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Chairman: Mr. Leopoldo BENITES (Ecuador).

AGENDA ITEM 87

**The policies of apartheid of the Government of the Republic
of South Africa (A/5167 and Add.1-6; A/SPC/L.83 and
Add.1) (continued):**

(a) **Race conflict in South Africa;**

(b) **Treatment of people of Indian and Indo-Pakistan origin
in the Republic of South Africa (A/5166, A/5173)**

1. Mr. STAMBOLIEV (Bulgaria) said that the South African Government's shameful policy of apartheid, which was a flagrant violation of the principles of the United Nations Charter, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples, contained in General Assembly resolution 1514 (XV), aroused the indignation of all progressive people. His delegation noted with deep concern that the South African Government's continuing policy of racial discrimination was increasing the danger of violent internal conflicts, which could develop into an international conflict endangering world peace and security. That anxiety was shared by the majority of the States Members of the United Nations, nearly half of which had requested the inclusion on the agenda of the seventeenth session of the items under consideration (A/5167 and Add.1-6).

2. In the course of many years of discussion of those items, the General Assembly had adopted numerous resolutions condemning racial discrimination in South Africa and calling upon the Government of that country to discontinue its shameful policy. The Government of South Africa had continually ignored those resolutions and, at the sixteenth session, a number of delegations had insisted^{1/} that effective measures should be taken to force the South African Government to carry out the General Assembly resolutions. Under pressure from the Western countries, however, the General Assembly had only adopted resolutions 1662 (XVI) and 1663 (XVI) which

were more or less routine resolutions and had not affected the conduct of the South African Government. Indeed, there had been a new wave of racialism in the Republic of South Africa. The Minister of Foreign Affairs of that country had stated on 24 September last at the 1128th plenary meeting that no doubt his country's policy would be attacked and threats would be made but that his Government would not be deterred by criticism. Under the General Law Amendment Act, known generally as the Sabotage Act, the slightest manifestation of disapproval or protest against the policy of racial discrimination and any action in defence of the economic interests of the working people in South Africa could be classified as a subversive activity. Persons accused under the Act would be presumed guilty and liable to sentences ranging from imprisonment for five years to the death penalty. In the South African Republic, all legislation and government policy were designed to perpetuate the political and economic injustices inflicted on the non-white population and the aim of the Sabotage Act was to eliminate the last remnants of freedom in that country.

3. The disintegration of the colonial system in Africa and the evolution towards independence of many African countries showed that no power could long preserve the colonial system in South Africa. The non-white population there would be encouraged by the successes achieved by other countries. The South African Government was introducing new brutal reprisals in answer to the growing resistance of the non-white population. Realizing that brutal oppression by a white minority could not promote political stability, it was training a large police force armed with the most modern weapons and was training the entire white population to co-operate with the police force. It was also building up armed forces far in excess of the country's defence needs provided with the help of the North Atlantic Treaty Organization (NATO) countries, with the most modern equipment. Also with the help of NATO countries, munitions factories were being built in the South African Republic. Preparations were being made for the production of guided missiles to carry bombs and it was said that the South African Republic would soon be in a position to produce atomic bombs. It could thus be seen that the military ambitions of the Republic of South Africa extended far beyond its boundaries. It had been reported in the Press that a secret military pact had been concluded between the South African Republic, Portugal and the Federation of Rhodesia and Nyasaland. The aim of the pact was to extend the domination of the ruling white racist groups with a view to using them to combat national liberation movements in Africa.

