

It is with these possibilities in mind that the sub-committee must consider how best the Majority Report could be put into effect; leaving it for the *ad hoc* Committee and the Assembly to decide whether or not these or other measures shall be adopted.

We now have three sets of proposals before us—one presented by the delegate of Guatemala, one by the United States delegation, and a third by the U.S.S.R. delegation. None of us, I think, is at this stage prepared to do more than discuss the merits of these various proposals and in the hope that it may assist in the process of finding common ground on which to base a solution for the Palestine problem the Canadian delegation wishes to add its comments to the general discussion.

In the first place, we must recognize that what is contemplated by the Report is a major political operation for the successful execution of which, if the General Assembly decides to take affirmative action, the United Nations itself must assume grave responsibilities. We are now confronted with a problem which will strain the resources and endanger the prestige of this organization, and it is urgently necessary, not only for the people of Palestine but for the whole United Nations that we find a solution.

If the political operation recommended in the Majority Report is to be undertaken, we must make sure that the means chosen have three qualities, in particular: namely that they are constitutionally sound, practicable and effective. In our view, the withdrawal of the mandatory would create a legal vacuum in Palestine. The legal question, therefore, resolves itself into the question of what action the United Nations can take, or institute, whereby the legal vacuum may be filled in the manner contemplated by the Majority Report. In regard to the second point, the means chosen must be practicable. They must be the means best calculated to bring about a rapid and peaceful settlement in Palestine when the mandatory withdraws. There will be great administrative difficulties under any system. We must, by anticipatory action, endeavour to make sure that these administrative difficulties are kept to a minimum. Careful consideration should also be given in advance to the steps which could or might be taken by the United Nations should the settlement not work out peaceably in the manner contemplated.

What then could the United Nations do to take or initiate action whereby this major political operation might be brought about? Both the Guatemalan and United States delegations have suggested that the General Assembly itself might take responsibility for the administration of Palestine and carry into effect the Majority Report. However, the powers of the General Assembly, under Articles 10 and 14 of the Charter, are, explicitly, powers of "recommendation". To argue that it may establish subsidiary organs to enforce its decisions without reference to whether or not these decisions are acceptable to the parties concerned is to assume that these decisions are not recommendations, but commands. Our delegation therefore cannot reconcile such a construction with the plain language of the provisions of the Charter.

The United States delegation has proposed that the General Assembly "recommend" the emergence of the two states on the withdrawal of the mandatory power, and that the mandatory "hand over" governmental responsibility to the provisional governments immediately on withdrawal. The mandatory power would also be responsible, under the United States