



**Monday, 17 December 1956,  
at 3.10 p.m.**

**New York**

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**Chairman: Mr. Enrique de MARCHENA**  
(Dominican Republic).

**Requests for hearings (*continued*)**

1. The CHAIRMAN announced that he had received a communication from the Union démocratique des femmes camerounaises with regard to the hearing it had been granted at the Committee's 552nd meeting. He suggested that, in accordance with the usual practice, the communication should be circulated as a Committee document.

*It was so decided.*

**Organization of work**

2. Mr. MUNK (Denmark) stated that his delegation, recognizing the crucial importance of the problems of colonialism and trusteeship, not only for the United Nations but also for the world as a whole, was ready to support any effort to find an equitable and effective solution for them. So far the Committee had disposed of only two of the eight items on its agenda and he wondered if the time had not come to outline a schedule for the remaining items. Should the Chairman consider it expedient for the Committee to hold night and Saturday meetings in addition to the present two meetings a day, that measure would have the support of his delegation.

3. The CHAIRMAN said that he would ask the Secretariat to prepare a time-table, upon the basis of which the Committee could decide its future schedule.

**AGENDA ITEM 37**

**Question of South West Africa: report of the Committee on South West Africa (A/3151 and Corr.1, A/C.4/338, A/C.4/L.442 to 444) (*continued*)**

**GENERAL DEBATE (*continued*)**

4. Miss BROOKS (Liberia) recalled that at the previous meeting she had suggested that the General Assembly should authorize the Secretary-General to go to the Union of South Africa to negotiate a trusteeship agreement for the Territory of South West Africa with the South African Government, or alternatively, that the General Assembly should authorize the Secretary-General, the United States, the United Kingdom, France, one African State, and one Latin-American State to seek a round-table conference with the South

African Government for the purpose of concluding a trusteeship agreement for the Territory of South West Africa. She now wished to include one Asian State in the second suggestion, and to use the word "negotiate" rather than "seek a round-table conference", as that word would better reflect her delegation's support of the status of South West Africa as a mandated territory, as also the advisory opinion of the International Court of Justice of 11 July 1950.<sup>1</sup>

5. Mr. CRUZ (Philippines) thought it regrettable that, after ten years of discussion in the United Nations, the question of South West Africa should seem no nearer solution than it had been at the outset. The Government of the Union of South Africa had paid no attention either to the General Assembly's yearly resolutions requesting it to place the Mandated Territory under trusteeship and to submit reports on its administration of the Territory, or to the advisory opinions of the International Court. Never had the authority of the United Nations been more callously flouted. He agreed with what the Chairman of the Committee on South West Africa had said at the 570th meeting, namely, that the time had come to re-examine the question. Adopting further resolutions similar to those that had been ignored in the past would only invite further defiance by the Union Government and impair the prestige of the United Nations.

6. A careful analysis of the Union Government's policies with regard to South West Africa made it clear that that Government was determined to annex the Territory; that racial discrimination and economic exploitation were practised in the Territory; that fundamental human rights and freedoms were violated; and that the authority of the United Nations was continuously defied. He therefore considered that the following possible solutions to the problem should be considered: firstly, a plebiscite in accordance with the principle of self-determination; secondly, peaceful settlement by the means envisaged in Article 14 of the Charter; thirdly, possible sanctions as provided in Articles 5, 6, 41 and 94 of the Charter; fourthly, negotiation between the Allied and Associated Powers and the Union Government for a peaceful solution along the lines of previous General Assembly decisions; fifthly, a visit to the Territory by the Secretary-General or some other impartial observer, or by a mission representing the specialized agencies concerned, for the purpose of studying conditions; sixthly, intensified technical assistance and economic aid; seventhly, recourse to the compulsory jurisdiction of the International Court of Justice in accordance with article 7 of the Mandate and Article 37 of the Statute of the Court. His delegation would give its full support to any practical proposals for applying any of those

<sup>1</sup> *International Status of South-West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.* (Transmitted to Members of the General Assembly by the Secretary-General under cover of document A/1362.)

measures, which were clearly within the competence of the United Nations.

7. In conclusion, he wished to state that, as representatives of a small country which depended for its security and survival upon the continued existence and efficacy of the United Nations, his delegation could not but view with the gravest concern any situation, such as that before the Committee, in which continued failure to achieve a solution might prove detrimental to the prestige, power and authority of the United Nations.

