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Chairman: Mr. Abdulrahim Abby FARAH
(Somalia).

AGENDA ITEM 31

The policies of apartheid of the Government of the Republic of South Africa: report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa (continued) (A/7254, A/7259, A/7270, A/SPC/L.160 and Add.1, A/SPC/L.161-163)

1. Mr. OGBU (Nigeria), speaking as Vice-Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, wished to provide certain clarifications on the administration of the Fund, in reply to comments made by some representatives during the discussion. On behalf of the Committee of Trustees of the Fund, he thanked the Members who had spoken appreciatively about its work and those—Belgium, Japan, Morocco and Poland—who had made new pledges and contributions. Members would recall that the Fund had been established by General Assembly resolution 2054 B (XX), which had been supported almost unanimously by Member States, the only adverse vote being that of South Africa.

2. Grants from the Fund were made by the Secretary-General as its custodian, on the advice of the Committee of Trustees, which at present consisted of the permanent representatives of Chile, Morocco, Nigeria, Pakistan and Sweden. They were not made to individuals, but were used to supplement the resources of organizations engaged in assistance to victims of apartheid.

3. As Mr. Aström, the Chairman of the Committee of Trustees, had stated at the twenty-second session (563rd meeting), the Committee made sure, before deciding in principle to recognize a voluntary organization as a possible beneficiary, that it fulfilled certain conditions and that the organization undertook to use the grant for the purposes indicated in paragraph 2 of General Assembly resolution 2054 B (XX). The organization also reported to the Committee on the use of the grant and provided all the financial statements

required by the Secretary-General and the Board of Auditors. In other words, the Committee of Trustees did everything in its power to ensure that, in each case, the grants given were being used for the purposes stipulated by it. The attitude of the South African Government had obviously made it difficult to carry out the Fund's mandate. The Committee of Trustees had tried to avoid any publicity about its work, partly in order that the humanitarian aid provided should not detract attention from the political action required to solve the problem of apartheid and partly because any publicity about the utilization of the grant might provoke further difficulties for organizations and individuals engaged in assistance to the victims of apartheid. The Committee would of course be happy to provide all information to the donor Governments, if they so wished.

4. The principles applied by the Committee of Trustees and the fact that the Secretary-General was the custodian of the Trust Fund guaranteed that it would not be used for purposes other than those for which it had been established. The Committee was gratified at the expressions of confidence and co-operation it had constantly received from the victims of apartheid, from the people who had been engaged in helping them, and from the Member States. Grants from the Fund could be used only for humanitarian and not for political purposes.

5. The resources of the Fund which, according to its terms of reference, were intended to supplement those of the voluntary organizations, could not cover all the needs. Those organizations also required generous contributions from the public and from individual donors to be able to perform their humanitarian work. Indeed, the Committee of Trustees encouraged any Government to contribute directly to those organizations. Several Governments, including those of Denmark, Jamaica, Poland, Romania, Sierra Leone and Sweden, had made substantial contributions to different voluntary organizations, particularly as the needs of those organizations were spread over a wider field than that covered by the Trust Fund's terms of reference. If the Fund was to play the very useful role assigned to it, it should continue to receive adequate contributions.

6. Mr. NOAMAN (Southern Yemen) introducing the forty-Power draft resolution (A/SPC/L.160) on behalf of the Afro-Asian group, said that Mauritius, Senegal and the United Republic of Tanzania should be added to the list of sponsors (A/SPC/L.160/Add.1). The fight for the fundamental humanitarian and political rights outlined in the draft resolution had been the cause of the revolution of 14 October 1963 against colonialism in Southern Yemen, which had led, after four years of bitter conflict, to the seizure of independence by the

National Liberation Front on 30 November 1967. His delegation was therefore particularly gratified to be able to introduce the draft resolution.

