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ASSEMBLY

TWENTY-SEVENTH SESSION

Official Records

Wednesday, 1 November 1972,  
at 3.40 p.m.

NEW YORK

Chairman: Mr. Hady TOURÉ (Guinea).

## AGENDA ITEM 38

The policies of *apartheid* of the Government of South Africa (*continued*) (A/8666 and Corr.1, A/8670, A/8689, A/8703, paras. 501-519; A/SPC/L.239, A/SPC/L.240, A/SPC/L.241/Rev.1, A/SPC/L.242/Rev.1, A/SPC/L.243-246):

- (a) Reports of the Special Committee on *Apartheid* (A/8722 and Add.1, A/8770);
- (b) Reports of the Secretary-General (A/8822, A/8833)

CONSIDERATION OF DRAFT RESOLUTIONS  
(*continued*)

1. The CHAIRMAN said that, in accordance with rule 155 of the rules of procedure of the General Assembly, the Secretary-General had submitted notes containing statements on the administrative and financial implications of draft resolutions A/SPC/L.239, A/SPC/L.241/Rev.1 and A/SPC/L.242/Rev.1, circulated as documents A/SPC/L.245, A/SPC/L.244 and A/SPC/L.246 respectively.

2. He also announced that Dahomey and Uganda had joined the sponsors of draft resolution A/SPC/L.242/Rev.1, Dahomey and Jordan had joined the sponsors of draft resolution A/SPC/L.243 and Uganda had joined those of draft resolution A/SPC/L.241/Rev.1.

3. Mr. BAQAI (Acting Secretary of the Committee) noted the proposal made in operative paragraph 17 of draft resolution A/SPC/L.243 that the General Assembly should request the Special Committee to arrange, in consultation with the Secretary-General, for the preparation and widest dissemination of expert studies to counteract the propaganda by foreign economic and financial interests against resolutions of the United Nations and in favour of economic collaboration with the South African régime and racist institutions in South Africa. The Secretary-General felt that that request could be met within the limits of the funds to be opened in 1973 for the activities of the Unit on *Apartheid* and the dissemination of information on *apartheid* by the Office of Public Information. Consequently, no additional funds would have to be requested in connexion with the adoption of that draft resolution.

4. Mr. KACOU (Ivory Coast) said that his delegation would vote in favour of all the draft resolutions in order to reaffirm its opposition to *apartheid* and its determina-

tion to see the scourge of the century disappear from Africa. However, his delegation expressed some reservations with regard to operative paragraph 7 of draft resolution A/SPC/L.243.

5. Mr. PETRIE (United Kingdom) recalled that his delegation had always shown by votes as well as words—for instance when it had voted for Security Council resolution 311 (1972)—that it condemned the theory and practice of *apartheid* which it considered iniquitous and dangerous. It hoped that the South African Government would take note of the view that the majority of people in the world held of its policies of *apartheid* and respond to it.

6. Some speakers in the general debate on the subject had seen fit to direct their attacks on the policies of other Governments or on an imaginary link between NATO and South Africa. There had been no secret arms deal between his Government and the Government of South Africa as one representative had appeared to suggest. He referred members of the Committee to the statement made by the representative of the United Kingdom in the Security Council on 23 July 1970<sup>1</sup> and the letters dated 23 March 1971<sup>2</sup> and 7 February 1972<sup>3</sup> to the President of the Security Council. The policy of the United Kingdom Government was neither underhand nor indiscriminating.

7. His delegation, like others, felt that contact, dialogue and exchanges were more likely methods to dissuade South Africa from *apartheid* than boycott and isolation. Yet there had been suggestions that Governments which did not participate in the boycott and isolation of South Africa and maintained economic and political ties with it did so out of self-interest, or even because they were racist themselves. Neither the British Government nor the British people would be impressed by those accusations at the very time that they were incurring considerable cost and great inconvenience in order to rescue the victims of another kind of racial discrimination in another part of Africa, particularly when the accusations were being made by countries whose representatives had failed to speak up on the inhumanity of that recent and flagrant example of racial discrimination.

<sup>1</sup> See *Official Records of the Security Council, Twenty-fifth Year*, 1549th meeting.

<sup>2</sup> *Ibid.*, *Twenty-sixth Year, Supplement for January, February and March 1971*, document S/10162.

<sup>3</sup> *Ibid.*, *Twenty-seventh Year, Supplement for January, February and March 1972*, document S/10533.

8. As in the preceding year, his delegation was opposed to any implicit endorsement of violence, to the total rejection of exchanges whose effect would be to open up South Africa to liberalizing influences from abroad and to the suggestion that measures should be adopted under Chapter VII of the United Nations Charter. For those reasons, in particular, it would be obliged to vote against draft resolution A/SPC/L.243.