8. He reserved his delegation's right to speak later on the draft resolutions before the Committee (A/C.4/L.442, A/C.4/L.443, A/C.4/L.444).

9. Mr. KNOWLAND (United States of America) associated himself with the speakers who had expressed appreciation of the work of the Committee on South West Africa. Despite the handicaps under which it had operated, the Committee had submitted a valuable report (A/3151 and Corr.1). He realized that the recommendations in the report were based on a description of conditions which, owing to the difficulty of securing information, might not be wholly accurate or complete.

10. Turning to the draft resolutions before the Committee, he said that his delegation was of the opinion that the four-Power draft resolution (A/C.4/L.442) would be improved by deleting the sub-paragraphs of paragraph 4; they added nothing to the general endorsement of the recommendations and might even have the effect of singling out certain subjects to the neglect of others. His delegation would not, however, press for an amendment and would vote in favour of the draft resolution.

11. It would also support the first Liberian draft resolution (A/C.4/L.443), although it doubted the necessity, or even the desirability, of reiterating the same resolution each year, since the previous resolutions on the matter remained in effect.

12. The question of South West Africa raised two complex issues: that of dependent peoples and that of interracial relations. The roots of those problems were deeply imbedded in history, and history could not be unmade; nevertheless, that was no reason for concluding that nothing could be done to resolve them in the future. Certain aspects of the two problems existed in many countries and few were in a position to offer gratuitous advice to others. Although encouraging progress was already being made on both problems, his delegation felt that through education and wise statesmanship there could be greater progress in the years immediately ahead. In the case of South West Africa it fully agreed that both the territorial administration and the Union Government should take further steps to give effect to the objectives of the Mandate, which the International Court of Justice held to be still in force. The Union Government had repeatedly stated that it was administering the Territory in the spirit of the Mandate. The Court and the General Assembly required that it be governed in the terms of the Mandate and that it be submitted to international supervision. Between the spirit and the terms there can be very little conflict, and there must surely be a way of bringing the terms and the spirit together. While his delegation recognized that legislation and administration within the Union of South Africa were a domestic matter wholly outside the competence of the United Nations, the latter must, in accordance with

the Court's opinion of 11 July 1950, concern itself with administration and legislation in South West Africa. It might admittedly be difficult for the Mandatory Power to have legislation and administration in the Territory that differed in some respects from that obtaining in the Union, but it should not be impossible for the territorial administration to select and apply such laws and practices as would be compatible with both the terms and the spirit of the Mandate.

13. Mr. BOZOVIC (Yugoslavia) said that his delegation endorsed the recommendation of the Committee on South West Africa that the situation in the Territory should be carefully re-examined. The matter was the more urgent in that it had become clear that the Union of South Africa was bent on the formal annexation of South West Africa, which was, in practice, already an accomplished fact. By its obstinate refusal to negotiate, the Union Government had left the Assembly no other choice than to consider what new steps might be taken to ensure respect for international law and the principles of the Charter.

14. The situation should be studied from the point of view of each of the interested parties, namely, the United Nations, the Union of South Africa, and the population of South West Africa. Beginning with that of the United Nations, he declared that in agreeing to negotiate on the basis of the Court's advisory opinion of 1950 recommending the establishment of a procedure which should as far as possible resemble the Mandates System, the Assembly had taken a step backward, for such a procedure was out of place in the system created by the Charter and did not conform with the realities of the present situation. The only justification for its action was the commendable desire of the General Assembly to find a solution, however anachronistic, to a problem which threatened international peace and security. His delegation, sharing that desire and hoping that the Union Government could be dissuaded from its intention to absorb South West Africa, had voted in favour of the General Assembly's resolution (449 (V)) despite its reservations on the matter.

15. The Union Government, however, had apparently misinterpreted the Assembly's desire. Tacitly supported by certain Member States, it had persistently refused to co-operate in the search for a solution which would take into account the interests of the Union of South Africa in so far as they were compatible with the Charter and the rights of the population of South West Africa. Instead, it had professed to regard the United Nations concern for South West Africa as interference in the Union Government's internal affairs. The statements by Mr. van Rhijn and Mr. Strijdom which appeared in document A/AC.73/L.8/Add.1 showed clearly that the Union Government regarded South West Africa as a part of its own domain.

