

# GENERAL ASSEMBLY

THIRTEENTH SESSION

Official Records

Friday, 17 October 1958,  
at 10.50 a.m.

NEW YORK

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**Chairman: Mr. Mihai MAGHERU (Romania).**

## AGENDA ITEM 67

**Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa (A/3872; A/SPC/L.25) (continued)**

1. Mr. RODRIGUEZ FABREGAT (Uruguay) said that it seemed to him inconceivable that in an age of civilization and social progress a deliberate policy of racial discrimination should be applied. The course of history was being reversed. It had once more been necessary to place the question of race conflict in South Africa on the agenda of the General Assembly, despite the protests of the Union Government, and to discuss it once more, even in the absence of the representative of the Union of South Africa. It had been necessary for two reasons: firstly because it was a case of clear violation of the principles of the Charter of the United Nations and secondly because it was necessary that the question should be debated in public in order to educate world opinion.

2. The absence of the representative of the Union of South Africa from the debates in the Special Political Committee and the Fourth Committee, both of which had before them questions relating to human rights in South Africa, was much to be regretted. The members of the Committee would have liked to have the representative of the Union of South Africa answer the questions which they had to put to him. They would have been interested to hear him vindicate the theory of the superiority of the white race and the measures taken by his Government to put that theory into practice. They would have liked to have had an explanation of the discriminatory laws recently promulgated by the Union Government, and of the areas set aside for Africans, which were nothing but concentration camps. The Government of the Union of South Africa claimed that its attitude of abstention was justified under Article 2 (7) of the Charter and that the question of apartheid was a domestic issue which came exclusively within the Union's jurisdiction. But the General Assembly's competence was established by the very fact that it was a case of violation of human rights, since respect for those rights came under the jurisdiction of the United Nations and it was unthinkable that the Charter should be invoked to justify an infringement of its fundamental principles. Moreover, the Union Government not only challenged the Assembly's competence to consider the question of the policy of

apartheid in South Africa, it also challenged the Assembly's competence to consider the question of South West Africa, and that of the various organs set up by the General Assembly to study those questions, and it refused to accept the jurisdiction of the International Court of Justice. The attitude of the Union Government, which claimed to be the sole judge of its acts, was a challenge to the international conscience. Uruguay, perhaps more than any other country, experienced difficulty in understanding the policy of apartheid. Uruguay's constitution proclaimed the equality of all its citizens before the law, and the only differences which it recognized were those which derived from their talents and virtues.

3. One could not help comparing the attitude of the Union Government with that of the United States Government, which also had to cope with a difficult racial problem: on the one hand, complete intransigence, a determination to perpetuate and even to intensify racial discrimination; on the other, a sincere desire to find an equitable solution to the problem and a courageous effort to solve it. At the preceding meeting the United States representative had explained the policy resolutely pursued by his Government to eliminate racial discrimination despite the difficulties and obstacles encountered (90th meeting): that enlightened example was deserving of all praise. In the Latin American countries, where several races had become mixed in consequence of migratory movements, racial discrimination was unknown.

4. His delegation hoped that the debate on the question of race conflict in South Africa would be conducted without acrimony and that the Member States would seek only to achieve a reasonable solution of the problem and a rapprochement with the Union of South Africa.

5. As far as the draft resolution (A/SPC/L.25) before the Committee was concerned, his delegation would have liked it to be more forceful and to recall the legal obligations of Member States in the matter of human rights and fundamental freedoms. It had none the less agreed to be one of the sponsors and would vote for it.

6. Mr. BENABUD (Morocco) believed that the Government of the Union of South Africa, in claiming that the question of apartheid came within the Union's national jurisdiction, was merely seeking an excuse to evade the obligations laid upon it by the Charter and the Universal Declaration of Human Rights. The fact that the Special Political Committee had been considering the question for several years and that the General Assembly had adopted a number of resolutions on it was ample proof that the policy of apartheid was no longer a matter which concerned the Union alone. The policy which its Government was carrying out was based on force and his delegation believed that the United Nations should consider the question of apar-

theid because it was its duty to ensure the well-being of a population which was living in inhuman conditions resulting from a doctrine of racial discrimination.

