

No. 54/52/UN9/19 QUESTION OF SOUTH WEST AFRICA

Attached are the texts of two statements by Canadian Representatives at the ninth session of the United Nations General Assembly, New York, on agenda item 34 - Question of South West Africa:

- (a) November 8, 1954, by Mr. D.M. Johnson, in the Fourth Committee
- (b) November 23, 1954, by Mr. Lucien Cardin, in plenary session

Note: The text of the resolution adopted in plenary session and the results of the voting are included at the end of the statements.

Statement by Mr. Johnson

The Canadian Delegation welcomes the decision of the Sub-Committee of the Fourth Committee on South West Africa to recommend that the General Assembly submit for a reference to the International Court for an advisory opinion Special Rule F of the Rules of Procedure which it adopted in plenary on October last.

In doing so the Canadian Delegation is motivated purely and simply by its desire to remove any possible doubts as to the legality of the method for arriving at decisions on South West Africa. Lest, however, this wish be misinterpreted, let me point out once again that the Assembly, in dealing with this item is faced with a problem which is sui generis. The territory of South West Africa is the only remaining mandated territory in the world today, and what we are here proposing to do is properly to discharge, in respect of that territory, functions not provided for in the Charter. It is therefore of the utmost importance that the decisions which we are about to take should be consistent with the principles of the Charter and redound to the credit of the United Nations.

Let us briefly review the facts.

As all members are aware, the International Court of Justice, in its advisory opinion of 1950 on South West Africa, stated that the Union of South Africa continued to have the international obligations mentioned in Article 22 of the Covenant of the League of Nations as well as in the Mandate which it held for that Territory and that the supervisory functions which formerly devolved on the League were henceforth to be exercised by the United Nations. With a view to implementing this opinion, the General Assembly after three years of unsuccessful endeavour to reach an agreement between the United Nations and the Government of South Africa, finally established last year the present Committee on South West Africa. This Committee after a thorough review of the whole question,