

principles and rules of international law. The text correctly places all these obligations in perspective by reiterating the overriding provisions of Article 103 of the Charter and by striking a satisfactory balance between the obligations of conventional and customary international law. As such it has clarified and elaborated the relevant provisions of the Charter. It is the view of the Canadian delegation that as it now stands this Drafting Committee formulation incorporates the notion of the supremacy of international legal obligations over conflicting national law. We are pleased to note, moreover, that since the International Law Commission itself postponed a detailed consideration of the problem of "unequal treaties" as being a matter more appropriate to its future work on the succession of States and because of the forthcoming Vienna Conference on the Law of Treaties, the Drafting Committee wisely omitted this controversial issue from its formulation.

Mr. Chairman, Canada is particularly gratified that the 1967 Drafting Committee succeeded in formulating a generally acceptable text on the duty of States to cooperate with one another in accordance with the Charter. The inter-dependence of States is a fact of international life and the Drafting Committee's text reflects this. It is the text nearly agreed to in 1966 to which some appropriately imperative language has been added, drawn mainly from Article 55 (c) of the Charter on the duty to cooperate in the sphere of human rights. Apart from the legal duties enumerated - to cooperate in the maintenance of international peace and security, in the observance of human rights and fundamental freedoms for all, and, in the case of members of the United Nations, to cooperate with the Organization itself - the Drafting Committee text calls upon States to cooperate in economic, social, cultural, scientific and educational fields so that economic growth throughout the world, especially in the developing countries, may be promoted. This latter provision makes the useful contribution of going beyond the creation of static legal duties to encourage States towards a desirable future goal.

It is one of the great disappointments of the Special Committee meeting that it again failed to reach general agreement on a formulation prohibiting the threat or use of force. Nor was the Special Committee successful in formulating the principles of self-determination and non-intervention. Canadian representatives in this Committee and in the Special Committee have commented upon each of these principles at some length and therefore I do not intend to repeat these detail statements. Nevertheless, my delegation would not wish to fail to express its appreciation for the commendable results obtained by the Drafting Committee in Geneva on the principle regarding the non use of force. Canada was among those who advocated the use of the 1964