

these problems into an international instrument? Why weaken the force and effectiveness of an international covenant by making concessions, either by way of reserve clauses or federal state clauses or any other clauses, to the legitimate concerns of the various states? Why not persist in our zealous adherence to the principle of 100 per cent equality of obligation, and in that way achieve a covenant or covenants that will be 100 per cent perfect, absolutely airtight, that will contain no compromises, no concessions, no escape clauses, --- and that will, in consequence, be signed by no one.

The Government of Canada for its part does not insist on a federal state clause for the purpose of enabling it to escape from any obligations or responsibilities under the draft covenants which are constitutionally within the jurisdiction of the Government of Canada. In that respect, an important distinction should in our opinion be drawn between the reserve clause and the federal state clause. The reserve clause is clearly an escape clause by which states can declare their intention not to assume certain obligations which they are constitutionally quite capable of assuming. The federal state clause on the other hand would not relieve the Government of Canada of a single obligation under the covenants which it is constitutionally capable of assuming.

It might, of course, be argued that it would be perfectly possible under the reserve clause for a federal state like Canada to enter what might be termed a blanket reservation, an over-all jurisdictional reservation with respect to all clauses of the covenants to the extent that the subject matter of the covenants lies within provincial and outside federal jurisdiction. What this amounts to is giving permission to a federal state to write a federal state clause into the covenants by way of its own unilateral reservation. I doubt very much that this "back-door" solution of the problem would be regarded as a happy or honest one, either by the unitary states or by the federal states themselves.

We are asking for no such back-door solution. We are not asking the Committee to mix oil and water by burying the problems of federal states in the reserve clause, or by offering them a devious and doubtful way out from their problem, - a means of escape which clearly was not originally intended for them.

I would emphasize again, that unlike the reserve clause we are not insisting on the federal state clause for the purpose of enabling us to escape from a single obligation which is constitutionally within the power of the Government of Canada. We are not asking for the federal state clause for the purpose of enabling us to apply the covenants in certain provinces of Canada and not in others, as our Egyptian colleague seems to think. We are not asking for the federal state clause for the purpose of helping out the colonial powers. The colonial powers can take care of themselves.

The Delegation of Canada is asking for the rejection of the Egyptian resolution for only one reason, and that is I believe a worthy one whose motives all members of the Committee, most of all the Egyptian representative will understand. We do not want the door to be closed forever on the possibility of federal states like our own signing, ratifying and implementing the covenants. Yet that, I must state in all seriousness to the Committee, is exactly what will be the consequences of the