

External Affairs
Supplementary Paper

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An address by the Minister of National Health and Welfare, Mr. Paul Martin, made to the International Law Association, at the Faculty Club, McGill University, Montreal, March 30, 1954.

It was with much pleasure and, I can confess, some trepidation, that I accepted the invitation of your President, my good friend Max Cohen, to address this dinner meeting of the International Law Association. As a lawyer interested in the development of international law, the establishment of a Canadian Branch of this Association -- one of the oldest and most respected bodies devoted to the study and advancement of international law -- seems to me to mark an important step forward in encouraging an appreciation of the importance of International Law in this country.

It is a privilege to speak to a group of lawyers about some of the current problems in international law. Most of these, I think you will agree, have arisen either during the deliberations of the United Nations and its subsidiary organs, or as a result of these deliberations.

As many of you may be aware, I have had the good fortune from time to time to serve on Canadian delegations to the United Nations. In this capacity I have had an opportunity to study at first hand the interplay between the rule of law in international relations and the dictates of political expediency. I have watched, sometimes with dismay -- a feeling which you may have shared -- the attempt, on the part of some states to make international law subservient to their political aims.

I need hardly point out to the members of this group that this is a practice directly contradictory to the customary view, namely, that international law provides the standards at which national policies should be aimed. Perhaps if I recall one or two incidents from my experience at the United Nations, I may better illustrate what I have in mind.

In 1946, on the occasion of the first session of the United Nations General Assembly in London, I had the honour to be present at a dinner given by the Lord Chancellor. It was attended by most of the lawyers participating in that opening Session. They represented many countries and a variety of legal systems. As a distinguished jurist of the Soviet Union, Mr. Andrei Vyshinsky made an address on that occasion which I still remember vividly because of the impression it created. In the light of the many important statements he has subsequently made on behalf of his country, Mr. Vyshinsky's after-dinner speech in 1946 was of particular interest.