

recommended a procedure which would enable the United Nations to exercise its supervisory functions. As part of these supervisory functions, the Committee recommended certain rules which would guide the Assembly in its consideration of annual reports on conditions in South West Africa. One of these set down the ways and means whereby Assembly decisions could be taken on these matters.

Now as the distinguished representative of Belgium pointed out the other day, the Charter had never foreseen that the General Assembly would have to act as a substitute for the League of Nations, as it was in fact being obliged to do in the case of South West Africa as a result of the International Court's advisory opinion. In the framing of the rule of voting procedure, the Committee was therefore faced with the question of deciding as to whether, (a) when the Assembly assumed functions not provided in the Charter, the voting procedure provided for in Article 18(2) was valid, or (b) whether unanimity as was the case under the League of Nations' practice in fact governed. After mature and careful consideration, the Committee on South West Africa proposed the strongest vote possible under the Charter and the Assembly's rules of procedure namely the two-thirds majority required for important questions. In order to remove any possible doubts as to the legality of its proposal, however, the Committee recommended at the same time that it be referred to the International Court for a specific advisory opinion.

From the very moment the conclusions of the Committee on South West Africa were made public the Canadian Delegation believed this decision to be a wise one, and in accordance with the best-informed legal and parliamentary practice. It was because the Canadian Delegation shared these very doubts encountered by the Committee that it voted for Resolution B in the Fourth Committee and later for the adoption of the rapporteur's report to the General Assembly. It was in this sense, and in this sense alone that the Canadian Delegation cast an affirmative vote with regard to the procedures suggested for the Assembly properly to discharge its functions over the Territory in Plenary on October 11 last. Had the Canadian Delegation known then that Resolution B calling for a reference of Special Rule F to the International Court for an advisory opinion would not have been put to a vote, it would in fact have opposed Special Rule F by voting against the procedure devised for the Assembly's supervision of conditions in South West Africa.

I should now like to make it perfectly clear that, in the absence of such an advisory opinion from the International Court which will remove the doubts already alluded to, my delegation will be placed in the position of having to abstain on all resolutions concerning reports and petitions relating to the Territory.

The Canadian attitude bespeaks no lack of interest in this question but rather reflects its earnest desire and, I believe, that of many other delegations around this room, properly to see