16. Turning next to the situation of the inhabitants of South West Africa, he wished first to congratulate the Committee on South West Africa and the Secretariat on the way in which they had performed their tasks and the admirable report that had been produced. In paragraph 38 of annex II of that report the Committee drew attention to the inferior status accorded the majority of the inhabitants, the racial discrimination to which they were subjected, the failure to improve their moral and material well-being, and the neglect of their fundamental human rights and freedoms. Paragraphs 66 and 67 showed that the situation was no better with regard to the distribution of land.

The report gave many other examples of the Union Government's discriminatory policy, such as the compulsory separation of European and Native residential areas and even hospitals, the restrictions imposed on freedom of movement of the indigenous population, and discrimination against indigenous labour. Such was the condition of a people which at the end of the First World War had been placed under the administration of a supposedly advanced Power so that it might be assisted in its progress towards freedom and independence. The report added that the Union Government's action in transferring to its direct control the administration of the indigenous population in the Territory had caused the Committee profound misgivings regarding the future course of the administration of the Territory.

17. The dignified attitude maintained by the indigenous population in the face of such a policy and its continued confidence in the United Nations as the defender of its rights were indeed remarkable. It had given proof of its willingness to co-operate, but it was legitimate to wonder how much longer it would be able to endure the policy of racial discrimination to which it was subjected. The question was one of universal concern, for there was already ample evidence of the sufferings mankind was willing to undergo in order to destroy those who made racial superiority their official doctrine.

18. The one thing that was clear in the Africa of today was the demand of its peoples for equality and independence. The African peoples were on the march towards the realization of their desire for an Africa belonging to the Africans, in which all men would be equal. Their aspirations might be disregarded but they could not be destroyed, and their existence raised urgent questions for the United Nations.

19. It was in the light of that urgency that the General Assembly should examine the Committee's recommendation that the entire question of South West Africa should be re-examined. Bearing in mind the paramount interest of preserving world peace, the Assembly should do everything in its power to eliminate by peaceful means a probable cause of what might well be one of the ugliest explosions of violence in history. It could, for example, decide to send a commission of inquiry to examine the situation in South West Africa or it could request the Secretary-General to visit the Territory or to send representatives there. The Secretary-General or his representatives could at the same time open negotiations with the South African Government with a view to settling at least the social, economic and humanitarian problems which weighed so heavily on the indigenous population. His delegation therefore supported the first Liberian suggestion.

20. Another possibility to which the Liberian representative had referred was the establishment of a committee to negotiate with the South African Government. His delegation thought that a rather smaller committee than that suggested by the Liberian representative, consisting of representatives of France, the United Kingdom and the United States only, might be better able to influence the South African Government.

21. While his delegation was prepared to support any effort to carry out either of the Liberian suggestions, it preferred the first, because the Secretary-General had already demonstrated his tact and his diplomatic ability on more than one occasion.

22. His delegation hoped that the United Nations would once again demonstrate its desire to create an atmosphere in which the Union of South Africa would find it possible to reconsider its attitude of non-co-operation and to enter into negotiations as a token of its good faith.

23. Mr. ROLZ BENNETT (Guatemala) said that the Committee was again examining the situation created by the failure of the Union of South Africa to fulfil its duties as a Mandatory Power and to act on the resolutions repeatedly adopted by the General Assembly. The International Court of Justice had given added weight to those resolutions by its advisory opinion to the effect that the Union of South Africa could not alter the status of the Territory without the consent of the United Nations, that the Union of South Africa remained subject to the obligations set out in Article 22 of the League of Nations Covenant and in the Mandate for South West Africa, that it remained under an obligation to transmit petitions, and that the functions of international supervision should be exercised by the United Nations.

24. To the lack of co-operation shown by the South African Government and its disregard for the Assembly's resolutions and for the opinions of the International Court was to be added the fact that the South African Government was pursuing, more and more openly, a policy of absorbing the Territory in contempt of world public opinion as unequivocally expressed by the General Assembly and by the highest court of the world community. That state of affairs could not but give rise to grave concern, for it constituted an act which was contrary to the Mandate and to the principles on which the "sacred trust of civilization" conferred on the Mandatory Power in accordance with Article 22 of the Covenant of the League of Nations were based.

