

GENERAL ASSEMBLY

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Chairman: Mr. Emilio ARENALES CATALAN
(Guatemala).

AGENDA ITEM 60

The question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa (A/3628 and Add.1) (continued)

1. Mr. AL-ASKARI (Iraq) congratulated the Chairman, Vice-Chairman and Rapporteur on their election. Under their guidance, the Special Political Committee would certainly be able to accomplish fruitful work during the current session.

2. After the General Assembly at its eleventh session had adopted resolution 1016 (XI) on the question of race conflict in South Africa, there had been reason to hope that the Government of the Union of South Africa would moderate its policies of apartheid. However, that had not been the case and, far from improving, the racial situation in South Africa had deteriorated still further. Yet the General Assembly's resolution had been extremely conciliatory, so much so that it would appear to have lost all point. In paragraph 4, the General Assembly had invited the Government of the Union of South Africa to co-operate in a constructive approach to the question, more particularly by its presence in the United Nations. However, the Union Government was deliberately abstaining from participating in the debates of the current session, was continuing to ignore completely all the resolutions adopted by the General Assembly on the matter, and was blindly pursuing its deliberate policy of racial discrimination.

3. There was no denying that the attitude of opposition or abstention adopted on the matter by some delegations was calculated to encourage the Union Government to persist in its present course. Legal experts could argue endlessly as to whether there was a contradiction between Article 1, paragraph 3, and Article 2, paragraph 7, of the Charter of the United Nations, and hence whether the United Nations was competent to examine the question. Nevertheless, by adopting a number of resolutions on the question the General Assembly had established the right of the United Nations to discuss it. Moreover, there was nothing in Article 2, paragraph 7, of the Charter to prevent the United Nations from discussing any question which it judged to be within its competence or from adopting any resolutions it thought fit on such questions. No one had suggested, of course, or was suggesting,

that the United Nations should intervene directly to put an end to the policies of apartheid of the Union Government. Only the people of the Union could do that. Actually, it was a matter of common knowledge that a large part of the European population was opposed to the Government's policies of apartheid. However, it was the duty of the United Nations to give the non-European population of South Africa its moral support by formally condemning such policies.

4. The United Nations could not remain indifferent to the hardships and sufferings of the non-white peoples of the Union of South Africa. Indeed, it was to be feared that in desperation those peoples would one day react violently against oppression by that colonial Power and thus give it an opportunity, on the apparently legal pretext of re-establishing order, to apply rigorous measures of repression which would actually amount to genocide. In that connexion it was hard to avoid drawing a parallel between the situation in South Africa and the situation in Algeria. It was essential, therefore, that the delegations of those countries which had hitherto opposed the General Assembly's resolutions on the question of race conflict in South Africa or had taken refuge in abstention should now join the majority of Member States in condemning the policies of apartheid of the Government of the Union of South Africa.

5. The Iraqi delegation would continue to support, as it had in the past, any measure designed to settle the racial situation in South Africa, or at least to remove some of its worst features.

6. Mr. BASTIEN (Haiti) noted with satisfaction that at the current session the inclusion in the Assembly's agenda of the question of race conflict in South Africa had been requested not only by India but by eight other Member States. It showed that that distressing problem was regarded less and less as the localized conflict some had claimed it to be, and was becoming more and more a matter of world conscience. The Haitian delegation would give its comments on the matter in that spirit, and would likewise try to help induce the Union Government to respect the obligations set forth in the Charter.

7. Some delegations had expressed doubts as to the General Assembly's competence to examine the question. The Haitian delegation thought it would be superfluous to dwell at length on the question of competence and on the proper interpretation of Article 2, paragraph 7, of the Charter. It would merely note that the argument of incompetence was a convenient excuse for those who wished to evade their obligations under the Charter. It was tantamount to an attempt to cover up the offences committed against the Charter in South Africa by quoting the Charter itself. The Haitian delegation had no feeling of animosity towards the Government of the Union of South Africa. It did not accuse but rather tried to understand. In any

event, it felt that the United Nations could not remain indifferent towards an organized attempt to undermine the principle of the equality of human rights, regardless of race, and it had a duty to warn the Government of the Union of South Africa of the dangers of its policies of apartheid.

