

External Affairs
Supplementary Paper

No. 63/4

Statement by Mr. Leo Cadieux, M.P.,
Canadian Representative on the Fourth
Committee of the United Nations, on South
West Africa, on November 8, 1963.

...I should like to explain the position of my Delegation in voting on the resolution contained in Document A/C.4/L.777 on the question of South West Africa and on the amendments submitted by the United States Delegation. During the general discussion on this subject, many delegations expressed anew their abhorrence at the extension of the apartheid policy to South West Africa, a territory in which the Government of South Africa has undertaken the most solemn international obligations to ensure the social, economic, and political well-being of all its inhabitants. My Delegation associates itself most strongly with many of the views expressed by the various African and Asian states during the course of this debate. We are deeply concerned at the South African Government's refusal so far to permit the establishment of an effective United Nations presence in this international territory by agreeing to the appointment of a United Nations technical-assistance representative, thus depriving the inhabitants of the territory of the very real benefits which the United Nations can offer in fields of education, health, and economic development. We were, therefore, most anxious to be able to agree to a resolution on this question and it is with very deep and sincere regret that my Government has decided that certain parts of the proposal now before us make it impossible for the resolution to command our unqualified support.

We are in complete agreement with the basic aims of the resolution contained in Document A/C.4/L.777 and wholeheartedly join in the censure of South Africa's application of the degrading policies of apartheid in the territory, as well as of the persistent refusal of South Africa to co-operate with the United Nations. We are profoundly regretful that the Government of South Africa has, and I quote, "persistently and deliberately failed to fulfil its international obligations in the administration of the mandated territory of South West Africa", unquote.

The resolution properly reaffirms the right of the people of South West Africa to self-determination and independence. We support a further invitation to the Government of South Africa to establish a United Nations presence in the territory of South West Africa. We also support Operative Paragraphs 7(A) and 7(C) of the resolution.

However,...while my Delegation agrees with the basic aims of this resolution, some of its operative paragraphs contain judgments and call for action by the Assembly which my Government is unable to support.

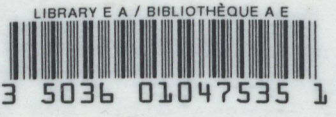
The greatest source of difficulty for us is Operative Paragraph 7(B). During the discussion of apartheid in the Special Political Committee, the Canadian Secretary of State for External Affairs pointed out that the division of responsibilities between the Security Council and the General Assembly had been carefully considered at San Francisco and that the balance set forth in the Charter was only achieved after exhaustive negotiations. The imposition of sanctions in specific circumstances was allocated by the Charter to the Security Council and, in our judgment, it would be wrong for the Assembly to attempt to usurp the Council's primary responsibility. It is possible to foresee in the development of the South West Africa situation a time when drastic action of the kind envisaged may be required, which all members should support. In our view such action by the United Nations, acting through the Security Council, should await the outcome of the present proceedings before the International Court and the South African Government's reaction to the Court's findings. For this reason we cannot agree to Operative Paragraph 7(B).

Our reservations about other paragraphs are not as fundamental, but are still important. Operative Paragraphs 4 and 6 deal with questions affecting international peace and security. My Delegation shares the opinion of most members that any attempt by the Government of South Africa to annex the territory of South West Africa would be a violation of its international obligations, especially those it has assumed as a mandatory power; but, in our judgment, it is not wise practice for the General Assembly to make in advance of the circumstances a legal determination of aggression which, under Article 39 of the Charter, is within the primary responsibility of the Security Council. Similar considerations apply in respect to the purported determination of a threat to international peace referred to in Operative Paragraph 6.

We also have reservations about Paragraph 8(B), since it seeks to engage the Secretary-General and United Nations agencies in a study which would not be practicable and in judgments which would not be appropriate.

It is in the light of these considerations that we support the amendments to Paragraphs 4, 6, 7, and 8 contained in Document A/C.4/L.779, which, if adopted, will enable the Canadian Delegation to support the resolution as a whole. Failing adoption of these amendments we shall be obliged to abstain on the resolution now before us.

...I emphasize once again Canada's great concern about developments in South West Africa. Once again we urge the Government of South Africa to recognize its international responsibilities for the territory and to cooperate with the United Nations in its attempts to achieve a just solution safeguarding the rights and aspirations of the people of South West Africa.



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