

gard. I feel quite sure that the hon. member will not ask any improper question, and I hope I shall be allowed to answer him.

The council, that is to say the economic and social council, therefore has definite duties and powers which are quite wide. It is designed both to execute the decisions of the general assembly and to act on its own initiative. It is free to make recommendations to governments while the assembly is not in session. It differs from the security council in that all its eighteen members are elected by the general assembly and that all the questions with which it deals can be discussed by the assembly. That is, I submit, a substantial difference. The security council is not responsible to the general assembly; it has functions of its own to perform on its own responsibility, and is not in respect of those functions controlled by the assembly, while this economic and social council is elected by the assembly and all its decisions are subject to discussion and review by the general assembly.

This strengthened economic and social council can, I think, be regarded as one of the high achievements of the conference, and it should have an important continuing contribution to make to the great work which lies before the united nations organization.

It will be observed that the resolution now before the house asks for approval both of the united nations charter and of the statute of the international court of justice.

I should like now to say a word about the statute of the international court of justice.

A committee of jurists of the united nations met in Washington from April 9 to April 20, 1945, to draft a statute of the international court of justice to be submitted to the San Francisco conference. Canada was represented by Mr. J. E. Read, K.C., legal adviser to the Department of External Affairs. The Canadian delegation included the Hon. Philippe Brais, K.C., president of the Canadian Bar Association, the Hon. Wendell B. Farris, Chief Justice of British Columbia and chairman of the Canadian Bar Association committee on international questions, and Mr. Warwick F. Chipman, then Canadian ambassador to Chile, and now Canadian ambassador to Argentina. The report of the Washington jurists formed the basis of discussion in San Francisco by a technical committee of the conference. The technical committee prepared a draft text of the chapter of the charter dealing with the court, together with a revised court statute.

The new court is, in many respects, very similar to its predecessor, the permanent court of international justice. But amendments and improvements have been introduced into the

new statute by the international jurists responsible for this aspect of the work of the conference. It will be recalled that when Canada on the 20th September, 1929, adhered to the optional clause of the permanent court it expressly reserved from the jurisdiction of the court disputes for which some other method of peaceful settlement was provided. It reserved expressly disputes with any members of the British commonwealth and disputes the subject of which fall within the domestic jurisdiction of Canada.

On December 7, 1939, Canada also excepted from the jurisdiction of the court disputes arising out of events occurring during the war. Thus while Canada will automatically have, by ratification of the charter, to submit its disputes to the international court, its acceptance of the court's jurisdiction will remain subject to the reservations made in 1929 and 1939.

One of the most important conditions for the success of the united nations organization is that it should be served by a genuinely international civil service whose members are responsible, not to their governments or to the governments of which they are nationals, but to the organization itself. This was the viewpoint maintained by the Canadian delegation throughout the discussion in the conference committees at San Francisco which dealt with questions relating to the secretariat of the organization and the office of the secretary-general. I might say that this is the view which prevailed.

I have attempted to touch upon some of the most important developments arising out of the San Francisco conference. The charter which emerged from the conference should be capable of growth and adaptation to changing conditions. Its constitution should not be too rigid. It follows, in the view of the Canadian representatives, that the process of securing constitutional amendments should not be too difficult. We do not look upon it as perfect in its present form. Moreover, no charter drawn up in 1945 can be complete or final. The states and peoples of the world are, in setting up the united nations organization, experimenting in many new fields of international cooperation. For some years they will be continuing to experiment in the unusual conditions of the transition period from the great war to peace. It is therefore particularly important that the charter should be capable of change by formal constitutional amendment when the world has returned to a more normal state. Unfortunately, the efforts of many of the states represented at San Francisco did not succeed in securing what I would consider a satisfactory, flexible