25. His delegation regretted that there was no representative of the Union of South Africa present in the Committee, but it had not given up hope that some progress could be made towards a solution of the problem.

26. The Committee on South West Africa was to be congratulated on its report, which was valuable both for the amount of information it contained and for its judicious recommendations. His delegation also thanked the petitioners for the information and inspiration they had given the Committee.

27. His delegation deplored the fact that the South African Government had once again refused to co-operate with the Committee on South West Africa. As the latter stated in its report, it was clear from certain statements made by high South African officials that the South African Government considered that the Mandate over South West Africa no longer existed and that the United Nations was not competent to intervene in matters affecting the Territory, which it considered an integral part of the Union of South Africa. It was for that reason that the so-called European inhabitants of South West Africa were now represented in the South African Parliament. The significance of that representation was a source of particular concern to the Committee on South West Africa. Moreover, the South African Government had also recently transferred authority over a number of matters affecting the indigenous inhabitants of the Territory to the South African Ministry of Native Affairs. Those two circumstances indicated very clearly

that the Union Government was gradually, and unilaterally, modifying the juridical status of the Territory.

28. The Committee on South West Africa recommended, in annex II (para. 21) of its report, that the General Assembly should consider the desirability of clarifying the legal effects and implications of the representation of South West Africa in the Union Parliament, in the light of circumstances at present surrounding it, by seeking legal advice, either from a joint Trusteeship and Legal Committee or by referring the matter to the International Court of Justice for an advisory opinion. His delegation felt, however, that the Assembly itself was competent to take a decision on the matter, since the representation of a Mandated Territory, which, in the present case, was the equivalent of a Trust Territory, in the parliament of its Administering Authority violated both the letter and the spirit of the International Trusteeship System, vitiated the international status of the Trust Territory, and was calculated to hinder rather than promote the development of self-government in the Territory. Moreover, there was no doubt that the representation in the South African Parliament of the so-called European inhabitants of South West Africa furthered the incorporation of the Territory into the Union of South Africa without the consent of either its inhabitants or the United Nations and that the steps taken to modify the status of the Territory unilaterally had no legal validity. There was therefore no need for the proposed joint committee, but his delegation was not opposed to the recommendation that the matter should be referred to the International Court, if a majority of the Committee favoured that procedure.

29. In the economic and social fields, the situation in South West Africa was far from encouraging. It was clear from the Committee's report that the African population derived very little benefit from the economic activity of the Territory, that the budgetary investments were intended primarily to satisfy the needs and interests of the so-called European inhabitants, that the needs and interests of the African population were not given proper consideration and that the resources of the Territory were not exploited for the benefit of the indigenous African inhabitants. The situation would not be so discouraging if the South African Government evinced any desire or intention to rectify the unequal distribution of the Territory's wealth. It seemed clear, however, that it was that Government's policy to keep the Africans in a position of economic and social inferiority and to deny them their fair share of material welfare, cultural progress or even physical health. Inequality and backwardness were to be found in many parts of the world but in most of them there was some prospect of improvement. In South West Africa inequality was established and promoted on principle.

30. Nevertheless, his delegation had not lost hope that the Mandatory Power would heed the voice of the General Assembly and the International Court and apply the principle of international supervision to its Mandate. It therefore felt that the General Assembly should reaffirm its position.

31. It also agreed that the time had come for a new approach to the problem of South West Africa. For that reason it welcomed the Liberian representative's suggestions and would like to add another: it felt that the General Assembly might achieve the desired results by designating a special commissioner to enter into

negotiations, within the framework of the Assembly's previous resolutions, with the Union of South Africa and to conduct a study of the situation in the Territory, the means of establishing international supervision and the improvement of conditions among the inhabitants. That course had certain advantages over the other formulas proposed, in view of the fact that the Secretary-General was already overburdened with great responsibilities, and that it might be easier for a single representative than a committee to conduct negotiations. In any case, his delegation would support in principle whatever solution along those lines the Committee might finally adopt.

32. His delegation found the provisions of the three draft resolutions before the Committee acceptable and would vote in favour of them. It felt, however, that the four-Power draft resolution (A/C.4/L.442) would gain in clarity if the words "of either endeavour or achievement" were deleted from paragraph 3. It also suggested that the word "Native" in the preamble of the Liberian draft resolution (A/C.4/L.444) should be replaced by the word "African" and the words "some of the 'Native'" in paragraph 1 replaced by the word "African". It reserved the right to make further comments on the draft resolutions later.