8. The representative of India had described (50th meeting) with praiseworthy moderation the deplorable results of those policies, which in reality amounted to the quasi-sequestration of four-fifths of the people in the Union of South Africa who under the Charter of the United Nations and the Universal Declaration of Human Rights had the same rights as the minority by which they were oppressed. The non-European population of the Union of South Africa was being held in a sort of arbitrary bondage in its own country, whereas it ought to be enjoying opportunities to grow and develop in complete freedom. In civil law, the head of a family who sequestered members of his family and forced them to live in conditions of deprivation and degradation would be committing an offence. In criminal law, too, sequestration was an offence and sometimes even a crime.

9. Some 150 years ago the Haitian people had won their independence and freedom after twelve years of bitter struggle. Today the spirit of justice prevailed in the world and the peoples were winning their independence by peaceful means. It was to be hoped that the same spirit of justice would in the end induce the Union Government to renounce its policy of racial discrimination. The United Nations, by taking a conciliatory but firm stand, must ensure the triumph of justice.

10. Mr. TALAAT (Egypt) said that in view of the refusal of the Union Government to comply with the General Assembly's resolutions the Egyptian delegation had associated itself with the delegations which had requested that the question of race conflict in South Africa be included in the agenda of the current session.

11. The Union Government had always claimed that the problem came exclusively within its domestic jurisdiction and that the United Nations could not intervene. In point of fact, the competence of the United Nations had been clearly established on several occasions. It was therefore entitled to request the Government of the Union of South Africa to carry out its obligations under the Charter and to renounce its policy of racial discrimination. The United Nations could not drop the problem at a time when the principle of the equality of races and respect for human rights was becoming more and more generally recognized.

12. Despite United Nations efforts, the Union Government was unfortunately continuing to adopt discriminatory measures against the majority of the population, and the position of those inhabitants of the Union who were not of European origin was growing worse. The African and Asian nations represented at the 1955 Bandung Conference had denounced all practices of segregation and racial discrimination.

13. The Union of South Africa could not ignore the fact that for several successive years the General

Assembly of the United Nations had by an overwhelming majority proclaimed that the policies of apartheid were contrary to the principles of the Charter and to the dignity of man. The Union Government could not indefinitely flout world public opinion and oppose the aspirations of the majority of the population who wished to secure better living conditions.

14. The Egyptian delegation felt that the United Nations had a duty to continue its efforts to solve the problem and to persuade the Government of the Union of South Africa to put an end to its policy of discrimination, which was out of place in modern civilization. It hoped that the Union Government would agree to amend that policy and to co-operate with the United Nations in accordance with the Charter and in the interests of the people of South Africa. The Egyptian delegation would support any draft resolution designed to promote a settlement of the matter.

15. Mr. MAKHLOUF (Libya) recalled that the question of race conflict resulting from the policies of apartheid of the Government of the Union of South Africa had been a matter of concern to the whole world for many years. Despite the resolutions adopted by the General Assembly, the situation continued to deteriorate: the Union Government persisted in its policy of racial discrimination; it made no attempt at conciliation, and ignored the will of the international community.

16. The Committee must make every effort to find a solution and must take steps to persuade the Union Government to amend its policies of apartheid which, if continued, would have deplorable effects not only on the Union of South Africa but also on other countries. He was sure that all the members of the Committee wished to see the matter settled in a way that would alleviate the tyranny under which the non-European population of South Africa lived. He deeply regretted that there was no representative of the Union of South Africa on the Committee. Such absence signified that the Union Government did not recognize the competence of the United Nations to discuss the problem. Nevertheless, the Committee must continue to do so.

17. The Libyan delegation had recently learnt that the Union Government had adopted further discriminatory measures and that the policies of apartheid now affected nearly all aspects of life. That trend, condemned by resolutions of the General Assembly, was absolutely incompatible with the principles of the United Nations and constituted a flagrant violation of the Charter of the United Nations and the Declaration of Human Rights. Such policies were not calculated to promote peace and international co-operation, since they were in complete contradiction with the ideals of equality, freedom and justice.

18. The Libyan delegation hoped that the Committee would reaffirm the decisions taken previously by the General Assembly and would again invite the Government of the Union of South Africa to co-operate with the other Governments concerned in order to secure an equitable solution of the problem.

The meeting rose at 3.35 p.m.