

(290)
17. 19 (C) (v)

JOINT FIRST AND SIXTH COMMITTEE

DELEGATIONS OF THE UNITED STATES, THE UNITED KINGDOM AND SWEDEN:
AMENDMENT TO THE RESOLUTION PROPOSED BY THE DELEGATION OF INDIA
MADE AT THE FIFTH MEETING

THE GENERAL ASSEMBLY

HAVING taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa and having considered the matter, is of opinion that, since the jurisdiction of the organization to deal with the matter is denied and since the questions involved are consequently of a legal as well as of a factual nature, a decision based on authoritatively declared juridical foundations is the one most likely to promote realization of those purposes of the Charter to the fulfilment of which all Members of the organization are pledged as well as to secure a lasting and mutually acceptable solution of the complaints which have been made.

THE ASSEMBLY THEREFORE RESOLVES THAT

The International Court of Justice is requested to give an advisory opinion on the question whether the matters referred to in the Indian application are, under Article 2, paragraph 7 of the Charter, essentially within the domestic jurisdiction of the Union.

Note by the Secretariat

This amendment replaces draft resolution submitted by the Delegation of Sweden (document A/C.1 and 6/10) and the amendment submitted by the Delegation of United Kingdom (document A/C.1 and 6/15). The Delegation of the Union of South Africa has also withdrawn the draft resolution submitted in document A/C.1 and 6/8 and associated itself with the above amendment submitted by the United States, the United Kingdom and Sweden.