

Assembly decision. The Canadian Government cannot consider becoming a party to the Covenants unless the present text of articles 27 and 52 is replaced by an article which can properly be regarded as a federal clause, i.e., a text taking into consideration the special position of federal States.

This question has been considered at some length and in a forcible manner by the distinguished representative of Australia, and I would not wish to take too much of the Committee's time at this juncture. I deem it expedient, however, to repeat here what has been said in previous years that the aim of the Canadian government in insisting on the insertion of a suitable federal clause is not to escape obligations under the Covenants. Time and again we have let it be known that in our opinion such a clause would not relieve federal governments of any obligation which it might constitutionally be capable of implementing. Nor was the Canadian federal constitution adopted with a view to enabling the Canadian Government to avoid international obligations. Our constitution came into being in 1867 when those who drafted its text could hardly foresee the full implications of Canada becoming a full sovereign state. Most of all, they could by no means foresee the entry into the arena of international legislation of the subjects which they attributed exclusively to the Canadian provinces.

The present situation in Canada, unlike that which prevails in many other federal states is that international agreements dealing with matters coming exclusively within the jurisdiction of the Canadian provinces do not become the law of the land even though these agreements may be approved or ratified by the federal government.

In his lucid statement in this Committee the other day, the distinguished representative from France remarked that the Committee could proceed to draft a perfect instrument to which no state could subscribe in good faith. He also suggested that as between such an instrument and one which would be based at the lowest possible level where no progress would be achieved, there was room for a middle course. For her part, the distinguished representative of the United Kingdom suggested that in any event the covenants should not be drafted in such a way as to make it impossible for many states, even those with a high standard of observance of human rights, to accept and implement their provisions. It is our earnest hope that this Committee will agree on a course which, if it is approved by the Assembly, will ultimately prove to have been the most appropriate in the circumstances, towards achieving a wider respect for human rights both in theory and in practice.

(b) The specialized agencies to communicate to the Secretary-General, within six months after