7. Racial discrimination had been practised in the Union of South Africa since its inception and the Afrikaners had used the term apartheid since 1948. As early as 1950, the United Nations, in General Assembly resolution 395 (V), had decided that any policy of "racial segregation" (apartheid) was necessarily based on doctrines of racial discrimination. In a number of recent resolutions, it had also condemned apartheid as "a crime against humanity". Unfortunately, although international opinion had unanimously condemned apartheid, some States, which had associated themselves with those resolutions, were maintaining economic, financial and trade relations with the Government of South Africa. Since 1962, foreign trade and investments in South Africa had greatly increased. Despite the arms embargo of 1963, South Africa had been capable of setting up its own aircraft industry and was said to be conducting negotiations with a view to building warships.

8. The sponsors of the draft resolution requested all States to view the situation in southern Africa in the light of recent new factors. First, the oppressed people of South Africa, led by their liberation movements, had finally resorted to armed struggle after trying all peaceful means. That struggle must have the unrestrained support of the United Nations. Secondly, the South African Government was also extending the policies of apartheid to Namibia and Southern Rhodesia and was upholding the Portuguese colonialists in the area. If the cancer of apartheid were not excised, it would spread to the whole of Africa. Thirdly, the South African Government had declared that the Zambezi was its security frontier and that it intended to use force against independent African States Members of the United Nations. Those different elements constituted a grave threat to international peace and security.

9. A just solution to the political and colonial problems of apartheid required the co-operation of the main trading partners of the Pretoria régime. Their strong protests against apartheid were meaningless unless they were transformed into action. The draft resolution before the Committee was similar in many ways to resolution 2307 (XXII) adopted by the General Assembly at the twenty-second session. Nevertheless, a few additions had been found necessary in order to abide by the wishes of some delegations.

10. The first addition was in the fourth preambular paragraph, which noted with concern that the South African Government continued to intensify and extend its inhuman and aggressive policies of apartheid beyond its own borders. The second addition was in paragraph 3, which reaffirmed the right of the people of South Africa, as a whole, to exercise their right to self-determination and attain majority rule based on universal suffrage. Paragraph 8 (a) recognized the right of the freedom fighters to be treated as prisoners of war in accordance with the Geneva Convention of 12 August 1949. There were other additions in sub-paragraphs (b), (c) and (d) of the same paragraph and in paragraph 10, which urged all States to discourage by legislative or other acts all propaganda, activities

and organizations, which supported the policies of apartheid and racial discrimination.

11. The sponsors of the draft resolution sincerely hoped that it would be unanimously approved by the Committee at the earliest possible moment.

12. Mr. MANDEFRO (Ethiopia) said that he had participated in the informal meetings of the sponsors of the draft resolution (A/SPC/L.160 and Add.1) and was gratified to note that the present text commanded the unanimous support of the Afro-Asian group. During the informal meetings, great emphasis had been laid on a particular point, namely that in the year designated as the International Year for Human Rights, it was of paramount importance that States Members of the Organization should show their devotion to the spirit of the Charter by avoiding abstention when the draft resolution was put to the vote. It was above all important to rescue the dignity of the human person for the 13 million non-white victims of apartheid in South Africa. The time was particularly fitting for Member States to reaffirm their respect for human rights, irrespective of their political positions.

13. His delegation earnestly hoped that the trading partners of the Republic of South Africa would unreservedly endorse the draft resolution, and that it would be unanimously adopted.

14. Mr. ABDILLEH (Somalia) supported the draft resolution (A/SPC/L.160 and Add.1) which had just been introduced and said that he wished to comment briefly on it.

15. First, his delegation noted that the fourth and fifth preambular paragraphs and operative paragraph 2 referred to the fact that South Africa had intensified its apartheid policy which was now affecting the whole of southern Africa. It was essential that the South African Government should be prevented from carrying on its nefarious activities and that the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples should be secured in South Africa.

16. The wording of paragraph 7 differed slightly from that of the text adopted at the twenty-second session because the sponsors had felt that it was not practicable to furnish general assistance to millions of people and that assistance should rather be given to the organized movement engaged in the struggle for freedom. His delegation appreciated the reasons why certain representatives should feel somewhat hesitant as to the term "liberation movement" but he appealed to them not to let themselves be swayed by analogies. The term "liberation movement" was taken from the terminology of the Organization of African Unity. Its sense with regard to the South African liberation movement was very clear and members of the Committee should not be influenced by considerations unrelated to the problem of apartheid in South Africa.

