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The Secretary of State for External Affairs, the Honourable Howard Green announced today that Mr. Marcel Cadieux, Deputy Under-Secretary of State for External Affairs and Legal Adviser to the Department of External Affairs has been elected to membership of the International Law Commission by the General Assembly of the United Nations. At an election in which 42 candidates were competing for the 25 seats of the Commission Mr. Cadieux received 89 votes out of 103 ballots cast by the General Assembly. He had been nominated to the position by Canada, Australia and Britain.

This is the first time that a Canadian will be serving on the International Law Commission. The Law Commission limits its membership to one member of any nationality, with the objective of thus having a wide representation of the main forms of civilization and legal systems of the world. The International Commission was formed in 1947 by a resolution of the General Assembly and has as its object "the promotion of the progressive development of international law and its codification". The Commission, as one of the major bodies engaged in this work, has been fulfilling its task by surveying the fields of international law, and translating these into articles of draft conventions. In this way, for instance, many of the rules that have

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been developed over the centuries on the law of the sea or on diplomatic immunities have been drafted in a much more specific form than that in which they were previously to be found. In this form, these rules have been discussed and adopted respectively by the conference that have taken place on the law of the sea in 1958 and 1960, and by the Conference on Diplomatic Relations and Immunities that took place in Vienna this spring. The Commission, whose members are elected for five-year terms and meet for a yearly two-month session at Geneva, had this year been enlarged from a membership of 21 to 25 so as to allow for the increased representation of Asian and African countries in the United Nations.

Attached are biographical notes on Mr. Cadieux and the text of the statement he made on the occasion of his election.

STATEMENT BY MR. MARCEL CADIEUX

"I am naturally very glad to hear of my election as a member to the International Law Commission and my first wish is to express my gratitude to the governments which have submitted my candidature to the Commission. I also wish to thank all those who have taken an active interest in my candidature and who have given me so much support.

This election fills me with a keen sense of responsibility and anticipation towards the work to be done. I only hope that I may find it possible as a Canadian to add to the trend of high caliber work that has so far been established within the Commission.

There could scarcely have been a more crucial time to be called upon to make a specific contribution towards the development of international law. Never before has the future of humanity been so heavily dependent on the acceptance of the rule of law throughout the world. It is with a view to making this acceptance possible that the International Law Commission was conceived. The Commission has, since its creation in 1947, been primarily concerned with the codification and progressive development of international law. Practical results of this work can best be seen in the adoption of conventions such as those concerning the Law of the Sea and the Convention on Diplomatic Relations and Immunities which were drafted by the Commission and which formed the bases of major international conferences. In its work, the Commission differs from the International Court of Justice in that, unlike a court, it does not hand down judgments;

it concerns itself more with finding out what the law on a general subject is, rather than in applying the law to specific questions. The Commission can thus be of assistance to the World Court by clarifying the law and setting it out in a systematic form for the Court or any other body to use. The International Law Commission is of course not the only body doing this kind of work. Every treaty or convention agreed upon between countries contributes towards giving a more accurate statement of the law. There are various regional bodies of jurists who are working on similar problems of codification on a regional basis, such as the Inter-American Juridical Committee. The International Law Commission differs from these, however, in that it reports directly to the General Assembly of the United Nations and has, therefore, a world-wide audience for each of its recommendations. The significance of this can be seen in the Conference on Diplomatic Relations and Immunities which took place this year in Vienna and which was attended by 81 countries. Rules adopted by this conference were originally prepared in draft form by the Commission and the recommendation that the conference be held was also made by the International Law Commission. These rules formed, in effect, an authoritative version of diplomatic custom and practice that has grown up over the centuries.

In an era in which the relations among countries are becoming increasingly complex and in which the size of the international community is growing almost from day to day, it can easily be appreciated how important it is to have firmly acknowledged rules governing the day to day behaviour of the members of this community.

The future of international law is directly connected with the degree to which differing legal philosophies can be harmonized. It is in this context that, I believe, our country, associating two major legal systems under one roof, can make a truly unique contribution."

Mr. MARCEL CADIEUX

CURRICULUM VITAE

Born in Montreal, Province of Quebec, Canada, in 1915.

Education:

B.A., Grasset College, Montreal, 1936;
L.S.E.P., LL.L, University of Montreal, 1939;
Post-graduate studies in constitutional law, McGill University
Montreal, 1939-40.

Diplomatic Career:

Joined Department of External Affairs of Canada, 1941;
Third Secretary, Office of the Canadian High Commissioner,
London, 1944;
Second Secretary, Canadian Embassy, Brussels, 1945;
First Secretary, Canadian Embassy, Paris, 1951;
Assistant Under-Secretary of State for External Affairs and
Legal Adviser, 1956;
Deputy Under-Secretary of State for External Affairs and
Legal Adviser, 1960.

International Conferences and Organizations:

Adviser, Canadian Delegation to the Peace Conference,
Paris, 1946;
Counsellor, Canadian Delegation to the North Atlantic Council
and the Organization for European Economic Cooperation,
Paris, 1952;
Adviser to the Canadian Commissioners, International Supervisory
Commissions, Indochina, 1954;
Adviser, Canadian Delegation to the Tenth General Assembly
of the United Nations, 1955;
Vice-Chairman of the Canadian Delegation to the United Nations
Conferences on the Law of the Sea, Geneva, 1958, 1960;
Member of the Canadian National Group of the Permanent Court
of Arbitration, 1960;
Leader of the Canadian Delegation to the Eleventh Session of
the General Conference of UNESCO, Paris, 1960.

Academic Positions:

Professor of Public International Law, Faculty of Law,
University of Ottawa, 1956.

Other Positions:

Member, Board of Governors, National Film Board of Canada;
Member, Executive Committee, Canadian National Commission for
UNESCO.

Publications:

Le Ministère des Affaires Extérieures
Premières Armes
Embruns
Articles in legal periodicals.