

redundant and therefore confusing and undesirable. If it were dropped this would, in our view, tighten the wording and make the intended meaning of the sentence clearer than it is at present.

There is another aspect of this same Article which could also, in our view, be improved. This relates to the implications of the phrase "where he may be subjected to persecution". Here I am not referring to the actual words themselves though, as we all know, these too were the result of compromise, but to the fact that their application will require a subjective determination in given cases. It is the Canadian view, a view supported by the wording of paragraph 3 of Article 1, that it is for the authorities of the state where asylum is sought to make the necessary determination. It should be understood that the onus of satisfying such authorities that there is a real danger of persecution must therefore be on the person seeking asylum.

Mr. Chairman, those are the particular points to which we wanted to draw attention today. In conclusion I would like to add that, though it is clear that this draft, if it is adopted and incorporated in a formal declaration of the General Assembly, will not constitute a binding legal commitment on states, nevertheless it is to be hoped that it will serve as an important guide to and basis for future state conduct in the areas with which it is concerned.