

External Affairs  
Supplementary Paper

No. 53/54 INTERNATIONAL ARBITRAL PROCEDURE  
(Report of the International Law Commission)

Text of a statement made on November 16, 1953, by the Canadian Representative on the Sixth Committee of the eighth session of the United Nations General Assembly, Mr. Alan Macnaughton, Q.C., M.P., on the question of international <sup>\*</sup> arbitral procedure arising in connection with agenda item 53.

Note: The text of the resolution adopted on this question by the Sixth Committee on November 17, 1953, and the results of the voting are to be found at the end of this statement.

The Canadian Delegation would like to associate itself with those delegations which have expressed their appreciation to the International Law Commission for the excellent and progressive work it has accomplished in drafting the articles on arbitral procedure which are now before this Committee. In our view the Commission has performed a most useful work not only in codifying existing practices and procedures as they relate to international arbitration but also in attempting to fill existing gaps in customary international arbitral practice as we have known it up to the present time. We have observed that the basic idea followed by the Commission is that arbitration should lead to binding decisions and that steps should be taken to prevent further failures to fulfil the undertaking to arbitrate, thereby making future arbitration procedures more permanent and effective.

The Canadian Delegation, ... has been impressed with the sincere, intelligent and constructive debate that has taken place thus far on this important subject. We were particularly impressed with the very able speeches made by our distinguished colleagues, the representatives of Brazil, Greece and France. The combined effect of the statement from those representatives has been, I think, to convince this Committee of the great importance and also of the procedural difficulties involved in concluding a convention on international arbitral procedure. I do not think there is any disagreement or objection in principle, certainly not on the part of my Delegation, to a universally accepted and effective international arbitral procedure as a most desirable development in the field of international law and practice. My Government has always been a supporter of the principle of arbitration in international affairs. We consider it highly desirable that a uniform arbitral procedure should be established which would be followed by all states which undertake to have recourse to arbitration as a method for the peaceful and friendly settlement of disputes which might arise among them.