

As a result of this ruling, only a few of the provisions of the draft treaties were examined by the Conference from the point of view of the clarity and consistency of the texts and the agreement of the French, English, and Russian versions. The texts which issued from the Conference still abounded with inaccuracies of drafting and translation which, it is to be hoped, will be corrected by the Council of Foreign Ministers before the Allied and Associated Powers are asked to sign the final treaties. The representative of the U.S.S.R. informed the Commission that the Council of Foreign Ministers was quite capable of drafting the texts without the advice of the Conference. The representative of the United Kingdom, on the other hand, said that, in the stress of preparing the texts in the Council of Foreign Ministers, it had not been possible to take much account of purely drafting issues, and he had hoped that this would be attended to by the Drafting Commission of the Conference. He anticipated that a similar situation would occur in the concluding stages before the Council of Foreign Ministers, and it was therefore all the more important that the texts should go forward from the Conference to the Council in the best possible form, from the drafting point of view.

Even as regards the new articles and the amendments unanimously adopted by other Commissions the Drafting Commission was obliged to confine its examination to that part of the text which had been modified. It was not competent even to consider the context. Further, owing to the date at which these new articles and amendments were submitted to it, the Commission was unable to carry out even this limited task in a satisfactory manner.

Finally, the Commission had been informed by the General Secretariat that it would receive for study the texts of such new articles and amendments as would be adopted by the Plenary Conference. But, in view of the fact that the Plenary Conference did not complete its examination of the treaties until the day the Conference closed, this was obviously an impossible task.

Naturally, most of the members of the Commission were dissatisfied with the functions assigned to it, and some wished their dissatisfaction to go on record. It was ruled, however, that the Commission was competent neither to express its dissatisfaction nor to suggest in its report that the present procedure should not be taken as a precedent for other international conferences. The Rapporteur's report contains, however, the significant paragraph:—

“It [the Commission] therefore cannot be held responsible for the drafting and concordance of the texts.”

In addition, the protest at the limitation of the competence of the Commission, made by the distinguished Belgian jurist, Dr Kaeckenbeeck, is attached to the record of the Commission's meetings⁽¹⁾. Dr Kaeckenbeeck said in the course of his speech —

⁽¹⁾ C.P. (JR), 5th meeting.