33. Mr. JABRI (Syria) said his delegation regretted the fact that the Union Government had neither participated in the work of the Committee on South West Africa nor given that Committee the benefit of information with regard to conditions within the Territory. It remained hopeful, however, that the South African Government would co-operate in the future.

34. In the political field, the report made it clear that the South African Government had embarked on a course which would lead to goals very different from those enjoined by the provisions of the Mandates System. His delegation was deeply concerned by the statements made by responsible officials of the South African Government which in effect claimed sovereignty over South West Africa. It was especially saddened that those statements had been made in the full knowledge that they ran counter to the opinion of the highest court in the world.

35. Economic conditions in the Territory, too, gave little ground for optimism. His delegation was pleased to note that there had been improvement in many economic fields but it regretted that the non-European inhabitants of the Territory derived little or no benefit from its prosperity. The South African Government was no doubt aware that its most serious responsibility was the improvement of the living conditions of the indigenous inhabitants rather than the mere development of projects or the increase of exports. Little satisfaction could be derived from the Territory's progress if it was not accompanied by a proportionate improvement in the living conditions of the indigenous inhabitants.

36. In the past the Committee had been able to augment its observations by studying the monthly trade statistics for the Territory published by the Union of South Africa. Now that the South African Government no longer published those statistics, the Committee would face even greater difficulties in preparing its annual report in the future. The South African Government was to be held entirely responsible for the inadequacy of information relating to the Territory because of its refusal to co-operate with the United Nations and the Committee on South West Africa.

37. The report gave instances of the continued application by the South African Government of discriminatory policies in both the economic and social fields. Its regulations were even applied, in all their severity, to children. The restrictions it imposed justified Chief Hosea Kutako's statement that the people of the Territory lived in a state of fear (A/3151 and Corr.1, annex VII).

38. While his delegation welcomed the expansion of medical facilities in the Territory, it considered those improvements of little value compared with the gross injustices practised on the helpless non-Europeans of the Territory. The South African Government could prove its good intentions by abandoning its policies, which had been termed contrary to the Mandate, the opinion of the International Court of Justice, the resolutions of the General Assembly and world opinion.

39. His delegation's most serious apprehensions were occasioned by the passing of the Departure from the Union Regulations Act by the South African Parliament. It was obvious to all that that Act was designed to prevent freedom-loving South Africans from giving the United Nations and the world an eye-witness account of the disgraceful conditions prevailing in the Territory. His delegation was accordingly glad that Mr. Getzen had been able to appear before the Committee to describe his people's sufferings and it hoped that South West Africans with Mr. Getzen's spirit would one day convince the South African Government of the necessity for applying a new policy, compatible with the principles of the Mandates System, to the Territory.

40. While some attempt seemed to have been made to employ more non-European teachers in primary schools and to increase their wages, education was still provided on a completely segregated basis. His delegation could not but express its profound amazement at the continued indifference of the South African Government with respect to the education of the young people of South West Africa and its concern at that Government's continued refusal to make education available to the non-European population.

41. The Syrian delegation shared the misgivings expressed by some representatives, and especially those of India and the Philippines. Several possible solutions had been suggested. The suggestion made by the representative of Liberia that the Secretary-General should go to South Africa and try to secure the compliance of the Union Government with the provisions of the Mandate was worthy of the most careful study. So far the Committee had confined its efforts to recommendation and consultation. Since that had borne no results and since in fact the situation had deteriorated, the time had perhaps come to consider what other means could be used.

42. He paid a tribute to the Chairman and Rapporteur of the Committee on South West Africa and also to the members of the Secretariat who had given their assistance to that Committee.

43. In conclusion, he observed that it was an incontrovertible fact that conditions in South West Africa were far from humane. In every field the picture was a bleak one and the conscience of mankind would naturally continue to be perturbed as long as that state of affairs remained unaltered. He trusted that the Union Government and the people of the Union of South Africa would one day find it to their own inter-

est to change the situation. It was difficult to understand the Union Government's refusal to co-operate with the United Nations by discharging the responsibilities it had assumed under the League of Nations, seeing that such co-operation would not require any more of them than did the present situation. Co-operation might even be to their own advantage, since it would enable them to apprise the world of the achievements they claimed to have brought about in South West Africa. His delegation would welcome any information from the Union Government about action taken or being taken to lead South West Africa towards the objectives of the Mandates System. If the Union Government continued to refuse its co-operation there would be no alternative but to pursue the line the Assembly was already following until the aims of the Mandates System had been fully realized in that part of the world.