4. Those facts explained why the United Nations had always been unsuccessful in its efforts to change

^{1/} See Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 76, document A/4968, para. 13, draft resolution I.

the situation in South Africa. In addition, influential Western financial groups, interested in making large profits at the expense of the suffering indigenous population of South Africa, were supporting the South African racists. It was known that United States capital investments in the South African Republic amounted to over \$500 million and that the United Kingdom had invested about £900 million. The United States representative had tried (329th meeting) in vain to convince the members of the Committee that his country's investments in the South African Republic had philanthropic motives; in fact, the only motive was the accumulation of the largest possible profits. The United States representative's references to civil rights in the socialist countries of Eastern Europe had been irrelevant and an attempt to divert attention from the question before the Committee. The Bulgarian delegation shared the view that the colonial countries' support of the South African racist régime was sabotaging United Nations efforts to end the policy of apartheid in South Africa. His delegation supported the idea of sanctions against the Republic of South Africa and of the expulsion of that country from the United Nations. It would vote for the draft resolution in document A/SPC/L.83 and Add.1.

5. Mr. SHUKAIRY (Saudi Arabia) welcomed the decision to combine the two related items of treatment of people of Indian and Indo-Pakistan origin in the Republic of South Africa and race conflict in South Africa. The racial discrimination in South Africa was to be deplored, irrespective of the nationality of its victims. It had been reported that shortly after the agreement on the sale of pig iron of February 1962 between South Africa and Japan, the Government of South Africa had decreed that Japanese in South Africa should be classified as white and granted the same rights as Europeans. However, that Government appeared to be giving people of Indian and Indo-Pakistan origin a treatment different from that given to Africans. Such measures to undermine the unity of the African and Asian peoples had naturally failed, since the two peoples were united in the struggle for liberty and human dignity. Similarly, all peoples of the world should be united in that struggle, since humanity was indivisible. Racial discrimination in South Africa must be regarded as discrimination against the whole of mankind.

6. It was in that spirit that the Committee should consider the chronic and shameful problem before it. Race conflict in South Africa was being considered for the tenth year in succession and the treatment of people of Indian and Indo-Pakistan origin had been discussed for the past sixteen years in the United Nations. General Assembly resolutions 1662 (XVI) and 1663 (XVI) were perfectly clear and merely gave expression to the principles embodied in the United Nations Charter. There had been no progress, however, in negotiations between South Africa, India and Pakistan or as regards racial discrimination in general. The South African Government was ignoring the decisions of the General Assembly and the voice of humanity.

7. The Foreign Minister of South Africa had boasted in his statement (1128th plenary meeting) to the General Assembly that the people of South Africa were acquiescent. He had claimed that in the last year the Republic of South Africa had been free from disturbances and unrest, except for a few sporadic anti-government demonstrations. That statement was

untrue as to fact and mistaken as to interpretation. The quiet produced by ruthless oppression was the calm before the storm. It was idle to suppose that thirteen million non-whites could willingly accept domination by three million whites. No nation in the world, no matter how remote and primitive, would willingly accept a status of inequality. In South Africa, the whole apparatus of the State was dedicated to racial discrimination and the surface calm was maintained by oppression and persecution. The non-whites could hardly be expected to stand out against the Government's tyranny without means, and without support and assistance from outside. Movements of liberty and equality in Africa faced formidable odds. The forces of imperialism and colonialism were well-armed, well-trained, and well-financed, while the African fighters lacked weapons and supplies. The presence of the white man in Africa was merely the legacy of colonialism and continued white supremacy there was intolerable in the age of the United Nations. The white man should be free to stay as a citizen in Africa as long as his conduct warranted it, but he could no longer be lord and master.

8. The Committee must not be misled by outward appearances. The alleged quiet in South Africa was a symptom of brutal repression rather than the sign of a healthy situation. Imperialism was not confined to the occupation of territories; it also occupied minds. Imperialists usually succeeded in providing themselves with a philosophy. The so-called "mission sacrée" was one example and the slogan of law and order was another. Thus, in South Africa, racial discrimination had become an ideology, a social order and a gospel to be preached with a crusading spirit. The South African Government's defence of law and order had been to some extent echoed by the Foreign Secretary of the United Kingdom in the general debate (1134th plenary meeting). He had expressed the view that order and discipline were essential in international dealings. In the case of South Africa, that slogan was out of order. When the people of Africa rose in rebellion to gain their freedom, they were regarded as law-breakers violating order and discipline, but when they were crushed into quiet and submission, the chorus of imperialism told the United Nations that all was quiet in Africa. When the Sharpeville episode had been brought before the Security Council in 1960,^{2/} South Africa had claimed that the affair was a breach of law and order. Now that bloodshed was not taking place on a large scale, South Africa claimed that peace reigned in its territory.

