

*Final Protocol*

U.K. amendment.

*Vote:* For 40 (including Canada), against 0, abstentions 6.

Protocol as a whole as amended:—For 49 (including Canada), against 0, abstentions 1.

*Preamble*

*Vote:* For 45 (including Canada, against 0, abstentions 5.

*Consideration of the Legal Aspects of the Draft Convention by Committee Six*

5. The report of the Legal Committee (A/JC.6/L.102) will already have reached you. A separate report outlining the Canadian position on the Committee's recommendations is being prepared by Mr. Pick.

*Second Debate in the Third Committee*

6. On November 28 the Third Committee convened to study the report of the Legal Committee. Generally speaking, the recommendations of the Legal Committee were adopted without much discussion but it may be of interest to outline the salient points of the debates.

(a) *Definition of prostitution*—The Sixth Committee at the instigation of the Swedish representative had included in its report a remark to the effect that a number of States would be unable to accept the Convention if incitement to prostitution and similar acts were not further qualified by the words "committed for gainful purposes". The Pakistani representative in the Third Committee took exception to this part of the report on the ground that this was not a legal but a social matter, and that the Sixth Committee had therefore exceeded its competence. He argued furthermore the procedural point that Article 1 had already been adopted and that it could only be reconsidered with a favourable two-third majority vote. A vote was taken on this point, Canada voting in favour of the reconsideration of Article 1 (in accordance with the spirit of the instructions contained in paragraph 2 of your despatch No. 61 of October 26),† but the motion was defeated.

The Committee voted also against the inclusion of a general definition of the term "prostitution" for the purposes of the Convention, as suggested by Committee Six. We voted against this proposal on the ground that such a definition does not appear in the international instruments referred to in the preamble of the Draft Convention.

(b) *The non-self executing clause* (Article 30). It had been expected that the U.S. Delegation would try to introduce an amendment to the effect that Article 30 recognizes a reasonable time in which to adopt implementing legislation, but they did not do so and the Egyptian text as proposed by the Sixth Committee was adopted without any opposition.

(c) *The Federal clause*. Although the Sixth Committee had approved the principle that a federal clause should be included in the Draft Convention, it was unable to agree on the nature of such a clause. The French representative requested a vote on the question as to whether this matter should be reconsidered by Committee Three. We voted affirmatively in view of our preference for the inclusion of a fed-