CANADIAN DELEGATION TO THE UNITED NATIONS GENERAL ASSEMBLY (FIFTEENTH SESSION)

FOR IMMEDIATE RELEASE

PRESS RELEASE NO. 28
December 13, 1960

Press Office, 750 Third Avenue, YU. 6-5740

Statement by Prof. A. Anstensen, Canadian Representative on the Fourth Committee, on Tuesday, December 13, 1960.



Question of the Future of Western Samoa

Mr. Chairman:

Little over a year from now, on January 1, 1962, the Territory of Western Samoa will attain full independence and become the first Polynesian member of the family of nations. By that time the Samoan people will have had two years' experience in managing their own affairs under a cabinet and parliamentary system of government with complete internal self-rule. The Samoan people have played the major role in the planning of the future political and constitutional development of their country. Their temperament and training seem to fit them ideally for the smooth and orderly transition to independence that we are witnessing. This is surely a happy augury for the future prosperity and well-being of the new state.

We wish them well as they enter the last stage before independence.

The Canadian Delegation would also like to associate itself with the views expressed by the Trusteeship Council at its 26th Session when it warmly commended the Samoan people and New Zealand, as Administering Authority, on the progress that has been made in preparing the Territory for independence.

In this final phase of trusteeship the Trusteeship Council and the General Assembly have been aided by the frankness which the Samoan and New Zealand governments have displayed in explaining the step-by-step development to complete independence and in indicating their present thinking on the possible future relationship between the two countries. This is a reflection of the conidence which both governments place in the United Nations.

The United Nations should respond in like spirit. We must bear in mind that although Western Samoa is still a Trust Territory, it manages its own domestic affairs and has attained a very large measure of self-government.

During the last session of the Trusteeship Council the distinguished representative

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of the United Arab Republic pointed out that the role of the United Nations in this transitional period was limited to ensuring that the people of Western Samoa were not only assisted and well advised, but also unfettered by any extraneous influence or consideration in the exercise of their right to self-determination. We believe these conditions have been met and that the Assembly's task now is simply to give guidance on the steps which remain to be taken before the trusteeship agreement can be terminated and Western Samoa becomes an independent state.

By a Constitutional Convention the Samoan people have adopted, through their chosen representatives, a form of government which is, in their view, the one best suited to their needs. That is their right; this is self-determination in accordance with the freely expressed wishes of the indigenous population and in conformity with the Charter. I do not think any of us would wish to call into question their right to do so. It is a constitution which by reason of their long tradition incorporates some novel features, but it appears to my Delegation to incorporate all the necessary guarantees of fundamental human rights which one would expect to find in a modern constitution.

The same Constitutional Convention has adopted a number of resolutions. This again is in accord with precedent and fully within the powers of the Constitutional Convention. One of these resolutions deals with external relations and the framework of future co-operation between New Zealand and the independent state of Western Samoa. The Canadian Delegation has no doubt that the Constitutional Convention was entirely competent to adopt this resolution. What it amounts to is simply a recommendation. On attaining independence the sovereign government of Western Samoa can act on this recommendation or not, as it chooses. The resolution cannot in any way bind its hands for the future.

The essential point is that Western Samoa will succeed to full and unqualified independence in a year's time. This sovereignty will in no way be limited; it will not be conditional or qualified. Accordingly, while the resolution on external relations may express the beliefs and desires of the majority of the amoan people, it cannot, in any way that I can conceive, be a limiting factor on the freedom of action of the future government of independent Western Samoa.

A protectorate arises when a weak state surrenders itself by treaty into the protection of a strong state in such a way that it transfers the management of all its more important international affairs to the protecting state.

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The kind of scheme which is envisaged here—which the government of independent Western Samoa is free to propose or not, as it pleases—has none of the features of a protectorate because Western Samoa would be, at all times, solely responsible for formulating its own international policies. There would be no diminution of sovereignty, and the arrangement could be terminated by Western Samoa at any time. We have been given this assurance both by the Honourable, the Prime Minister of Western Samoa and by the distinguished representative of New Zealand.

To my mind the proposed scheme is an eminently sensible and practical interim arrangement. We have been told by the Prime Minister that the Government of Western Samoa would probably conduct for itself its more important trade negotiations and would probably seek membership in certain international organizations and send its delegates to their meetings. However, because of its limited financial resources and the scarcity of trained personnel, Western Samoa would probably not attempt to establish diplomatic or consular representation abroad except, perhaps, on a very limited scale and it would hope to have its interests watched in various international bodies by New Zealand. This is a system which many small states must necessarily follow; to do so implies no surrender of sovereignty. A decision by which the people of a free and independent state make the best use of their available resources in the fashion best suited to them is itself an exercise of sovereignty, and it would be an unfortunate limitation of such sovereignty to compel a state with limited resources to take on more in the field of external relations than it feels it can manage.

On attaining independence Western Samoa will be free to exercise its complete and unfettered sovereignty in the fashion which best meets its needs. Rather than remain an isolated state in the South Pacific it may choose to conduct its more important international negotiations and to seek membership in those organizations of most interest to it. If it should choose to be represented in other international bodies and to have its own interests cared for and reprented in certain countries by New Zealand, then this, it seems to us, indicates an exercise, not a surrender, of sovereignty and a determination to participate in international affairs in the fashion best suited to its present needs.

For these reasons my Delegation gives its full support to the draft resolution now before us, sponsored by Argentina, the Federation of Malaya, Ghana,

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In conclusion, Mr. Chairman, I should like to express to the distinguished Prime Minister of Western Samoa, on behalf of my Delegation, congratulations and warmest good wishes for a happy and prosperous future for his people, from the people of Canada.

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