9. On 27 June 1962, the Government of South Africa had passed the so-called Sabotage Act, an Act without parallel even in colonial legislation. The most deplorable of its many deplorable features was that the burden of proof of innocence was placed on the accused. That was a direct reversal of the fundamental notion of criminal law and a negation of the elementary principles of justice. Moreover, the acts punished under the Sabotage Act were not crimes; attempts to bring about integration and promote racial equality might more properly be regarded as virtues. Although legislation should be in the service of the people, legislation in South Africa was being enacted to destroy the people, virtually constituting genocide by legislation.

^{2/} Official Records of the Security Council, Fifteenth Year, 851st meeting.

10. The Sabotage Act had been preceded by another regrettable piece of legislation, restricting movement between South Africa and the United Kingdom Protectorates of Basutoland, Bechuanaland and Swaziland. That law was directed against political refugees and so-called "undesirables". At the same time, the South African Government was pursuing a policy of selected immigration. With a view to maintaining white domination, settlers from Europe and the United Kingdom were being induced to emigrate to South Africa in large numbers. The aim was to outnumber or at least to reach parity with the indigenous population—in a manner reminiscent of Israel's policy of unrestricted immigration into Palestine.

11. In order to strengthen the apartheid system the Government of South Africa had also reinforced its military might. Defence appropriations in the budget for 1962-63 were almost three times as large as in 1960-61, and both the army and the police force had been expanded to a level unparalleled in peace-time. Moreover, European civilians in South Africa were being given military training in a manner reminiscent of the Fascist and Nazi régimes. Most unfortunately, certain NATO Powers were supplying South Africa with military equipment. When South Africa's record was borne in mind, such assistance must be regarded as direct support of apartheid. There was no external threat to South Africa and the military build-up was directed against the South African people.

12. The South African Minister of Defence had admitted that South Africa must be prepared for internal troubles.

13. South Africa would no doubt argue that questions of defence were matters of national sovereignty and no concern of the United Nations. Normally the Saudi Arabian delegation would not dispute that view. But when a Government had to secure itself against its own people, it lost its claim to sovereignty. The Republic of South Africa was not a true republic. The Government of South Africa was at war with its people, and such a Government should have no place in the United Nations.

14. It was impossible to avoid emotion in discussing the South African problem. As a Moslem, he had special reasons for taking a strong stand. Discrimination was totally repugnant to Islamic culture and tradition, and both religious and racial discrimination were alien to Moslem life. The Islamic civilization was truly multiracial. Moslems could not stand idly by, therefore, when thirteen million of their brethren were being persecuted. In very recent times, the persecution of a single United States citizen had roused emotions all over the world. The United States Government had taken vigorous action to restore the rights of a single one of its citizens; should not the United Nations take action to restore the rights of a whole nation, thirteen million strong? He believed that the recent events in the United States should be a guide to the United Nations in attacking the problem of South Africa. It was by action, by force of arms, that equality had been extended to James Meredith, not by pious entreaties and eloquent speeches. He urged the United States delegation to remember that in the case of South Africa, the South African people looked to the United Nations for action and not words. Moreover, the United Nations could crush South Africa's defiance without force of arms,

for there were powerful weapons in the Charter, if they were used with sufficient determination. So far, the Organization had confined itself to exhortations. The General Assembly had passed twentieth-six resolutions in all on the two aspects of apartheid. South Africa had ignored every one. With the exception of Israel, no other State had shown such persistent defiance of the Organization.

