

for reforms, within the limits of the Charter as it is, of the practices and procedures of the Security Council, especially in relation to the pacific settlement of international disputes. The Canadian delegation submitted to the Assembly a memorandum setting forth the most comprehensive statement of possible reforms which was put before the Assembly. (1)

One of the most interesting aspects of this Canadian memorandum on pacific settlement by the Security Council is the doctrine which it advances of the responsibility of members of the Security Council. The Security Council is not responsible to the Assembly. Does it follow from this that the eleven states which are members of the Security Council have no responsibility to the other Members of the United Nations? The Canadian delegation said no. It said that Article 24 of the Charter had imposed on each state which is a member of the Security Council the obligation to exercise its rights and responsibilities as a member of the Council not in defence of its own special national interests but in defence of the interests of the United Nations as a whole. This applies to the votes of all members and to the vetoes of permanent members.

One way of developing the Charter in a healthy direction is by the adoption of satisfactory rules of procedure and practices by the various organs of the United Nations; another way is by the establishment of sound precedents in the interpretation of the Charter by these organs. Canadian delegations have consistently taken the position that in establishing these precedents it is necessary to remember that it is a constitution which is being interpreted and not a domestic statute and that a constitution, to be successful, must be interpreted in such a way as to encourage its growth and adaptation to changing circumstances. Therefore, provisions in the Charter which add to the authority of the United Nations or of its organs and officers should be broadly interpreted and those which detract from the authority of the United Nations should be given a restrictive interpretation. Thus the veto rights of the individual great powers should be given a restrictive interpretation. Similarly, the domestic jurisdiction clause in the Charter should not be given an extensive interpretation which would render meaningless or insignificant other important provisions of the Charter such as the obligation of Members to promote and encourage respect for human rights and fundamental freedoms and the right of the Assembly to discuss and make recommendations for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations.

Certain practical conclusions have already resulted from this approach to the interpretation of the constitution of the United Nations. Thus Canada did not support the original South African contention in New York that the domestic jurisdiction clause in the Charter necessarily precluded the Assembly from dealing with the Indian complaint against the treatment of Indians in South Africa though it did agree that the question of jurisdiction was one for the International Court. Moreover, Canada supported in New York a proposal which has since been adopted in practice that the abstention of a great power from voting in the Security Council should not be considered as a veto.

Canada has interpreted broadly the declarations in the Charter on human rights and fundamental freedoms. Mr. St. Laurent, the Secretary of State for External Affairs, has given the following broad interpretation of these declarations in a speech in Montreal on February 24 of this year:

(1) The text of this memorandum is given in "The United Nations, 1946", the Canadian report on the New York Assembly, 1946 pp. 204-6.