

When the matter came before the Plenary Session of the Assembly another long debate ensued, in which the familiar positions were restated. The South African delegation moved an amendment to the resolution of the Committee slightly differing from the United States and United Kingdom - Swedish amendment, which has already been cited above.

In the course of the meeting the representative of New Zealand (Sir Carl Berendsen) said that the dispute concerned two countries with each of which New Zealand was on terms of friendship, respect, and regard. No country in the world paid a higher regard to human rights or had done more within its capacity to establish, preserve, and further those rights than New Zealand. In voting as he proposed to vote he would not be expressing any opinion whatever on the merits of the case.

New Zealand had often drawn attention to the imperfections of the United Nations Charter. Nevertheless, every member of the United Nations had accepted the Charter. The organization operated under the Charter, and was limited by the Charter.

In the present case there were serious doubts under the Charter as to the competency of the Assembly to deal with the points of substance involved in the question under consideration. It was the belief of New Zealand that the Assembly should possess the widest possible powers. But, having regard to the doubts which admittedly existed, the New Zealand representative felt that it would be unwise and improper of the Assembly to record a decision on the substance of the matter until every proper step had been taken to resolve those doubts. What better way of resolving them was there than to refer them to the International Court of Justice, created as it was for this purpose? For that reason, and for none other, the New Zealand representative would vote against the resolution of the Committee and in favour of the proposed amendment.

Before the voting took place the President consulted the Assembly on the point whether a two-thirds majority was necessary. After considerable discussion it was agreed that this was the case.

The South African amendment was then put to the vote; 21 delegations (including New Zealand) voted for the amendment; 31 against; and there were 2 abstentions. The amendment was thus rejected.

A vote was then taken on the resolution of the Committee; 32 delegations voted for the resolution; 15 delegations (including New Zealand) voted against; 7 abstained. A two-thirds majority was 32, and the resolution was therefore adopted.

The declaration of this result gave rise to tumultuous acclaim of the Indian delegation's success and brought to an end a debate which had throughout displayed much of an emotional and even a passionate nature.