7. The race conflict was continually growing worse in the Union of South Africa, and his delegation was convinced that the policy of apartheid would inevitably lead to a chaotic situation, dangerous not only for the peoples who were deprived of their fundamental rights but also for those who were carrying out the policy. A country could not progress if it did not grant all its nationals equal treatment. How could a large part of the population of a country work, produce and contribute to the general prosperity if it was deliberately deprived of its fundamental rights by a powerful minority? His delegation believed that race conflicts could be solved not by segregation but on the contrary by eliminating discrimination on grounds of race, colour and religion and proclaiming that all were equal.

8. In Morocco, there had never been any discrimination based on race, colour or religion; the Government of Morocco had reaffirmed its position at the Conference of Independent African States held at Accra in April 1958, by approving a resolution condemning the practices of racial discrimination and segregation. While it deplored the policy of apartheid, his delegation had not the least intention of interfering in the internal affairs of the Union Government. Its sole purpose was to make clear its interest in the question, and to promote a just and equitable settlement of a problem which, as it deteriorated, threatened world peace and security. His delegation regretted that the Union Government was not represented on the Committee, and earnestly requested it to abandon its intransigent attitude and to give effect to the General Assembly resolutions.

9. It was true that the United Nations had devoted much time and effort towards solving that difficult problem, without achieving any positive results. His delegation hoped, however, that the United Nations would continue to deal with the matter, in the interest of freedom and human dignity. It would accordingly support, as in the past, any United Nations resolutions condemning the policy of apartheid in the Union of South Africa, though it would have preferred the terms of the draft resolution under discussion to have been less vague.

10. Mr. MIYASAKI (Japan) said that the majority of the members of the Committee deprecated racial discrimination and deplored the attitude of the Union of South Africa, which disregarded the resolutions of the General Assembly and was developing its policy of apartheid still further. They were concerned lest that policy should result in an extension of the conflict between races in the Union of South Africa and considered that the question of apartheid came within the competence of the United Nations and should remain on the agenda of the General Assembly. The Japanese delegation shared the majority view, since Japan had always supported the principle of equal treatment for all races.

11. A number of representatives had carefully examined the cases of racial discrimination in the Union of South Africa and had reported upon them to the Committee. In its study of the question, the Committee should not, however, overlook the fact that even in

the Union of South Africa there were voices opposed to racial discrimination. For example, at a conference held at Witwatersrand University in Johannesburg in December 1957, some 300 participants had discussed means of improving relations between different races. University professors, economists, and the Bishop of Johannesburg had stressed the need—in the interest of the people and the country as a whole—of emancipating coloured persons and granting them the same rights as white people. The views of such progressive elements were similar to those of the majority of the Committee's members, and deserved encouragement.

12. While criticizing the policy of the Union Government, the Japanese delegation recognized that the security and interests of the white people had to be considered in any future readjustment of the policy of apartheid, since it would be impossible to improve racial relations without taking account of the interests of the minority at present in power.

13. As the representative of Burma had stated (88th meeting), the United Nations could not stand by and idly look on at the suffering, humiliation and degradation of the non-white population of the Union of South Africa. However, without the participation of the Union, there was almost nothing the United Nations could do except give strong, but friendly, advice. The representative of Ethiopia had stated (88th meeting) that delegations which abstained from expressing their abhorrence of racial discrimination condoned and even encouraged persistence in such policies. The Japanese delegation appealed to the abstaining delegations to view the question not from the juridical standpoint alone, but in the light of various other considerations, including the benefit which the white race would derive throughout Africa from a revision of the apartheid policy.

14. Mr. MALILE (Albania) said that the United Nations had spared no efforts in attempting to solve the problem of apartheid in a constructive manner and in keeping with the spirit of the Charter. The General Assembly had been considering the question for seven years and the number of Member States which requested its inclusion in the agenda was growing larger every year. However, the Union of South Africa continued to adopt a negative attitude by refusing to participate in the debates and to comply with the resolutions of the General Assembly. Indeed, there were numerous facts which indicated that more rigorous discrimination measures had been adopted and that the situation in the Union of South Africa had become worse. Nevertheless, the Albanian delegation was convinced that the Member States would never cease to bring up the matter as long as the Union failed to take positive steps towards putting an end to racial discrimination.

