



Wednesday, 5 April 1961,
at 11.5 a.m.

New York

C O N T E N T S

Agenda item 72:

Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa (continued) 75

Chairman: Mr. Carlet R. AUGUSTE (Haiti).

AGENDA ITEM 72

Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa (A/4419 and Corr.1 and Add.1 and 2; A/SPC/L.59/Rev.1, A/SPC/L.60/Corr.1) (continued)

1. Mr. STAMBOLIEV (Bulgaria) said that if the General Assembly failed once again to adopt a resolution strong enough to leave no doubt as to the international community's determination to ensure respect for the fundamental rights of human beings everywhere, the question of race conflict in South Africa would have to be debated all over again at the next session, just as it had been at so many sessions in the past. Every year striking new evidence of the exploitation and sufferings of the non-European inhabitants of the Union was put before the Committee. The Sharpeville incident had offered conclusive proof, if proof were needed, that conditions in the Union, far from improving, had steadily deteriorated. That incident had led to the adoption by the Security Council of a resolution¹ recognizing that the situation, if it continued, might endanger international peace and security. Yet the Council's resolution, like the resolutions adopted earlier by the General Assembly, had been ignored by the Union Government, whose entire policy was aimed at perpetuating the economic and political oppression of the non-European population. Under the legislation now in force in the Union, persons of African origin could possess only a small area of poor quality land in the reservations, which were thus overcrowded so that labour was cheap and abundant.

2. Economic oppression, however, was only one part of the picture for it was accompanied by political oppression, of the harshest kind; while in the social field, the Africans were denied equality of educational opportunities, health services and so forth. The blame for that situation lay primarily with the racist Government of the Union but, as in the case of the Congo and Algeria, there were other elements to be taken into consideration. For many years the enormous mineral wealth of South Africa and the cheap labour available there had attracted foreign capital investment. British investments alone amounted to over £900 million and in recent years American and West German investments

had been rapidly increasing. There could be no doubt that foreign investors in the Union were as interested as were the white South Africans themselves in upholding the *apartheid* policies which brought them vast profits. The representatives of those interests in the United Nations had ensured that nothing stronger than moral condemnation was applied to the Union Government. However, the fifteenth session of the General Assembly was different from the previous sessions in one very important respect, namely that it had adopted, with an impressive display of near-unanimity resolution 1514 (XV), a Declaration on the granting of independence to colonial countries and peoples. If the racist policies of the Union Government had been objectionable before, they were intolerable now. They exemplified colonialism at its worst and were an anachronism in the present era when one African country after another was winning its freedom. His delegation was convinced that the success of the national liberation movement in other parts of Africa would strengthen the faith of the non-European inhabitants of South Africa in the inevitable triumph of their cause. It was equally convinced that the Union Government's policy, if it continued, was bound to engender internal political strife and international complications which would threaten the peace and security of Africa and the entire world. The Bulgarian delegation would vote in favour of draft resolution A/SPC/L.60/Corr.1 in the hope that it would provide a means whereby the United Nations could oblige the Union Government to comply with its resolutions and put an end to the policy of *apartheid* and racial discrimination.

3. Mr. AKAKPO (Togo) observed that the gravity of the situation under discussion was attested by the persistence with which the General Assembly had considered it year after year and the large number of countries, representing different areas of the world, which had requested its inclusion in the agenda of the fifteenth session. In adopting resolutions calling for an end to *apartheid*, the General Assembly was seeking not only to alleviate the lot of the non-European inhabitants of the Union of South Africa but also to save the Union itself from the consequences which were bound to flow from the continued application of the policy of racial discrimination. *Apartheid* represented the complete negation of all human values. It was based on laws which were profoundly humiliating to the non-European population. They had been deprived, on their own African soil, of the exercise of all their rights and freedoms. They were exploited, underpaid, burdened with taxes, ill-fed in the midst of their country's great wealth, and ravaged by disease. Yet they could not so much as complain of their lot, for under the Criminal Law Amendment Act, 1933, any manifestation against the régime was regarded as a crime.

4. Many countries had denounced the Union Government for its policies—the independent African States, in their series of conferences, and the States of the

¹ Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960, document S/4300.

Commonwealth at the recent meeting in London. *Apartheid* was a criminal policy which had no justification in religion, philosophy or science. His delegation appealed to the United Nations to take more vigorous action than it had taken in the past to persuade the Union Government to abandon that policy and bring its treatment of the non-European population into conformity with the principles set forth in the Universal Declaration of Human Rights.