15. The United Nations had been too patient for too long; action was overdue, and it was the duty of States Members to honour their pledges to the Organization. The General Assembly had tried every means of peaceful settlement provided for in the Charter. Negotiations, conciliation and good offices had all been refused. The record from 1946, when the problem of the treatment of people of Indian and Indo-Pakistan origin had first come before the General Assembly, to the present day, spoke for itself. Resolution 1663 (XVI) adopted on the question of race conflict in South Africa at the sixteenth session of the General Assembly had, in effect, been an ultimatum to South Africa. It had brought South Africa to the threshold of expulsion. It had been hoped that it would act as a deterrent, but South Africa had again failed to respond and had intensified its campaign against the people of South Africa. He trusted that the United Nations would prove by its determination that it was by no means a mere debating society.

16. Some delegations had made the issue of universality a plea against expelling South Africa from the United Nations but his delegation could not agree. The purpose of universality was to achieve effective authority for the United Nations, not merely to accumulate quantity. The issue should be regarded as one for the whole of mankind. No State should claim that it was far-removed and not involved. The Members of the United Nations could not abdicate their responsibilities. Since moral pressure had failed, positive action had become inevitable. The expulsion of South Africa had become an act of necessity and the United Nations would be a better Organization without it. There was no room in the United Nations for rebels against the Charter. The Organization was largely made up of past rebels, but they had fought for dignity and equality, not for humiliation and inequality.

17. Article 6 of the Charter was designed to keep the United Nations an Organization of decent Members, not one of rebels against the civilized community. Expulsion was the penalty imposed by the United Nations for persistent violation of the Charter and South Africa had clearly qualified for expulsion. If Article 6 of the Charter was not to be applied now, when was it to be applied? Other organizations had already taken the necessary action against South Africa. Under pressure, it had found itself bound to resign from the Commonwealth. The International Labour Organisation had invited it to withdraw.^{3/} In February 1962, the United Nations Economic Commission for Africa had adopted a resolution unambiguously recommending its expulsion.^{4/} It was true that Article 6 of the Charter left the initiative in the hands of the Security Council, but that was a

^{3/} International Labour Organisation, *Records of Proceedings, Forty-fifth Session*, resolution I.

^{4/} See *Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 10*, part III, resolution 44 (IV).

technicality which should not present any difficulty. The General Assembly could recommend expulsion and at the same time request the Security Council to decide likewise. The joint draft resolution (A/SPC/L.83 and Add.1) proposed the establishment of a Special Committee to report to the Security Council and he suggested that the matter should be pursued to the final conclusion. Expulsion was a degrading and humiliating measure, but it should be remembered that thirteen million people in South Africa were at present suffering humiliation and degradation. The choice was clear: it was between the membership of South Africa and the dignity of man. Saudi Arabia had made its choice in co-sponsoring the joint draft resolution. He urged the Committee to do the same by adopting it unanimously.

18. Mr. ADEBO (Nigeria) said that it was a matter of great regret that, in spite of the strong criticisms voiced over the years against South Africa's racial policies, the South African Government had remained unrepentant. Indeed, its application of those policies had become ever harsher and more inhuman, as witnessed by the recently enacted Sabotage Act which, quite apart from the severity of its penalties, had the remarkable feature of placing the onus of proof of innocence on the accused.

19. Nigeria, being resolutely opposed to racial discrimination, was glad to be associated with the initiative that had been taken to treat the matters under discussion as one item, for they were both aspects of the same problem.