15. During the general debate in the Assembly (757th meeting), the representative of the Union had complained of the repeated attacks to which his Government had been subjected by the United Nations for several years and had argued that such an attitude violated the rights of Member States under the Charter. That argument was unfounded; it was the Union of South Africa that failed to respect the principles of the Charter and refused to recognize its obligations under the Charter.

16. It was impossible to maintain that consideration of the question by the General Assembly constituted interference in the domestic affairs of the Union of South

Africa; the United Nations had had recourse to the most constructive measures in order to solve the problem and had never attempted to interfere directly. Some representatives had nevertheless expressed doubts concerning the competence of the United Nations to consider the question. It seems superfluous to repeat the arguments which had proved amply that such a position was invalid. It was beyond question that the United Nations could not disregard a situation in which four-fifths of the inhabitants of a country were deprived of all moral and political rights and were still being treated according to the old colonial methods. The leaders of the Union of South Africa stated that they would fight to the end to maintain white supremacy in South Africa. They refused to grant the African people any political rights or any opportunities for education, and kept them living in reserved areas. Many laws had been passed to reinforce that policy of oppression and exploitation. Honest citizens were being arrested on grounds of the alleged dangers of communism. The last elections had taken place under the slogan of racial discrimination.

17. Such an abnormal situation might well give rise to serious conflicts with grave consequences. It was the duty of the United Nations, in the interest of maintaining peace and good relations between peoples, to draw the attention of the Union to the unfortunate consequences of its apartheid policy. Moreover, it needed to be stressed that the coloured people enjoyed the moral support of all the peoples of the world. The policy of racial discrimination had been condemned, notably at the Asian-African Conference held at Bandung in 1955 and at the Conference of Independent African States held at Accra in 1958. Peoples who had been subjugated for centuries were now becoming aware of their rights and were beginning to free themselves from the colonial yoke. The policy of racial discrimination could not continue for long and it would be better for the leaders of the Union of South Africa to take the necessary steps, in conformity with the recommendations of the United Nations, before it was too late.

18. The United Nations should spare no effort to eliminate the reactionary doctrine of apartheid and to ensure application of the principles of the Charter by all Member States. That was all the more necessary in view of the fact that the Union of South Africa was, unfortunately, not the only State Member of the United Nations which was applying a policy of racial discrimination. For the reasons set forth above, the delegation of Albania was prepared to support any resolution which might lead to a solution of the problem.

19. Mr. MOHAMED NOAH (Federation of Malaya) regretted that the Government of the Union of South Africa had not seen fit to respond to the repeated appeals of the majority of the peoples of the world, addressed to it through the United Nations. He could not accept the arguments of that Government, which questioned the General Assembly's competence to deal with the issue on the pretext that it was within the domestic jurisdiction of the Union. As the General Assembly had reaffirmed on several occasions, the Union of South Africa, in signing the Charter, had pledged itself to comply with all the provisions therein, including those of Articles 55 and 56. The policy of apartheid of the Union Government was not only at variance with the civilized concept of freedom and

morality; it also constituted a threat to relations between peoples. When the internal affairs of any State reached the point where international peace and security might be endangered, and where 80 per cent of the people were denied the enjoyment of fundamental human rights and subjected to discriminatory and oppressive legislation, it was the duty of the United Nations to intervene.

20. Meanwhile, the Government of the Union of South Africa had proved itself to be a loyal Member of the United Nations in other respects and had played no small part in the work of the Organization. That was why its attitude on the question under discussion was so disappointing. The peoples of Asia and Africa bore no ill will towards the Government and people of South Africa. The Federation of Malaya, a fellow-member of the Commonwealth with the Union of South Africa, had the greatest feeling of friendship for that country; but as a Member of the United Nations, it deplored the violation of the Charter by the Union of South Africa. The Union Government must surely realize that its policy of apartheid affronted the conscience of the world. He pointed out that among the victims of that cruel policy were people of Malayan origin, and that the people of Malaya naturally shared the humiliation and suffering of their brothers.