5. Mr. MILLET (France) said that racial discrimination and segregation had always been contrary to the outlook of his country, and France had been the first country to base its institutions and its form of government on the principle of equality. It was significant that some leaders of the new African States recently admitted to membership of the United Nations had been members of the French Government. Only through equality between races could the African countries, with their vast undeveloped resources, fully exploit the possibilities open to them. In Africa as elsewhere, France was opposed to racism, whether white or black, and increasing co-operation and integration between races represented the hope of peace and a better future.

6. France had consistently advocated the strictest adherence to the terms of the United Nations Charter. It felt that the United Nations must act only in conformity with the principles laid down at San Francisco and solemnly recognized by all States which had since become Members of the United Nations. The principle of non-intervention in matters which were essentially within the domestic jurisdiction of any State, proclaimed in Article 2, paragraph 7, of the Charter, was essential to international harmony and had led the French delegation, at the fourteenth session of the General Assembly, at the 124th meeting of the General Committee, to oppose the inclusion in the agenda of the question of Tibet, despite the feelings of his country on the matter. The same misgivings obliged his delegation to express similar reservations on the question of *apartheid*, though he assured the representative of Nigeria, who had stated that abstention on the draft resolution submitted by the African States would be equivalent to a negative vote (236th meeting of the Special Political Committee), that France deplored and condemned the *apartheid* policies of the Union of South Africa as strongly as they did. The harmonious co-operation between races which was evolving in the new African States would do more than yet another General Assembly resolution to bring home to the Union Government the injustice and lack of realism of its policies.

7. Mr. RODRIGUEZ FABREGAT (Uruguay) regretted that the question of *apartheid* was once again on the Committee's agenda. The Union Government's inflexible policy affected not only the people of the Union of South Africa but also the people of South West Africa, a territory mandated to the Union with a view to guidance towards independence. The principles of *apartheid* were not only at variance with the provisions of the United Nations Charter, they were all too reminiscent of the nazi racist policies. Under the South African laws the population was divided into racial categories, the authorities reserving the right to decide a person's category so that they could mete out any treatment they wished.

8. The racial policies of the Union of South Africa were completely incomprehensible to the American peoples, who had come to the New World precisely in

order to escape from racial, religious and political persecution. Though their ethnic backgrounds were most varied they had all set to work, together with the indigenous peoples, to realize their common aspirations, ultimately embodying in their Constitutions the principle of equal rights for all. Because of that heritage his delegation had felt no hesitation in taking a firm position both on the previous item (agenda item 70) raised by the Indian and Pakistan delegations and on the present item.

9. The domestic jurisdiction argument based on Article 2, paragraph 7, of the Charter was not valid; the Preamble and Article 1 solemnly enjoined universal respect for human rights. If those who drafted the Charter had regarded human rights as a matter of domestic jurisdiction, they could not have included the promotion of respect for those rights as a fundamental purpose of the United Nations.

10. It had been suggested that the General Assembly defeated its own ends by continuing to adopt resolutions which went unheeded; but his delegation could not agree. United Nations resolutions had a two-fold significance—the value of the actual terms they employed and their even greater value as a guide for men everywhere. In debating the question each year, the United Nations was not wasting its efforts, but was demonstrating its vigilance in the matter of human rights. His delegation was still hopeful and confident. It believed that the Union Government should once again be reminded of the world community's disapproval of *apartheid*. The efforts of the United Nations should not cease until the inhuman policy of *apartheid* had been abolished.

11. Mr. SULEIMAN (Sudan) voiced his Government's deep concern over the potentially explosive situation in South Africa. The United Nations had made repeated efforts to convince the Union Government to heed the voice of reason and comply with its Charter obligations by effecting a basic change in its policies. The reaction from the Union Government had been complete disregard for those recommendations and a further tightening of its inhuman measures. The Sharpeville incidents demonstrated the ruthless means by which the Union Government suppressed the rightful demands of the indigenous majority. Those and succeeding incidents unmasked the true nature of the situation in South Africa, which had been correctly evaluated by the Security Council as a potential threat to international peace and security. It was on the basis of the Security Council's evaluation that the Assembly should approach the matter. His delegation had co-sponsored draft resolution A/SPC/L.60/Corr.1 because it provided the effective measures which must be taken to avoid a major catastrophe.

12. Mr. SMITHERS (United Kingdom) said that his delegation had not participated in the general debate, since its views on the general issue were well known. The policies of the United Kingdom Government, both in its former African territories which were now independent and in those progressing rapidly towards independence, proved more eloquently than words the gulf separating those policies from the system of *apartheid* practised in the Union of South Africa.

