

United Nations; Economic and Social Council; draft  
First International Covenant on Human Rights

19. The Secretary of State for External Affairs, referring to discussion at the meeting of June 21st, 1950, reported that the Minister of Justice had raised a number of important points in connection with the Covenant and it was suggested that the matter be referred back to the interdepartmental committee which had originally considered it, for examination of Mr. Garson's comments. The delegation could be instructed merely to support a reference of the Covenant to the next session of the General Assembly which would not take place until September.

20. The Minister of Justice suggested that the Federal Government should be careful not to undertake anything which might morally bind the provinces in a field of their jurisdiction without prior consultation with provincial governments.

21. Mr. Pearson said that, if a suitable federal clause were inserted in the Covenant, the Government would be under no obligation except to bring matters which touched provincial jurisdiction to the attention of the provinces. The negotiation of international agreements was in the field of dominion sovereignty and, in the past, matters that came under provincial jurisdiction had frequently been discussed in such international organizations as the International Labour Organization.

22. The Prime Minister suggested that, if Canada signed such a Covenant, the Federal Government would be indicating that it considered desirable all the recommendations therein, regardless of whether they came within the exclusive competence of the provinces or not. The Covenant appeared to set up a sort of supra-national legislative body and judiciary which would be concerned with the treatment of citizens in the various member countries.

23. Mr. Garson said that if the Federal Government took the stand that there was no objection to giving up part of our national sovereignty to help other nations improve their present practice in the exercise and protection of civil rights then it would be difficult to resist pressure for the passage of a Canadian Bill of Rights which would purport to codify and protect similar rights now enjoyed by Canadian citizens.

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