21. A new spirit was sweeping through Asia and Africa, liberating the forces of nationalism. Before long, the whole of colonial Africa would be free. Why should the local population of South Africa continue without violent reaction to tolerate conditions worse than those of the colonial territories of the African continent? By what right did the white population continue to impose its ascendancy over the non-white population?

22. Malaya had a multi-racial society and understood the problems arising from such situations. But it believed that the solution lay in respect for the principles set forth in General Assembly resolution 616 B (VII). Malaya had had to cope with the difficulty of uniting peoples of different races and religions. It owed to the unity thus achieved the success of its struggle for independence. That unity had been possible only because the Malayan people and their leaders had been guided by a sense of justice and tolerance, and there had been no hesitation in making mutual concessions. The Federation of Malaya was justly proud of its contribution to harmonious inter-racial relations in Asia.

23. The Union of South Africa was not the only country where segregation and racial discrimination existed, but it was the only country where those practices were sanctioned by law. Other States Members of the United Nations, in fulfilment of their obligations under the Charter, were trying to eliminate such practices wherever they existed. It was fitting that in 1958, the year which marked the tenth anniversary of the signing of the Universal Declaration of Human Rights, the United Nations should make a special effort to promote the observance of human rights and fundamental freedoms.

24. His delegation would join in making another appeal to the Government of the Union of South Africa and it hoped that in future that Government would be more responsive to world opinion than it had been in the past.

25. Mr. HOLLAI (Hungary) pointed out that the General Assembly had had to take up the question of race conflict in South Africa once again because it was still unfortunately a very real issue. The explanatory memorandum of the eleven Powers which requested the inclusion of the item on the agenda had described it as a grave threat to peaceful relations between ethnic groups of the world, to which attention had been drawn by successive resolutions of the General Assembly (A/3872). It was inadmissible that a nation which had signed the Charter of the United Nations should pursue a policy gravely prejudicial to the non-European population of the Union and anti-social by its very nature. It should not be forgotten that the world had entered upon an age of social progress. Racial discrimination ran counter to social progress, and was a relic of fascism. One of the catchwords of the white people in the Union of South Africa was "To survive, we must be supermen". But not so long ago other "supermen" had failed, despite their strength, to escape the verdict of history, and the same fate was in store for their successors in South Africa. The opponents of the policy of discrimination, on the other hand, represented the cause of progress. That applied particularly to the independent African States which had condemned the policy of apartheid at the Accra Conference in April 1958. All who favoured social progress were united in its defence and in the struggle against the policy of colonial exploitation.

26. Colonial exploitation was indeed in full swing in the Union of South Africa, where the majority of the people laboured to produce wealth for an oppressive minority which was growing rich at its expense. The wages of non-European workers were from 10 to 30 per cent of those of European workers, and non-Europeans

could not become skilled workers. Eighty-five per cent of African families earned less than the minimum living wage, and the African population's share in the national income was only 14 per cent. As an outcome of that policy of oppression, the 11 million Negroes in the Union had among them only seventy-four technicians, forty-three physicians, thirteen lawyers and eight secondary school teachers. As Richard P. Hunt had rightly remarked in the 10 February 1958 issue of The New York Times, for the majority of South Africans there were only relations between master and servant.

27. He (Mr. Hollai) would not specify in detail the means employed by fascism or dwell on the astonishing similarity between the discriminative laws applied in the Union of South Africa and the measures taken by Hitler. The situation was such that it would not be surprising if the African people rose up against their colonizers, because they could not be held down indefinitely under the régime of oppression to which they were being subjected. Until quite recently the view had been held that intelligence varied according to race. Life had eloquently refuted that theory, as the example of the independent peoples of Africa showed. The policy of apartheid was dictated by fear of progress, and the Government of the Union was closing its eyes to reality when it practised that policy.

28. The Hungarian delegation would support the appeal contained in the joint draft resolution (A/SPC/L.25) and any measure designed to put an end to the Union Government's policy of apartheid.

The meeting rose at 12.30 p.m.