13. His delegation had always attached the greatest importance to the observance of Article 2, paragraph 7, of the Charter, which assured Member States, especially those which found themselves in a minority, of reasonable immunity from interference in their internal

affairs. Some representatives maintained that the General Assembly had established the fact that Article 2, paragraph 7, did not apply to the question of *apartheid*; but that would mean that the General Assembly could amend the Charter. The paragraph was an indispensable part of the Charter, and it was in the interest of all Member States to abide by it. However, the question of *apartheid* was unique in that it involved the deliberate adoption, retention and development of policies based entirely on racial discrimination. Moreover, those policies were directed amongst and against the permanent inhabitants of the territory concerned. The problem caused grave international repercussions, in Africa mainly, but also in other continents, as events at the recent Commonwealth Conference had shown. While the importance attached by the United Kingdom to Article 2, paragraph 7, of the Charter remained undiminished, it regarded *apartheid* as being now so exceptional as to be *sui generis*, and his delegation felt able to consider the three-Power draft resolution (A/SPC/L.59/Rev.1) on its merits.

14. There was a serious reservation to be made in connexion with operative paragraph 5. It was true that the policies of the Union Government had led to international friction, but his delegation could not agree that, at present at least, they endangered international peace and security. There was some danger that such phrases might become a kind of standard incantation introduced, almost as a matter of routine, into General Assembly resolutions. Hence it was not desirable for the words "and that their continuance endangers international peace and security" to form part of the resolution, and in a separate vote on those words his delegation would abstain.

15. *Apartheid* was an essay in folly. It was, however, easier to recognize folly than to find wisdom and to prescribe it for others. As the Defence Minister of India had pointed out (241st meeting), one State had no right to prescribe what others should do. The word "collective" in operative paragraph 3 might give rise to considerable difficulties, and his delegation would therefore abstain on that paragraph. With those two exceptions, his delegation would vote in favour of the three-Power draft resolution.

16. The draft resolution (A/SPC/L.60/Corr.1) purported to advise States the course of action they should take, and he shared the misgivings expressed by the Defence Minister of India concerning operative paragraph 5. It might be argued that the use of the word "consider" in the first line left States free to do as they pleased, but the operative word was "*recommends*". It was inconceivable that any delegation voting in favour of such a recommendation should not be prepared itself to implement it, and such delegations would, in fact, be committing their Governments to breaking off diplomatic relations with the Union Government and imposing economic sanctions.

17. To break off diplomatic relations was a perfectly legal and proper procedure, but the question was whether it would have the desired effect. The establishment of diplomatic relations was not a kind of prize conferred on Governments whose policies a country

approved or tolerated. Its purpose was not to pay a compliment to a Government, but to secure certain conveniences. The first task of a diplomatic mission was to supply its own Government with accurate information and wise advice concerning the country and Government to which it was accredited, and without such information and advice it would be difficult to form a policy. Its second duty was to carry out the instructions of its own Government and to seek to influence the Government to which it was accredited. It would be ludicrous to sacrifice one of the few remaining means of influencing the Union Government when the avowed intent of the co-sponsors was to influence that Government.

18. Regarding the imposition of economic sanctions, it had been pointed out that such punitive measures were unprecedented in the history of the United Nations. It was true that the Committee was dealing with an unprecedented problem, but Member States might one day face similar action in other circumstances. Such measures would certainly do most harm to those whom the Committee wished to help; many people in South Africa and other countries would be thrown out of work. It was easy to sneer at the power of "commercial interests", but in the free world these meant the jobs of ordinary men and women. To add to the sum of human misery in many lands could be justified only if it were likely to achieve the desired end, but such action would make a change in the policies of the Union Government less, rather than more, probable. Past experience showed that such action greatly strengthened the position of a Government; it would cause many patriotic South Africans who opposed the policies of *apartheid* to rally to the support of the Government. There were many moderate and liberal-minded white people in South Africa, and economic sanctions would have an adverse effect on their prospects, which appeared to be increasing at present, of bringing about a change in their Government's policies. No boycott in the past had ever attained its object, and surely no delegation really expected that the draft resolution would achieve what had never been achieved before; on the contrary, it would bring the United Nations into ridicule and contempt.

19. The representative of the Ukrainian SSR had made great play at the 241st meeting with the economic interests of the United Kingdom in South Africa. The United Kingdom thought it desirable to make investments and develop industries in other countries, and it welcomed similar activities by others in the United Kingdom. The promotion of international trade improved relations between countries; he had the impression that the Government of the Soviet Union took the same view, and was sorry that the outlook of the Ukrainian SSR was so reactionary.

20. He urged the co-sponsors of the draft resolution (A/SPC/L.60/Corr.1) to turn back from the dangerous course on which they had embarked and to withdraw the draft resolution; if that were not done, his delegation would be obliged to vote against it.

The meeting rose at 12.35 p.m.