



STATEMENTS AND SPEECHES

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THE FUTURE OF SOUTH WEST AFRICA

Address by the Secretary of State for External Affairs,
the Honourable Paul Martin, at the twenty-first session
of the General Assembly of the United Nations, October 7,
1966.

The complex problem now before the United Nations General Assembly has been for several years the subject of many discussions, reports and resolutions and of advisory opinions and judgments of the International Court. Let us admit candidly that very little progress has been made towards a solution. Nevertheless, my Delegation believes that we should redouble our efforts to achieve a settlement of this issue that would be in the best interests of the South-West Africans themselves.

For more than a week we have listened carefully to many views expressed in this debate. These views have varied in content and emphasis, but almost all have made a constructive contribution to a greater understanding of the issues involved in this extremely difficult problem. On September 26, a draft resolution was introduced (A/L483) in the name of 49 countries, and it is to this document that I wish to direct most of my remarks.

Before doing so, it is perhaps worthwhile noting that, from its very inception, the dispute over South West Africa has consisted of a complicated pattern of interwoven legal and political considerations. On one hand, there are the advisory opinions and judgements of the International Court concerning the 1920 mandate and South Africa's international accountability under it and, on the other hand, numerous reports and resolutions of the United Nations, specially those relating to human rights and fundamental freedoms as derived from the Charter.

The opinions and judgements of the Court have clarified usefully a good number of points of international law. However, general disappointment and concern at the Court's recent decision not to judge the substance of the case against South Africa prompted the Prime Minister of Canada to make the following observations to a Montreal convention on August 9 of the American Bar Association: "The Court's decision shows that the international legal system will have to evolve much farther if the rule of law in international conduct is to become a reliable instrument for regulating relations between states which it has become in governing the conduct of individuals within states. In the result, law and progress will both suffer. The fact that the