

International Law Commission, the Secretary-General of the United Nations submitted the memorandum entitled "Survey of International Law in Relation to the Work of Codification of the International Law Commission" published as Document A/CN.4/1.Rev.1 of February 10, 1949. It cautioned the members of the Commission against, and I quote from pages 62 and 63 of that excellent document, "stating international law at a degree of generality which may conceal continued disagreement. There may be a disadvantage in weakening the authority of customary law, by pronouncements of studied generality, and incompleteness which are of limited usefulness for the settlement of disputes". Unquote.

In our estimation, the International Law Commission has managed throughout these years to avoid such a pitfall while maintaining a high scientific and legal standard.

The role of the International Law Commission in defining and developing customary law was outlined recently by the Chairman of this Delegation, the Secretary of State for External Affairs of Canada, in a talk which he gave to the Montreal Branch of the International Law Association. He likened this process to the work which a good many new Member States of the United Nations are performing in their internal legislation.

Mr. Chairman, in the current programme of work of the International Law Commission, the three topics of Treaties, State Responsibility, Succession of States and Governments, duly occupy a prominent place. I wish to record, in this connection, approval of the decision which has been reached by the Commission to give priority to succession in respect to the Law of Treaties.

Due to a crowded agenda, a problem has arisen in respect to the two further topics of Special Missions and of Relations Between States and Inter-Governmental Organizations. Reference to this problem and to the solution proposed by the Commission is made in paragraphs 71 to 75 of the report concerning its programme of work. In our view, it would seem appropriate for this Committee to take a stand of principle on the question of whether, subject to the availability of funds, the studies being made by the special rapporteurs to whom these topics have been assigned should come up for early consideration