

GENERAL  
ASSEMBLY

## SIXTH SESSION

## Official Records



## AD HOC POLITICAL COMMITTEE 31st

MEETING

Friday, 4 January 1952, at 10.30 a.m.

Palais de Chaillot, Paris

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Chairman: Mr. Selim SÄRPER (Turkey).

**Treatment of people of Indian origin in the Union of South Africa (A/1787, A/1794, A/1795, A/AC.53/L.20, A/AC.53/L.21 (continued))**

[Item 25]\*

1. Mr. FISCHER (Israel) said that the purpose of his delegation's amendment (A/AC.53/L.21)<sup>1</sup> to the joint draft resolution submitted by Burma, India, Indonesia, Iran and Iraq (A/AC.53/L.20), was to offer an alternative formula which might be applied if paragraphs 1 and 2 of the joint draft resolution were not implemented. The statements made at the preceding meetings had demonstrated the general desire of members to find a way out of the deadlock by urging the parties concerned to show the greatest possible goodwill. His delegation hoped that its amendment gave expression to that desire.

2. Mr. MICHALOWSKI (Poland) recalled that the problem had been before the General Assembly ever since its first session when the Indian delegation had described the tragic situation of people of Indian origin in the Union of South Africa and the General Assembly had adopted resolution 44 (I). That resolution had been followed by others which had had no result. The South African Government had revealed its complete unwillingness to co-operate by introducing the Group Areas Act on the very eve of the round table conference. It had indeed been guilty of contempt and defiance of the actions taken by the United Nations. Speaking as recently as last December, the Prime Minister of the Union of South Africa had stated that the demand of coloured peoples for full equality was ridiculous and that they must be protected against the United Nations.

3. The laws enacted and the measures adopted in South Africa had instituted racial discrimination, depriving hundreds of thousands of people of full equality and stimulating racial conflict. Riots and bloodshed had ensued. One hundred and forty persons had been killed and 2,000 wounded at Durban. By prohibiting the employment of Indians in areas inhabited by persons of European origin, by depriving them of their rights and by the segregation enforced through the Asiatic Land Tenure Amendment Act and the Group Areas Act, the South African Government had not only ignored the General Assembly resolutions, but had violated the Charter. Those measures had been justified in terms of the philosophy expressed in *Mein Kampf*, the Dutch Reformed Church basing its apologia for the Government's policy on the thesis that justice did not depend on equal treatment for all but on the observance of the inequalities ordained by God. Furthermore, the Government had claimed that the people of Indian origin could not be assimilated and had adduced that argument in justification of certain measures. Racial discrimination had now reached a point where special post offices and telephone booths had been provided for coloured people.

4. Poland, which had suffered from racial discrimination under the German occupation, and had experienced the application of the Nazi theories of the master race, could not but deeply sympathize with the feelings of the people of Indian origin. At a time when the principle of self-determination would seem to have triumphed in many parts of the world, the United Nations could not remain silent. It was essential that a verdict should be passed condemning a policy which would result in inflicting economic ruin on the Indian population. His delegation consequently supported the joint draft resolution.

5. Mr. LAHOUD (Lebanon) said that to take part in a discussion in which Members of the United Nations were opposed to one another was always for him an unpleasant task. He undertook it without hesitation, however, because there were issues that affected sacred principles which must be supported by all those who believed in

\* Indicates the item number on the General Assembly agenda.

<sup>1</sup> The text of the Israel amendment is as follows:

Insert the following new paragraph after paragraph 2 of the operative part:

"Requests the Secretary-General, in the event that the members of the commission are not nominated in accordance with the preceding paragraph, to initiate discussions with a view to carrying through negotiations between the parties, provided he deems such assistance appropriate and helpful; and further, in his discretion, after consulting the parties, to appoint an individual who would render any assistance as may be necessary for the purpose of carrying through such negotiations".

the future of the United Nations and in international co-operation. It was not his intention to delve into the legal aspects of the problem nor to deal with the question of competence. The substance of the matter was simply that a series of facts had been put before the United Nations showing that 300,000 citizens in one Member State were being deprived of their rights on the grounds of racial differences. But the equality of men before the law was a fundamental precept of the Charter and the United Nations therefore could not overlook the accusations brought against one of its Members.

6. The problem could not be solved on a narrow basis since a universal principle was at stake and, moreover, similar cases of discrimination might occur elsewhere. Obviously, no measures taken by the General Assembly would be effective if the South African Government refused to respect them. That Government should be urged to show its goodwill by accepting a resolution conceived in moderate terms. But whatever the attitude of the South African Government, it was the Committee's duty to reaffirm its adherence to the fundamental principles of the Charter. His delegation would therefore vote in favour of the joint draft resolution.

7. Mr. ASTAPENKO (Byelorussian Soviet Socialist Republic) said that, although the item under discussion had been before the United Nations for some years, and several General Assembly resolutions had been adopted on the subject, the Government of the Union of South Africa had ignored all of them. The statements made by the representatives of India, Pakistan and other countries clearly revealed the intolerable position in which the South African Government, by its policy of racial discrimination, had placed the non-European elements of the population. Its policies and practices constituted a flagrant violation of the United Nations Charter. For the reasons which he had outlined, the Byelorussian delegation would vote in favour of the joint draft resolution.

8. Mr. TARAZI (Syria) observed that the question of the treatment of people of Indian origin in the Union of South Africa was a cause of constant concern to the United Nations. After the end of the Second World War it had been believed that all the peoples of the world were protected against discriminatory measures once the hitlerite and fascist racial theories had collapsed. The United Nations Charter had been produced as a true reflection, not of the position of governments, but of the feelings of the peoples of the world, and an affirmation of their rights. The French representative had described the Charter as an act of

faith (30th meeting). He himself felt that the value of that act of faith would be lost if it were not implemented. The Government of the Union of South Africa, however, was pursuing a retrograde policy of racial discrimination in direct contravention of the principles of the Charter. In face of such a situation, the Syrian delegation maintained the position it had always adopted and would vote in favour of the joint draft resolution.

9. Mr. SALFAN (Saudi Arabia) strongly supported the joint draft resolution and found nothing in it to which the South African Government could take exception. The proposal merely suggested a procedure for putting an end to the intolerable situation in which thousands of persons of Indian origin were being denied equal rights with Europeans in South Africa, in violation of the principles of the Charter. Mr. Salfan appealed to the South African Government not to obstruct adoption of the draft resolution, which, like previous Assembly decisions on the question, appeared to enjoy the support of a large majority of Member States.

10. Mr. LAMALLE (Belgium) shared the French representative's view that adoption of the joint draft resolution might aggravate the differences between the parties concerned rather than expedite a settlement. Before taking a decision on a specific text, it might be wiser to exhaust every effort to bring them together at a round table conference where a general basis of agreement could be worked out. The gap between them might be widened after a vote on the proposed draft and the settlement so anxiously desired by all States might once again be frustrated. Mr. Lamalle appealed to India, Pakistan and South Africa to enter into negotiations forthwith.

11. Mr. KYROU (Greece) wished to ascertain the reactions of the sponsors of the joint draft resolution to the amendment submitted by Israel.

12. Mr. NEHRU (India) requested time to consider the Israel delegation's amendment; he would express his views on it subsequently. He formally moved adjournment of the meeting.

13. The CHAIRMAN, noting that the list of speakers would be closed called for a vote on the motion for adjournment.

*The motion for adjournment was adopted by 30 votes to 2, with 18 abstentions.*

The meeting rose at 11.25 a.m.