on Article VII of the initial draft. It has been redrafted to indicate that the right of correction is a moral obligation of the information media, rather than necessarily a legislative requirement. It is a concomitant of their obligation to report information accurately and comprehensively as set out in the preamble. One of the experts suggested that this also reflected freedom of speech as viewed from the point of view of the listener or reader since what was desired was access for all points of view.

### Article VIII

27. This is a redrafting of Article VIII in the initial draft. A reference has been added to the need for adequate technical facilities and production capacity in each country. In addition, a specific note has been taken of the need to give access to reporters and other media voices under the repression of apartheid.

### Article IX

28. This is based upon Article IX in the initial draft. One expert also suggested that a reference be incorporated to the need for legislation to combat media monopolies, but this was not included in view of the fact that this subject is under separate study.

Article X

29. This article in its original form Article I of the initial draft presented a number of difficult problems. Certain experts felt that States should take responsibility for the activities of their mass media when such media operated beyond the borders of one country. On the other hand, other experts pointed out that the privately-owned mass media were largely independent of State control and that this would necessarily remain true in view of the protections for freedom of speech and freedom of the press in their jurisdictions. Thus international responsibility by States could extend only to information services directly operated by governments. It was also pointed out that even government-owned services would be largely independent of State control where, as in Canada or the United Kingdom, such services were carried out by independent crown corporations. Hence the declaration refers only to customary international law, which concededly limits State responsibility for the operation of independent media organizations very severely. One other suggestion, not here adopted, was to refer to a State responsibility for legislation relating to the performance of the mass media. This too would have had only limited effect. The result is that the responsibilities set out in the declaration devolve chiefly on the media themselves, and may more properly be described as a moral duty to the public at large.

Article XI

30. This is identical to Article X in the initial draft.

Conclusion

31. While the Committee's terms of reference are to advise the Director-General on the initial text, the Committee felt that the most effective manner in which to convey its suggestions to the Director-General was to append to the present report summarizing the discussions a revised draft declaration for his guidance in the submission of a text to the General Conference.

ANNEX I

DRAFT DECLARATION OF FUNDAMENTAL PRINCIPLES ON THE RÔLE OF THE  
MASS MEDIA IN STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING AND  
IN COMBATING WAR PROPAGANDA, RACISM AND APARTHEID

The General Conference of the United Nations Educational, Scientific and Cultural Organization,

Recalling that by its Constitution, Unesco is charged with contributing to peace and security by promoting collaboration among the nations through education, science and culture, and that, to realize this purpose, the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image,

Recalling the purposes and principles of the United Nations, as specified in the Charter

Recalling Articles 19 and 26 of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations in 1948, and Articles 19 and 20 of the International Covenant on Civil and Political Rights, adopted by the General Assembly in 1966,

Recalling resolution 110 (II) of the General Assembly of the United Nations condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression and resolution 3068 (XXVIII) of the General Assembly adopting the International Convention on the Suppression and Punishment of the Crime of Apartheid,

Confirming resolution 9.12 adopted by the General Conference on 15 November 1968 reiterating Unesco's objective to help to eradicate colonialism and racialism,

Taking account of Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, whereby States Parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination,

Bearing in mind the Declaration of the Principles of International Cultural Cooperation adopted by the General Conference of Unesco, at its fourteenth session, and the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange, adopted by the General Conference of Unesco, at its seventeenth session,

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

Considering further that the exercise of the right to freedom of information entails special responsibilities and duties for persons who disseminate information to strive in good faith to ensure the fullness and accuracy of the facts reported and to respect the rights and the dignity of nations, and of groups and individuals without distinction as to race, sex, nationality or creed,

Considering further that full account must be taken of the needs and rights of audiences and the right of all countries and peoples to protect and preserve their cultures as part of the common heritage of mankind,

Noting the rapid development of the mass media which constitute one of the key elements in modern scientific and technological progress, and play an ever-increasing rôle in the intellectual life of society and the shaping of public opinion,

Proclaims this Declaration of Fundamental Principles on the rôle of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid.

#### Article I

1. Mass media in disseminating information and opinion should take all possible measures to do so in a manner which is compatible with the mutual respect of the rights and dignity of States and peoples, and in accord with the principles set out in the Universal Declaration of Human Rights.
2. Subject to adequate protection for the principles of freedom of speech and freedom of the press, States should exert their influence to encourage mass media within their jurisdiction to act in conformity with the principles and standards of the Charter of the United Nations for the purpose of strengthening peace and international understanding and combating war propaganda, racism and apartheid.

#### Article II

1. The right to seek, receive and transmit information should be assured in order to enable the public to ascertain facts and appraise events, bearing in mind the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights.
2. For the above purpose, the widest possible facilities should be afforded for access by the public to news sources.
3. States and information media in each country should have the right to diffuse reports of national events to others beyond their borders, since the two-way flow of news is fundamental to the strengthening of peace and international understanding.

#### Article III

Mass media should help promote the broadening of international co-operation, understanding and mutual respect, the reduction of tensions and the settlement of differences and disputes between States by peaceful means, by ensuring that the aims, aspirations, needs and culture of their country are reported to other nations, and conversely that those of other nations are made known to their own people.

#### Article IV

Mass media should promote greater knowledge on the part of the peoples of the world of the evils attendant upon war, violence, apartheid and other forms of national, racial or religious hatred. Conversely, the dissemination of reports conducive to these evils is condemned.



Article V

Racism, racial discrimination, and apartheid are contrary to international engagements and the Universal Declaration of Human Rights; mass media should, therefore, adopt appropriate measures to avoid incitement to racial discrimination, acts of violence or encouragement of such acts against any group of persons because of their race, colour or ethnic origin. For this purpose, legislative action might be envisaged which, nevertheless, should protect freedom of information as defined in international instruments and agreements.

Article VI

Mass media have a special responsibility to youth. Consonant with Article 26 of the Universal Declaration of Human Rights they should seek to promote the full development of the human personality and strengthen respect for human rights and fundamental freedoms. They should also promote among youth a spirit of understanding, tolerance and friendship among all nations, racial or religious groups.

Article VII

A right of correction should be accorded in cases where States contend that erroneous news reports have seriously injured their relations with other States or their national prestige or dignity.

Article VIII

States should encourage the development of responsible national mass media and the fostering of their technological independence to ensure that they reflect the needs, aims and aspirations of the people and promote international understanding. They should foster by international agreements and national legislation, the economic and social independence of information personnel, and help ensure that the media have the technical facilities required to carry out their rôle. Mass media in all countries should also be encouraged to provide access for the voices of those unable to express themselves within their own territory because of the repression brought about by apartheid.

Article IX

Efforts should be made to create and strengthen professional organizations in the field of the mass media to ensure that such media contribute to the achievement of the objectives of this declaration. In particular, these organizations can, on a national, regional, and international level, encourage high ethical standards and improve the professional training of media personnel.

Article X

The responsibility of a State in the international sphere for the activities of mass media under its jurisdiction is governed by customary international law and relevant international agreements.

Article XI

The principles of this declaration shall be applied with due regard for human rights and fundamental freedoms.

ANNEX II/ANNEXE II/ANEXO II/ПРИЛОЖЕНИЕ II

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS  
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