

“ I should like to say that in my opinion the decision has not only lengthened the work of the Conference, but also has the evil consequence of making it possible to avoid consideration of the juridical aspect of certain questions, and to consider them merely from a political or economic point of view. I should like to emphasize this because I have no doubt that the day will come when the world will regret that more weight was not given to the principles of law.”

REPORT ON COMMISSION'S WORK

There would be no point in recording in detail the findings of the Commission upon the questions it considered because they naturally consist for the most part of minute drafting points—for instance, in checking the description of the Franco-Italian frontier, the changes in spelling, translations, terminology, and measurement of distances filled many pages⁽¹⁾. Only two general questions call for record—the first concerning multilateral treaties ; the second concerning the Australian proposal for a European Court of Human Rights.

MULTILATERAL TREATIES

The Netherlands delegate, Professor Francois, asked the representatives of the Four Great Powers why no provision had been made in the drafts in respect of multilateral treaties, a matter which was dealt with in the Treaty of Versailles (Articles 282 to 288). The U.S.S.R. delegate made the interesting and satisfactory reply that it had seemed unnecessary to make any such special provision for multilateral treaties, because they had merely been in abeyance during the war (some of them, such as the Red Cross Convention, were not even suspended) and would become operative once more as soon as the peace had been concluded⁽²⁾.

EUROPEAN COURT OF HUMAN RIGHTS

The draft treaties contained clauses which bound the ex-enemy countries to take all measures necessary to secure to all persons under their jurisdiction the enjoyment of human rights and fundamental freedoms. The Australian delegation maintained that it was of little use to write these rights—for which every nation claimed to have fought and to the securing of which each member of the United Nations has committed itself in the Charter—into treaties unless machinery was established to give them proper judicial protection. They proposed that this machinery take the form of a European Court of Human Rights, to which individuals and groups would have access as of right.

⁽¹⁾ Detailed reports will be found in C.P. (PLEN), Docs. 24 (Annex), 28, 30, 32, 35, and 36.

⁽²⁾ The full statement by the delegate of the U.S.S.R. appears in an annex to C.P. (JR), 6th meeting.