

By the Chairman:

Q. The constitution seems to contemplate the continued existence of a Commission on Human Rights running far into the future. Is that correct?—
A. No term has been given to the existence of the Commission on Human Rights. I think the expectation is that this commission would continue to interest itself in this field for an indeterminate period.

Q. What would be the force or effect of an international bill of rights, and what is the difference between an international bill of rights and these international declarations or conventions to which reference is made?—A. Mr. Hopkins, the Legal Adviser of the Department of External Affairs, is present. That is a legal question. I wonder if you would mind if I refer it to him.

Mr. HOPKINS: As I understand it, the Commission is not inhibited by its terms of reference. An international bill of rights may, as I understand it, take one of two forms. It may take the form of a declaration or a charter, if you like, of rights which would eventually be submitted to the General Assembly of the United Nations and approved by a Resolution of that body, in which case it would have only a quasi-judicial force, a moral force having the character of a strong recommendation. It would however be of a highly persuasive nature.

On the other hand, it might be expressed in the form of an international convention which would be submitted for signature or accession by the various members of the United Nations. It might take one of those two forms. If it took the form of a convention it would be the nearest approximation that exists at the present time to legislation or quasi-legislation in the international field.

The CHAIRMAN: It would be something like a treaty?

Mr. HOPKINS: Yes, if it were in the form of a convention.

The CHAIRMAN: From what you say, item B near the top of page 4, which is "international declarations or conventions on civil liberties, the status of women, freedom of information and similar matters," would have a greater binding effect than item A, "an international bill of rights"?

Mr. HOPKINS: That would depend on the form which the proposed bill of rights will take. A bill of rights could conceivably be expressed in the form of a convention which would bind the signatory or acceding states.

The WITNESS: Shall I proceed?

The CHAIRMAN: Yes.

The WITNESS: We are on page 6 at the bottom of the page.

3. *Working Groups of Experts*—The commission is authorized to call in ad hoc working groups of non-governmental experts in specialized fields or individual experts, without further reference to the Council, but with the approval of the President of the Council and the Secretary-General.

4. *Documentation*—The Secretary-General is requested to make arrangements for:

- (a) the compilation and publication of a year-book on law and usage relating to human rights, the first edition of which should include all declarations and bills on human rights now in force in the various countries;

I think the object of that clause is obvious, Mr. Chairman. It is to provide at the headquarters of the United Nations complete documentation of the legal provisions in the various places in the world for the protection of human rights.

By Mr. Pinard:

Q. Has this been done?—A. It is in the process of being done. The work has not been completed yet.