

No. 54/46/UN9/23 AWARDS OF COMPENSATION BY THE
UNITED NATIONS ADMINISTRATIVE
TRIBUNAL

Texts of statements on December 6 and December 17, 1954, by Mr. S.D. Hemsley, Canadian Representative at the ninth session of the United Nations General Assembly, New York, in the Fifth Committee and in a plenary session of the General Assembly respectively, on agenda item 48 - Awards of compensation made by the United Nations Administrative Tribunal: advisory opinion of the International Court of Justice.

Note: The texts of resolution adopted by the Committee and by the General Assembly and the results of the voting are included at the end of the statements.

Statement of December 6, 1954

It seems to the Canadian Delegation that the debate which has taken place so far on this item of our agenda has shown quite clearly that two separate and distinct questions are before the Committee. The first question is the awards of compensation made by the Administrative Tribunal in 1953, the payment of which was disputed at the eighth session of the General Assembly. The second question is the desirability of amending the Statute of the Administrative Tribunal. The second question quite properly arises out of the first one. My delegation believes that the payment of the disputed awards must be given priority and I shall therefore discuss that question first.

I do not think it is proper to go over again the ground covered in the debates in this Committee last year on the awards made by the Tribunal but as a preface to explaining the Canadian Delegation's present views I should like to recall certain aspects of the position taken by my delegation at the eighth session of the General Assembly. It was felt then by a number of delegations that the 1953 awards were excessive and that, I believe, was the crux of the matter. The Canadian Delegation also had misgivings about the size of the awards and we stated so in this Committee. We did not believe, however, and we still do not, that the General Assembly had any alternative but to pay the awards in full. On the other hand, we recognized that important legal questions had been raised in the course of debate on the awards and in the interests of obtaining for the General Assembly the most authoritative guidance available on legal matters we co-sponsored with the delegations of the United Kingdom and Colombia a resolution asking the International Court of Justice for an advisory opinion on