20. Nigeria was fully aware of the existence of racial prejudice and discrimination in other countries besides the Republic of South Africa. However, it was also aware of the continued efforts of the Governments concerned to eliminate that evil. In that respect, the recent action taken by the President of the United States in connexion with such a problem was a source of gratification. However, at a time when every other country in the world was branding racial prejudice as an evil, the Republic of South Africa made a virtue of it. Long after science had rendered theories of racial superiority absurd, that Government based its legislation on the belief that one race was superior to another, and it continued to believe that its enforced rule over the African majority would last for ever, although most people had recognized the inevitability of majority rule in multiracial societies. Although the plea that such matters lay within a country's domestic jurisdiction had been rejected by the overwhelming majority of United Nations Members, the Government of South Africa stubbornly maintained its position, as was evident from its failure to participate in the Committee's discussions.

21. Nigeria believed firmly in fundamental human rights and had incorporated into its Constitution such elementary rights as personal liberty, freedom of conscience, freedom of expression and freedom from discrimination. It therefore felt entitled to speak out whenever those rights were denied. It felt that it had a duty to do so when such infringements occurred on the African continent, because the corner-stone of Nigeria's foreign policy was the freedom of all Africa. The people of South Africa lived in such a state of bondage that they could not even decide for themselves what occupation to engage in, where they could travel or even the members of their family with which they could consort.

22. The Nigerian delegation believed that the draft resolution (A/SPC/L.83 and Add.1), of which it was a co-sponsor, provided the answer to the problem of ending the present situation in South Africa. It also believed that the contents of the draft were realistic and practical. Sometimes those who counselled "realism" had in mind a course of action that would cause no offence, even to the guilty. But that was realism of a deplorable kind. Others envisaged measures that could command unanimous support. But a resolution of such a nature would be of no value unless it also contained sufficient substance to meet the end in view. Surely no one could believe that a platitudinous resolution would further the aims of the United Nations in South Africa. For years, various countries had remonstrated with the South African Government to no avail whatsoever. To pursue such an ineffectual course in such an emergency as the present one was certainly not realistic. To say the least, it would reflect a misguided sense of realism.

23. Those who were anxious to see an end put to the policy of racial discrimination in South Africa could hardly take exception to the present draft resolution. Even the most "realistic" should find little difficulty in supporting the first three operative paragraphs, which did little more than echo what had been stated by all speakers in the Committee.

24. Operative paragraph 4 requested those who believed the policies of the South African Government to be pernicious, to take positive action to end them. The list of measures proposed should give no cause for alarm since a number of countries, including Nigeria, had already undertaken some of them, even though it meant incurring economic sacrifices. Unless unanimous and decisive action was taken, however, the application of sanctions could never be effective. If the measures proposed might result in a greater economic sacrifice for some countries than for others, it would be the duty of all Member States to join in providing relief for those countries. Such considerations should not deter Members from supporting a draft resolution that was so patently consonant with the obligations all had undertaken in the interests of international peace and security. Some had argued that it would be a mistake to impose sanctions economically harmful to those citizens of South Africa who did not believe in the racial policies of their Government. That argument had been strenuously urged, it would be recalled, against the proposal to dismiss South Africa from the Commonwealth. However, most members of the Commonwealth had seen through that specious argument. Surely few people genuinely believed that the way to help South African opponents of apartheid was to refrain from bringing economic pressure to bear on the Government.

25. Operative paragraph 7 was completely innocuous, and only anticipation of the shame of having nothing to report could prevent any country from supporting it.

26. The Nigerian delegation attached considerable importance to operative paragraph 8 of the draft resolution. Believing in the principle of universality, it would not lightly recommend the dismissal of a Member of the Organization. Its primary objective was therefore to induce the South African Government to alter its policies, and only if the Security Council failed to secure that objective would it recommend considering the expulsion of South Africa. A vote in favour of the paragraph would therefore not mean

supporting immediate expulsion, for the mere threat of that ultimate sanction might produce the desired changes in South Africa's policies.

