

You have before you document A/474, submitted by the Soviet delegation, which contains the transcript of what was said in answer to that question. This document sets forth the conclusions adopted by Committee IV at San Francisco. These conclusions prepared by the Committee responsible for framing this part of the Charter show that it is abundantly clear that the organs of the United Nations may, in the course of day to day operations, interpret *such parts* of the Charter as are applicable to their *particular functions*. It is also clear that the Charter contains nothing which prevents the Court from interpreting the Charter. Finally, it is equally clear that States may put a case before the Court, or organs may request an advisory opinion of the Court, concerning the interpretation of the Charter.

Since the Assembly, by virtue of Article 13 of the Charter, may make recommendations for the purpose of promoting the development of international law, there can be no possible illegality in the Assembly recommending to the organs of the United Nations and to the duly authorized agencies that they should place difficult and important questions of law (including the interpretation of their constituent instruments) before the International Court of Justice for an advisory opinion.

We feel strongly, Mr. President, that not only is the resolution proposed by Committee VI quite within the letter and spirit of the Charter but it is also designed to develop the rule of law and order based on justice. This rule, the Canadian delegation supports wholeheartedly.

G. Resolution of the Assembly, October 31, 1947

SURRENDER OF WAR CRIMINALS AND TRAITORS

The General Assembly,

Noting what has so far been done in the matter of the surrender and punishment, after due trial, of the war criminals referred to in its resolution adopted on 13 February, 1946:

Reaffirms the aforementioned resolution;

Reaffirms also its resolutions on the subject of refugees adopted on 12 February, 1946, and on 15 December, 1946;

Recommends Members of the United Nations to continue with unabated energy to carry out their responsibilities as regards the surrender and trial of war criminals;

Recommends Members of the United Nations which desire the surrender of alleged war criminals or traitors (that is to say nationals of any State accused of having violated their national law by treason or active collaboration with the enemy during the war) by other Members, in whose jurisdiction they are believed to be, to request such surrender as soon as possible and to support their request with sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt; and

Reasserts that trials of war criminals and traitors, like all other trials, should be governed by the principles of justice, law and evidence.