17. Paragraph 8 contained some new elements. The first was that the freedom fighters should be treated as prisoners of war under international law and the Geneva Convention relative to the Treatment of Prisoners of War. That provision had become necessary because the struggle had recently taken the form of

an armed conflict. Secondly, there was the proposal that the Secretary-General should establish registers of persons persecuted by the South African Government and of acts of brutality committed by that Government against prisoners. The publication of such registers would be useful in making world public opinion aware of the situation in South Africa and in encouraging more support for United Nations action.

18. In paragraph 9, the Assembly would commend the activities of anti-apartheid movements and other organizations engaged in providing assistance to the victims of apartheid. Those organizations were doing useful work and deserved support so that they might intensify their activities.

19. In paragraph 10, on the other hand, the Assembly would urge all Member States to discourage the propaganda in favour of apartheid and racial discrimination which was actively promoted by the South African Government, especially in Western countries.

20. With regard to paragraph 11, he felt that the deliberate plan of the South African Government to increase the white population should be discouraged. Since 1960, some 250,000 Whites had emigrated to South Africa; many of them were skilled personnel who were helping in the development of the armaments industry in South Africa.

21. As to paragraph 12, he recalled that the exclusion of South Africa from the Olympic Games in Mexico had shown the white population of South Africa the worldwide abhorrence of apartheid. The boycott directed against South Africa should be extended.

22. As to paragraph 14, the Special Committee had, of course, been following the various aspects of the question of apartheid, as requested by General Assembly resolution 1978 A (XVIII), but he nevertheless felt that the Committee should be asked to devote special attention to the implementation of resolutions. That was an extremely important issue because the United Nations had been unable to solve the problem of apartheid for the very reason that its resolutions had not been fully implemented. There had been a very large number of resolutions and reports on the question and the proposed study could summarize them and also show the effect they had had. It was known that South Africa's trade with some countries had greatly increased despite the United Nations resolutions. All those facts should be brought out in a convenient form so that the General Assembly could consider the matter thoroughly.

23. Paragraph 15, too, was most valuable because the Special Committee's session in Europe in June 1968 had enabled it to hold consultations with Governments, specialized agencies, anti-apartheid movements and other organizations and with many experts, on means of intensifying the international campaign against apartheid. The Special Committee had been very prudent with regard to expenditure and the cost of the session had been less than half of the original estimate of \$77,000. He felt that the authorization for the Committee to hold sessions abroad should be renewed.

24. Finally, with regard to paragraphs 16 and 17, his delegation felt that a greater United Nations effort

to frustrate South Africa's propaganda in favour of apartheid was imperative.

25. Mr. HANEEF KHAN (Pakistan) joined the representatives of Ethiopia and Somalia in commending the draft resolution A/SPC/L.160 and Add.1 to the Committee and hoped that it would be unanimously approved. It was imperative for South Africa's major trading partners to insist that the Pretoria régime should rescind forthwith all the steps and measures taken to perpetuate its odious policies. Those Powers were no doubt aware of their duty to mankind and their responsibilities towards the United Nations. It ought not to be possible to say of them that they had failed to discharge their duties for the sake of narrow economic and financial interests.

26. Mr. EKONDY-AKALA (Congo, Brazzaville) proposed that, in view of the importance of its content, the verbatim record of the meeting, containing the statement of the representative of Southern Yemen should be circulated to all members of the Committee.

27. The CHAIRMAN said that, if there was no objection, he would take it that the Committee accepted that proposal.

It was so decided.^{1/}

28. Mr. HASHIM (Malaysia) expressed deep sympathy with the delegation of Saudi Arabia on the death of Mr. Omar Azouni.

29. On behalf of Brazil, the Democratic Republic of Congo, Denmark, Ethiopia, India, Tunisia, Yugoslavia and his own delegation, he introduced the text of the draft resolution A/SPC/L.162 concerning the United Nations Trust Fund for South Africa. Malaysia's opposition to apartheid was well known; his country had never ceased to support the efforts made within the United Nations and other interested bodies to ensure that the victims of that injustice recovered their human rights and dignity. His country had always considered it essential that the international community should assist those persecuted by the South African Government for opposing apartheid and upholding the principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

30. He recalled that the Trust Fund had been established in pursuance of General Assembly resolution 2054 B (XX) of 15 December 1965. Malaysia, as a member of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa had sponsored the proposal to establish the Fund.