9. It would abstain in the vote on draft resolutions A/SPC/L.241/Rev.1 and A/SPC/L.242/Rev.1 because, as in the past, it could not agree that specialized agencies should be asked to deal with political questions beyond their competence. Moreover, it had reservations about some of the activities proposed by the Special Committee on the grounds of propriety and expense.

10. His delegation would vote in favour of draft resolutions A/SPC/L.239 and A/SPC/L.240 on humanitarian grounds. It was pleased that the victims of the practices it condemned were receiving support from the United Nations Trust Fund for South Africa as well as from the United Nations Educational and Training Programme for Southern Africa to which his Government was the major contributor.

11. Mr. MOHAMMED (Nigeria) read out certain amendments to draft resolution A/SPC/L.243 which he hoped would dispel some misgivings expressed by members of the Latin American group. In the sixth preambular paragraph the word "independence" had been replaced by the word "freedom". Operative paragraph 3 should read as follows:

"3. *Demands* that the Government of South Africa repeal all repressive laws, regulations and proclamations used to persecute persons opposed to *apartheid* and immediately release all those imprisoned, detained or restricted for their opposition to *apartheid*;"

In operative paragraph 13, after the word "*Requests*", the words "States members of" should be inserted; the word "particularly" should be replaced by the phrase "and particularly the members of"; and the words "to deny" should be changed to read "to take the necessary steps to deny". In operative paragraph 16, after the word "organized", the phrase "in accordance with the relevant resolutions adopted by the United Nations" should be inserted.

12. He pointed out for the benefit of the representative of the United Kingdom that no one had ever accused either the British Government or the British people of racism but that their attitude of collaboration with South Africa merely encouraged the latter to continue its policies of *apartheid*.

13. Mr. KANOUTÉ (Mali) suggested that operative paragraph 7 of draft resolution A/SPC/L.243 should be modified by substituting the phrase "constitute one of the essential means" for the words "are essential".

14. Mr. JONCKHEER (Netherlands) said that he would vote in favour of draft resolutions A/SPC/L.239 and A/SPC/L.240 relating, respectively, to the

maltreatment and torture of prisoners and detainees in South Africa and to the United Nations Trust Fund for South Africa. He would have to abstain from voting on draft resolution A/SPC/L.243 because of the wording. His delegation could vote for operative paragraphs 2, 6 and 14 if they made up a separate draft resolution or if they were voted on separately, but it could not accept operative paragraphs 5, 7, 8 and 16. In its opinion isolation was not the best way to combat *apartheid*; in addition, operative paragraph 8 was contrary to Article 12 of the United Nations Charter. Finally, it had doubts about the phrase "by all available means" in operative paragraph 10. It would give its views on operative paragraph 13 after the vote.

15. He would vote in favour of draft resolution A/SPC/L.242/Rev.1, although he had certain reservations concerning operative paragraphs 3 and 5: in the first case the specialized agencies had their own duties and competences and, in the second, the information media in the Netherlands were in private hands and the Government had no influence over them.

16. Mr. TAYLHARDAT (Venezuela) thanked the representative of Nigeria for taking account of the remarks of the Latin American countries concerning draft resolution A/SPC/L.243. He suggested that the Spanish text should be amended by the deletion from operative paragraph 16, subparagraph (f) of the words "*en su lucha*", which did not appear in the English version, and the substitution of the word "*esenciales*" for "*indispensables*", which was closer to the original, in paragraph 7.

17. Mr. STEPHEN (India), referring to draft resolution A/SPC/L.239 and its administrative and financial implications (see A/SPC/L.245), said that he was disappointed that no consideration was being given to the maximum utilization of the data contained in the report on the maltreatment and torture of prisoners in South Africa (A/8770). He hoped that the Secretariat would consider the question and that the report would be given the widest possible distribution as a separate publication and not only in the periodical *Objective: Justice*.

18. Mr. MOHAMMED (Nigeria) drew attention to the fact that Afghanistan was a sponsor of draft resolution A/SPC/L.243, although its name did not appear in that document. In order to dispel any misunderstanding with regard to operative paragraph 4, he explained that the expression "neighbouring African Territories" meant the Territories under Portuguese domination and Zimbabwe, and not independent States.

19. Mr. ASHTAL (Democratic Yemen) announced that his country wished to become a sponsor of draft resolutions A/SPC/L.241/Rev.1, A/SPC/L.242/Rev.1 and A/SPC/L.243.

20. Mr. ZENKYAVICHUS (Union of Soviet Socialist Republics) said that he would vote in favour of draft resolution A/SPC/L.243, as modified by the Nigerian representative, on the understanding that the

new text of operative paragraph 3 covered all the laws and regulations previously listed therein.

