

*External Affairs*

Middle East crisis was based on the uniting for peace resolution of 1950, which gave the assembly certain functions, and indeed duties in case of deadlock in the security council; but while that is true, it does not alter the fact that under the charter of the United Nations the assembly can do nothing but make recommendations which have to be carried out by the member states after those recommendations have received two-thirds support in the assembly.

Last November 5, Mr. Speaker—and this is important in qualifying what I have just said—the Egyptian government formally conveyed to the secretary general explicit acceptance of the general assembly resolution of that date, which established the United Nations force to perform the tasks which I have already outlined. Egypt's acceptance of this resolution was a voluntary act, by which the Egyptian government imposed on itself a qualification upon the exercise of its sovereignty.

This decision was formally conveyed in an aide-memoire on the basis for the presence and functioning of UNEF in Egypt, an aide-memoire submitted to the general assembly by the secretary general in his report on November 20, and subsequently noted with approval by the assembly. In this aide-memoire, which is also in the white paper to which I referred, I think on page 20, and therefore before the house for some weeks, the terms of which had been agreed between the secretary general and the Egyptian government, the government of Egypt declared:

When exercising its sovereign rights on any matter concerning the presence and functioning of UNEF, it will be guided, in good faith, by its acceptance of the general resolution of November 5, 1956.

This is a quotation from the Egyptian communication. And that declaration was balanced in the aide-memoire by a declaration on the part of the United Nations, through the secretary general, and I quote, that "the activities of UNEF will be guided, in good faith, by the task established for the force" in the resolution of the general assembly, and that—again I quote—"in particular, the United Nations, understanding this to correspond to the wishes of the government of Egypt reaffirms its willingness to maintain the UNEF until its task is completed."

This, then, Mr. Speaker, is the nature of Egypt's consent to the presence and functioning of the United Nations emergency force on Egyptian territory. There has been no infringement on the sovereignty of the government of Egypt by the action of any other government or governments. But in

the arrangements made and in the agreement which I have referred to, the United Nations, which established this force to do certain tasks, clearly has a right to be consulted as to whether and when these tasks have been discharged, as it would if they were to be extended. From this, it follows in our view, and this is the view of the secretary general also, that if Egypt should at any time make a request for UNEF's withdrawal, the appropriate procedure would be for that request to go first to the advisory committee on UNEF through the secretary general. There it would be discussed by the committee which was set up for that purpose by the assembly, and if necessary and desirable the whole matter could then be referred to the full assembly for decision. And therefore any question of whether UNEF should be withdrawn would become a matter for discussion with and decision by the United Nations. This is this government's understanding of the procedure which should be followed.

Having said that, however, I should add that if Egypt refused to accept the United Nations view that UNEF's task was still unfinished, and that UNEF should not be withdrawn, Egypt would, in our view, be nullifying its acceptance of the assembly's basic resolution establishing the force and laying down its function.

Nevertheless, the assembly does not have any authority under the charter of the United Nations to create binding legal obligations on member states, and Egypt, therefore, could not, in the last resort, be compelled by the United Nations assembly to continue to accept any resolution or to co-operate in carrying it out. The assembly cannot force its view on any state although in certain contingencies the security council can attempt to do that.

Mr. Speaker, the Canadian position on this matter has already been stated to the general assembly, to the advisory committee, on more than one occasion and was given to the house on November 27. In case there is any doubt as to what our position is on this matter I will have another opportunity to state it to the secretary general and the advisory committee either late tonight or tomorrow morning before the secretary general leaves for Egypt. These statements which we have already made of our general position should make clear that this is the stand we are taking and will take in respect of the reinforcements from Canada to UNEF which have recently gone forward. Although I know I am taking up a great deal of the time of the house perhaps I should go into the question of this