27. There could be no doubt that lack of decisive action in the past had contributed greatly to the South African Government's continued intransigence. Members of the Committee would note the sixth preambular paragraph of the draft resolution regretting that the actions of some Member States indirectly provided encouragement to the Government of South Africa. That paragraph was intended not as an indictment of any particular State but as a challenge to all Members of the United Nations. All nations should consider whether any of their actions—however well intended—might indirectly frustrate the common objective of putting an end to racial discrimination in South Africa. The effects of expelling South Africa from the Commonwealth had been negligible because certain members of that group had continued to treat it—for economic purposes at any rate—as if it were still a Commonwealth member. Such ambivalence had characterized the action of many United Nations Members in relation to the Government of South Africa. While roundly condemning South Africa's racial policies, some continued to accord it "most favoured nation treatment". If such condemnations were sincerely meant, then actions must match words in the future.

28. Mr. SOUMAH (Guinea) recalled the resolute stand taken by his delegation over the years against all racial discrimination and inequality. For ten years now the General Assembly had been adopting resolutions and recommendations on the subject of apartheid, and appealing to the Government of South Africa—all unheeded for there was none so deaf as he who would not hear. It might be said, however, that for ten years the Assembly had been adopting the same resolutions without really attempting to reach the heart of the issue. A careful examination of all the resolutions adopted showed that an element of conflict had always prevailed, preventing unanimous agreement on really effective measures. It was somewhat encouraging, however, to see that the policies of apartheid and its corollaries were now being dealt with as a single item, so that they might be the subject of a single resolution. That development was heartening to those who had always maintained that the treatment of people of Indian and Indo-Pakistan origin in South Africa was merely another aspect of the so-called policy of separate development.

29. There was no escaping the fact that the fundamental principle of equality enshrined in the United Nations Charter and the Universal Declaration of Human Rights was being infringed in a number of countries, in various ways. However, what was intolerable about the policy of apartheid was the fact that racial discrimination had been systematically elevated to the rank of official government policy. It was the imperative duty of the United Nations not

only to condemn that criminal policy but to encourage all efforts on the part of nations and individuals who were striving for racial equality. It was therefore gratifying to note the decisive stand that had been taken by the United States Federal Government regarding the recent events in Mississippi. It was to be hoped that the United States Government would intensify its efforts to eradicate all forms of racial discrimination in that country.

30. While there appeared to be unanimity in condemning the racial policies of the Government of South Africa, there did not seem to be the same measure of agreement on the subject of applying the necessary sanctions. Resistance at that stage was, perhaps, only to be expected from the forces of colonialism, and it was quite clear that the South African Government enjoyed the support of a number of Governments with which it had various interests in common. The solution to the question, therefore, could only lie in complete decolonization and in the liberation of Africa. Indeed, the States bordering on South Africa were still in a state of subjugation almost equal to that practised in South Africa. Accordingly, the time had come for a strong condemnation of the accomplices of the South African Government which, in the present instance happened to be the Powers administering Rhodesia and Nyasaland, Mozambique, Angola, Basutoland, Swaziland, and others.

31. The delegation of Guinea wished to reaffirm the unshakable determination of all African peoples to see the liberation of their brothers in South Africa. It was certain that the "Afrikaners" would not long be able to withstand the course of history. First, an attempt should be made to use all the means provided in Article 6 of the United Nations Charter to induce the South African Government to abandon its humiliating policies. Guinea for its part fully supported all those delegations that had spoken in favour of South Africa's expulsion from the Organization. It would be recalled that that country had also been expelled from such international bodies as the International Labour Organisation. At the same time, his delegation believed that concerted action in imposing sanctions of the kind provided in the draft resolution might have more direct results. Since clear provision was made in the Charter for such sanctions, the United Nations should take resolute steps to isolate the Republic of South Africa politically, economically and morally, for only thus could the policy of apartheid be brought to an end.

32. In conclusion, he reserved the right of his delegation to speak further on the draft resolution submitted.

33. The CHAIRMAN announced that Niger had asked to be included among the sponsors of the draft resolution (A/SPC/L.83/Add.1).

The meeting rose at 1.5 p.m.