44. He thanked the Reverend Michael Scott and Mr. Getzen for their statements before the Committee, which had helped members to understand the situation in South West Africa.

45. He reserved the right to speak again with regard to the draft resolutions before the Committee.

46. Mr. DE LOJENDIO (Spain) wished to explain his delegation's attitude towards the three draft resolutions before the Committee.

47. During the course of the debate many lofty thoughts and feelings had been expressed with which the Spanish delegation entirely concurred. The fact that had chiefly impressed him, however, was that during ten or more years the United Nations had been unable to make any progress with the problem of South West Africa. Perhaps, therefore, the time had come to consider whether the road followed had been the right one.

48. The course of action so far pursued had been unpractical because one essential was lacking: negotiation had been impossible because one of the parties had been absent. Some means should be sought of entering into direct negotiation with the Union Government; otherwise nothing would be achieved. The most suitable representative of the United Nations in such diplomatic negotiations would be the Secretary-General, who would be able in the light of the situation to suggest what course of action should be followed. To lay down conditions for the Union Government and call on it to appear like a prisoner at the bar would only stiffen that Government's attitude.

49. The adoption of any of the draft resolutions before the Committee would merely be an obstacle to the Secretary-General's accomplishing anything. Mr. Lojendio would therefore abstain in the voting. At the same time he hoped that the Committee might reach agreement to ask the Secretary-General to conduct negotiations on behalf of the United Nations. A resolution might perhaps be drafted expressing confidence in the Secretary-General and asking him to initiate conversations with the Union Government. Without some such action there was little hope of achieving a practical solution.

50. Mr. ESPINOSA Y PRIETO (Mexico) expressed his delegation's regret that once again the Union Government had refused to co-operate with the Committee on South West Africa. The Union Government had found certain faults in the Committee's report, which was not surprising since it had

been drawn up without the co-operation of that Government and with virtually no direct information from the Territory. Objections had been made to the granting of hearings to the Reverend Michael Scott and Mr. Getzen because they were said to be out of touch with the Territory. The Fourth Committee had, however, acted in conformity with the opinion of the International Court of Justice, whereas the Government of South Africa had declined to provide information. Considering the difficulties that had been encountered, the report of the Committee on South West Africa was an admirable piece of work. He would abstain from analysing the report in detail since a number of delegations had already done so.

51. It was obvious that there should be international supervision over the Territory. It should be placed under the Trusteeship System, like the other former mandated territories. That view was based upon right and logic and also upon the advisory opinion of the International Court of Justice. The United Nations could not relinquish its rights in the matter even if a majority of the Members were ready to do so.

52. Because of the attitude taken up by the Union Government, and for various reasons of prestige and pride, the debate had for many years constituted a source of irritation and an obstacle to good relations between the Union Government and the other Members of the United Nations. It was not true that the problem had not evolved or that the resolutions of the General Assembly were without effect. The resolutions of the United Nations carried great weight with people throughout the world. The uneasiness felt by the members of the Fourth Committee sprang from their sincere friendship for the Member State concerned and their respect for its achievements; they wished to be able to continue to feel esteem for their fellow Member. Nevertheless, it should not be supposed that the General Assembly had no other weapon than resolutions. The success of the Organization had been due to its taking advantage of all possibilities of negotiation, conciliation and equitable arrangements that could be reached in the light of all the factors relating to a problem. The year 1956 had been a difficult one for the United Nations but the will to overcome difficulties would finally lead to a solution of the problem of South West Africa.

53. For those reasons his delegation was ready to support the suggestions made by the representative of Liberia. He had noted the remarks of the representatives of Yugoslavia and Guatemala in that connexion. In any event, thanks to the initiative of the Liberian delegation the matter would be explored, which in itself would contribute towards finding a solution.