31. The report of the Committee of Trustees of the Fund referred to certain deficiencies in the Committee's terms of reference, as laid down in General Assembly resolution 2054 B (XX), in that they did not clearly cover some of the humanitarian needs which were, no doubt, among those that the General Assembly had wished to meet in establishing the Trust Fund (see A/7270, annex, para. 9). Mr. Aström, Chairman of the Committee of Trustees of the Fund, introducing that report, had also drawn attention to the matter (598th meeting).

^{1/} A verbatim record of this meeting was circulated as document A/SPC/PV.613.

32. In introducing the draft resolution, he wished to express appreciation to the Secretary-General and the Committee of Trustees of the Fund for their effective service in the discharge of their duties. It was partly owing to them that the Trust Fund had been able to obtain, since its inception, contributions of more than \$635,000. On behalf of his Government, he pledged a further token contribution of \$1,000 which would make a total Malaysian contribution to date of \$6,000. The sum was paltry but his country was now facing some economic difficulties; it nevertheless hoped to be able to increase its contributions further.

33. Although the draft resolution was very simple and called for little explanation he wished to draw the Committee's attention to two points. First, the draft resolution called upon all States to make generous contributions. It was unnecessary to elaborate on the need for those contributions after the statements by the Chairman of the Committee of Trustees of the Fund and the President of the International Defence and Aid Fund (599th meeting).

34. Secondly, in paragraph 3 of the draft, it was proposed that the Fund's terms of reference should be revised. The proposed revisions, as the Committee of Trustees had indicated, were intended solely to remove certain technical deficiencies which had come to light through experience. Thus, paragraph 2 (a) of resolution 2054 B (XX) dealt only with "legal assistance to persons charged under discriminatory and repressive legislation in South Africa", when in the new draft, assistance could be given to persons persecuted under discriminatory and repressive legislation and not merely to those charged under such legislation.

35. Sub-paragraphs (b) and (c) of paragraph 2 of resolution 2054 B (XX) had been reworded accordingly. In the previous terms of reference, the corresponding sub-paragraph (b) was rather vague, for it referred only to persons persecuted for "acts arising from opposition to the policies of apartheid". Moreover, under sub-paragraphs (b) and (c) of the resolution, only prisoners, their children and other dependants could receive assistance. Assistance for persons under house arrest, for example, was not covered, nor was the rehabilitation of released prisoners, particularly young persons. Sub-paragraph (d) remained unchanged.

36. He strongly recommended the draft resolution to the members of the Committee and hoped it would command unanimous support.

37. Mr. BORCH (Denmark) said that he seconded the presentation of draft resolution A/SPC/L.162 by the representative of Malaysia. His Government wished to express its gratitude to the Committee of Trustees of the Trust Fund headed by Mr. Aström and to the Secretary-General and his staff for their excellent work during the past year.

38. Denmark fully endorsed the appeal in paragraph 4 of the draft resolution for generous contributions to the Fund by all States, organizations and individuals. Any contribution, irrespective of its size, and even so-called token contributions were important, since they showed the victims of apartheid in South Africa that they could count on the support and solidarity of the world at large. When the Danish Parliament had decided three years before to make its first contribution to the

Fund, a contribution which had been increased in the succeeding years, it had done so in the explicit hope that it would be followed by other States Members of the United Nations. His country was, therefore, somewhat disappointed to note from the Secretary-General's report (A/7270) that in the past year only a relatively small number of Governments had made contributions to the Fund. In the long run, it would be unsatisfactory if the work of the Committee of Trustees were to depend entirely on the support of a small minority of Member States.

