

LEGAL AND DRAFTING COMMISSION

Officers

Chairman Hon. BROOKE CLAXTON (*Canada*)

Vice-Chairman Mr V. N. YACHOUNOV (*Byelo-Russian S.S.R.*)

Rapporteur Professor J. P. A. FRANCOIS (*Netherlands*)

New Zealand Representatives

Hon. H. G. R. MASON

Mr F. H. CORNER

All twenty-one member States of the Conference were represented on this Commission which held sixteen meetings. It set up a sub-committee (consisting of representatives of the U.S.A., Brazil, Czechoslovakia, France, New Zealand, Norway, the U.S.S.R., and the United Kingdom, together with the Rapporteur of the Commission) to consider the description of the Franco-Italian frontier. The sub-committee held four meetings.

LIMITED COMPETENCE OF COMMISSION

As the Rapporteur points out in his report⁽¹⁾, the task of the Paris Conference "was not to draft treaties of peace with Italy, Roumania, Bulgaria, Hungary, and Finland, but to make recommendations to the Council of Foreign Ministers in respect of these five treaties."

Despite this, most of the delegations at the Conference naturally assumed that the Legal and Drafting Commission would have two clear tasks—as the legal organ of the Conference, it would examine the treaties from the legal point of view and would acquaint the various political Commissions with its findings. As the final drafting body of the Conference it would examine the draft treaties and additions to them in order to eliminate all ambiguity, lack of precision or contradiction, and to ensure that the English, French, and Russian texts were in perfect accord.

The General Secretariat, however, apparently upon the insistence of the U.S.S.R., took a more limited view and ruled that the Commission's competence did not extend beyond :—

- (i) Considering and reporting direct to the Plenary Conference upon the eight articles (15, 32, 33, 34, 35, 36, 77, and 78) transferred to the Commission by the Political and Territorial Commission for Italy ;
- (ii) Considering, from the legal and drafting point of view, those questions referred to it specifically by other Commissions ;
- (iii) Considering, from the legal and drafting point of view, such *new* articles and amendments as had been unanimously adopted by other Commissions.

(1) C.P. (PLEN), Doc. 38. Rev.