

deadlock in their dispute and enter, as soon as possible, into direct discussions with a view to arriving at a friendly settlement on all the questions at issue between them.

If the decision of the Assembly is to have this constructive effect, the resolution which embodies it should be composed in such terms as not to imply judgment against one party or the other, especially since the facts and the law in the dispute have not yet been established by an impartial international tribunal.

As we believe that the draft resolution submitted by the Indian delegation is capable of this interpretation and is therefore not likely to serve to break the present deadlock, the Canadian delegation regrets that it cannot support it at least in its present form.

A number of helpful suggestions have been made in this Committee. The Canadian delegation favours the approach suggested both in the joint draft resolution, submitted by the delegations of Belgium, Brazil and Denmark, and in the amendment offered by the delegation of Norway. Both proposals contained a request that both parties enter into direct negotiations to reach an agreement. In addition they also provide that, in the event of failure to reach an agreement in this way, the dispute should be submitted to the International Court of Justice.

The Canadian delegation contended last year, and still maintains the position, that where, as in this case, there is a dispute between the parties as to the law and the facts or at least as to the interpretation given by one party as to the law and the facts, a reference of the case to the International Court of Justice would be entirely appropriate. Moreover, if, as is likely, the Assembly will be called upon to deal with the matter again, it would in our opinion be very desirable, as others have pointed out, that we should deal with this case on the basis of impartially established law and fact rather than upon charges and opinions expressed in debate.

The Canadian delegation would hope that the Indian delegation, together with those delegations who have offered amendments to its resolution, might reach agreement on a mutually acceptable text with the authors of the joint resolution submitted by Belgium, Brazil and Denmark. Moreover, we would earnestly hope a resolution could be evolved which would be acceptable both to India and South Africa as the basis for their renewed discussions.

With regard to the draft resolution submitted by Iraq, dealing with the general question is not on the agenda and should be submitted if at all as a separate item.

## I. Canadian Statement, October 14, 1947

### PARTITION PLAN FOR PALESTINE

The Report of the United Nations Special Committee on Palestine contains the considered judgment of a group of conscientious investigators on a problem of world importance. The Canadian delegation feels that it must express its views on the report, if for no other reason, because the lives and hopes of countless persons and the tranquillity of great areas depend upon our ability to find a constructive answer to the question before us.