54. He had been encouraged by the attitude of the Indian representative. His delegation would be ready to contribute to any attempt to seek an understanding, provided the means employed were in accordance with the principles of the Charter. It was in that spirit that he would support the Liberian representative's suggestions. As a prior condition, however, there must be a desire on the part of the Union Government, too. He had carefully studied the attitude of the South African delegation. The South African representative had taken part in the Committee's debates until the question of South West Africa had been broached. At that point he had withdrawn, but he had explained (A/C.4/338) that that was not due to the Fourth Committee's consideration of the question of South

West Africa but to the action taken in another Committee of the General Assembly.

55. If the Liberian representative's first suggestion were adopted, the Secretary-General would be able to inform the General Assembly whether the Union Government was disposed to negotiate and to come to an agreement in conformity with the Principles and Purposes of the United Nations.

56. He would support the three draft resolutions that had been submitted (A/C.4/L.442, A/C.4/L.443, A/C.4/L.444).

57. Mr. MAGHERU (Romania) associated himself with the representatives who had expressed regret at the grave situation created by the fact that a State which had been a Member of the United Nations for over eleven years had ignored the decisions and recommendations of the General Assembly. At the present time the Union of South Africa was gradually incorporating the Territory of South West Africa into the Union, as was clear from various statements made by leading members of the Union Government. Nevertheless, under the Charter, the South African Government was under an obligation to sign a trusteeship agreement for the Territory and to undertake to carry out the objectives of the Trusteeship System in accordance with Chapter XII of the Charter.

58. The report of the Committee on South West Africa contained a number of facts which had been conscientiously reported. From that report and from the statements made by the petitioners before the Fourth Committee it was clear that the results of the Union Government's administration of the Territory were in flagrant violation of the Charter. The great majority of the inhabitants were deprived of any political rights; racial discrimination was practised in all fields; the indigenous inhabitants were kept in a state of economic and social inferiority; health and educational facilities were negligible; the indigenous inhabitants were prohibited from moving about freely; they lived in isolated camps, had no right of association and were paid miserable wages; the increase in the African population was slower than that of the European population. The Territory was very rich and should provide for the needs of all its people, but the maintenance of the indigenous population in a state of servitude provided cheap labour, which increased the immense profits derived by the Administration and the concessionary companies. As was clear from paragraphs 98 and 99 of annex II of the Committee's report, a very small proportion of the Territory's budget was spent on improving the conditions of the indigenous inhabitants. The Territory's chief industry, mining, was dominated by foreign companies, the largest of which was the Consolidated Diamond Mines of South West Africa, Ltd., and prospecting rights were still being granted to foreign companies and individuals.

59. There was no doubt that a trusteeship agreement would have provided for greater participation by the indigenous population in the country's resources and for political, economic and social advancement. There was a great danger that if the Union Government failed to take steps to improve the lot of the majority of the population of the Territory the situation would deteriorate. In the opinion of the Romanian delegation the General Assembly should renew its efforts to induce the South African Government to fulfil its obligations under the Charter.



60. His delegation would consider with interest any proposal that might be made for concrete and positive measures to create conditions which would favour the progress of the Territory in the direction of self-government and independence.

61. Mrs. SHELTON (Cuba) said that her delegation had many times expressed the view that South West Africa should be placed under the Trusteeship System, despite the Union Government's refusal to heed the recommendations of the General Assembly and the opinions of the International Court of Justice. She would therefore support the Liberian draft resolution (A/C.4/L.443) and any amendment which in her opinion might improve it. She would also vote in favour of the other Liberian draft resolution (A/C.4/L.444) and of the four-Power draft resolution (A/C.4/L.442).

62. As in previous years, the delegation of Cuba would join the other delegations which were appealing to the Union Government to modify its attitude and to submit the question of South West Africa to the

competence of the United Nations. The present situation could not continue much longer and a formula must be found which would comply with the principles, sacred to all religions, which were enunciated in the Universal Declaration of Human Rights.

63. Mr. JAHANBANI (Iran), speaking on a point of order, recalled that the Yugoslav representative had asked previously why statements of petitioners were not reproduced as official documents.

64. Mr. COHEN (Under-Secretary for Trusteeship and Non-Self-Governing Territories) replied that for reasons of economy the Secretariat was required to restrict as far as possible the number of documents produced. The Secretariat was however, always willing to seek ways of satisfying any special requests addressed to it by the Committee for supplementary documentation, within the limits prescribed by administrative regulations.

The meeting rose at 5.35 p.m.