

International Law Commission.

It will be recalled that this Article provides that the persons to be elected should individually possess the qualifications required and that in the Commission as a whole a representation of the main forms of civilization and of the principal legal systems of the world should be assured.

However, in order to bring about reallocation without expansion so as to ensure that the 21 new members of the United Nations are represented on the Commission, it would be necessary to deprive other groups of states of a percentage of the seats allocated to them under the 1956 Gentlemen's Agreement. This in turn would present the Commission with the mountainous problem of deciding what yardstick should be used in taking away seats already allocated to other groups of states for reallocation to the candidates of the new members. Each group of states would wish to maintain that its allocation should not be disturbed. Clearly in these circumstances if an attempt were made to have a reallocation of seats without expansion the result would probably be a complete deadlock. It seems therefore that it may simply not be feasible to contemplate a reallocation without expansion and that this course is not open to us in the circumstances.

General Reallocation with Expansion

The question next arises as to whether it would be feasible to have a general reallocation with an expansion. While there seems to be general agreement that an expansion is required, it is the view of the Canadian Delegation that a general reallocation would not be practicable however wise it might seem to be in theory.

In support of a general reallocation with expansion the view has been expressed that the overall agreement reached