39. He recommended that the Committee should adopt the draft resolution unanimously.

40. Mr. TONGYAI (Thailand) said it was not because of any lack of interest that his delegation had failed to take part in the general debate on the question of apartheid. Indeed, it had devoted a large part of its statement to the problem at the 1689th plenary meeting of the General Assembly, on 10 October 1968. The Minister for Foreign Affairs of Thailand had emphasized at that time that the people and Government of Thailand could see no justification whatsoever for the policy of apartheid pursued by the racist minority group in South Africa. His country had consistently deplored and condemned that policy. It was hardly to be expected that racial segregation and colonialism could be contained within the area under the effective control of South Africa, and it was an unfortunate fact that the same methods were being used in Southern Rhodesia by Ian Smith. The intransigent attitude of the Smith régime and its continued existence in spite of United Nations sanctions were largely due to the moral and physical support given to it by neighbouring Governments.

41. During the past two or three years, and especially after the International Seminar on Apartheid, Racial Discrimination and Colonialism in southern Africa held in 1967 at Kitwe, Zambia, there had been a definite tendency for the question of apartheid to be regarded increasingly as part of the colonial problem in southern Africa. That emphasis on the colonial aspect of the policy of apartheid had at times caused some misgivings in the minds of those who felt that the problem was essentially one involving human rights. His delegation saw no difficulty in reconciling the two schools of thought. In its view, apartheid had long since been condemned as a crime not against a group of people or a set of moral values but against humanity itself. The question must therefore be discussed in the context of both colonialism and human rights.

42. His delegation had supported all the resolutions adopted by the General Assembly on the question, and his Government had applied all the sanctions imposed by the United Nations on the Government of South Africa and its like-minded neighbours. Thailand would support any other measures adopted by the General Assembly against that inhuman policy. Accordingly, it was in complete agreement with the spirit of draft resolution A/SPC/L.160 and Add.1 and would vote for it.

43. At the same time, his delegation fully appreciated the fears expressed by certain delegations concerning the use of the term "South African liberation movement" in paragraph 7 of the draft resolution. In that connexion, his delegation suggested that the spirit of

conciliation demonstrated by the sponsors of the draft resolution might also permit paragraph 7 to be expanded so as to clarify the text. A phrase such as "in connexion with the above" could be inserted, so that the paragraph would read: "Calls upon all States and organizations, in connexion with the above, to provide....". Alternatively, the phrase "as mentioned in paragraph 6 above" could be added after the existing text of paragraph 7. By linking paragraph 7 with the preceding paragraph, which did not seem to cause any problem, it might be possible to quiet the misgivings aroused by the term "South African liberation movement".

44. His delegation would have no difficulty in supporting an appropriate draft resolution concerning the United Nations Trust Fund for South Africa. Thailand had already made a contribution of \$1,000 to the Fund during the current year, and it would bear in mind the appeal for further contributions made by the representative of Sweden in his introductory report to the Committee (598th meeting).

45. Mr. ESCUDERO (Ecuador) said that draft resolution A/SPC/L.160 and Add.1 reflected a collective awareness which must prevail in the Committee so that the draft could be adopted unanimously, or at least by an overwhelming majority. The draft resolution restated the elements contained in the similar resolution adopted at the twenty-second session of the General Assembly (2307 (XXII)) and also contained

certain new points which were of the utmost importance.

46. During the general debate on the question of apartheid, he had stated (600th meeting) that all legitimate means were justified in the effort to put an end to the inhuman policy pursued by South Africa. However, action by the Security Council was the best method, for the Council had sufficient authority under Article 24 of the Charter of the United Nations to enable it to eliminate the scourge of apartheid. If that Article of the Charter was taken into account, if there was a close relationship between the violation of human rights and the maintenance of international peace and security, and if the policy of apartheid constituted a serious and undeniable danger in southern Africa, then the essential point of draft resolution A/SPC/L.160 and Add.1 appeared in paragraph 4. In his delegation's view, that paragraph indicated the most effective means of contributing decisively to the elimination of the inhuman policy of apartheid.

47. Accordingly, he suggested an amendment (A/SPC/L.163) to the sponsors of the draft resolution that the following new paragraph should be added after the last paragraph of the preamble: "Noting that the Security Council has not considered the problem of apartheid since 1964". That would tie in with the provision contained in paragraph 4 of the draft resolution and would make the draft more forceful and authoritative.

The meeting rose at 4.50 p.m.