21. The CHAIRMAN announced that the Committee would proceed to vote on draft resolutions A/SPC/L.239, A/SPC/L.240, A/SPC/L.241/Rev.1, A/SPC/L.242/Rev.1 and A/SPC/L.243. After a brief discussion with Mr. TEYMOUR (Egypt), he announced that, at the request of the representative of India, a recorded vote would be taken on each of the draft resolutions.

*A recorded vote was taken on draft resolution A/SPC/L.239.*

*In favour:* Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Portugal.

*Draft resolution A/SPC/L.239 was adopted by 117 votes to none, with 1 abstention.*

*A recorded vote was taken on draft resolution A/SPC/L.240.*

*In favour:* Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg,

Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Portugal

*Draft resolution A/SPC/L.240 was adopted by 119 votes to none, with 1 abstention.*

*A recorded vote was taken on draft resolution A/SPC/L.241/Rev.1.*

*In favour:* Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Philippines, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* Portugal.

*Abstaining:* Belgium, Canada, France, Luxembourg, Malawi, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Draft resolution A/SPC/L.241/Rev.1 was adopted by 112 votes to 1, with 8 abstentions.*

*A recorded vote was taken on draft resolution A/SPC/L.242/Rev.1.*

*In favour:* Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burun-

di, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* France, Malawi, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Draft resolution A/SPC/L.242/Rev.1 was adopted by 116 votes to none, with 5 abstentions.*

*At the request of the representatives of Mali and Egypt, the vote on draft resolution A/SPC/L.243, as modified orally, was taken by roll call.*

*Thailand, having been drawn by lot by the Chairman, was called upon to vote first*

*In favour:* Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Barbados, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Ethiopia, Gabon, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic.

*Against:* United Kingdom of Great Britain and Northern Ireland, United States of America, Portugal.

*Abstaining:* Uruguay, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Greece, Guatemala, Ireland, Italy, Japan, Khmer Republic, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Spain, Sweden.

*Draft resolution A/SPC/L.243, as modified orally, was adopted by 96 votes to 3, with 21 abstentions.*

22. Mr. TEYMOUR (Egypt) drew attention to the fact that in the general debate, while many voices had been raised in condemnation of *apartheid* and in defence of the Charter of the United Nations and to express the apprehension aroused by the situation created by the existence of *apartheid*, the racist régimes represented in the Committee had remained conspicuously silent. Some representatives of those régimes had even gone so far as to leave the conference room when the most important draft, namely draft resolution A/SPC/L.243, had been put to the vote. The representative of Israel, for example, who had voted in favour of all the other draft resolutions, had had the effrontery to abstain from voting on draft resolution A/SPC/L.243, because it had been impossible for him to vote against a country with which his own country maintained such powerful links. The Egyptian delegation had voted in favour of all the draft resolutions.

23. Mr. FACK (Netherlands), said that, on behalf of all the members of the European Economic Community (EEC) and all the States that had applied to join it, he wished to express surprise at finding EEC mentioned in operative paragraph 13 of draft resolution A/SPC/L.243. He wished to make it clear that there were no ties between EEC and South Africa and that South Africa was not enjoying and never would enjoy any special facilities.

24. Mr. BLANC (France) said that his delegation had voted for the draft resolutions dealing with maltreatment and torture of prisoners and detainees (A/SPC/L.239) and the United Nations Trust Fund (A/SPC/L.240) and had abstained on the other drafts. That differentiated response accurately reflected the feelings of the French delegation—namely, its abhorrence of a system that was morally disgraceful and intellectually absurd, and its objections or opposition to certain methods or procedures for combating it. Humanitarian considerations had caused it to vote for the draft resolution on maltreatment because no one who had read the report of the Special Committee on that question (A/8770) could fail to be moved. The sponsors of draft resolution A/SPC/L.239, instead of confining themselves to vague and generally ineffectual condemnations, had formulated an appeal to South Africa that could not go unheeded. Operative paragraph 2, in which the Special Committee on *Apartheid* was requested to take steps to promote an international campaign, and operative paragraph 3, which made a somewhat equivocal reference to non-governmental organizations, called for definite reservations, but that had not prevented France from voting for the draft as a whole.

25. Although the preambular part of draft resolution A/SPC/L.240, on the United Nations Trust Fund, referred to a Security Council resolution which France had not actually voted for, the French delegation had supported that draft. In any case, France had already given its approval to the establishment of the Fund under General Assembly resolution 2054 B (XX) and had made substantial contributions to it. The size of France's most recent contribution—equal to one-fifteenth of the total amount—showed the extent of France's concern over assistance to the families of persons who were persecuted for their opposition to *apartheid*. Incidentally, he recalled that in 1972 his country had paid a contribution of \$100,000 to another fund which largely affected the same beneficiaries: the United Nations Educational and Training Programme for Southern Africa. While it had voted for draft resolution A/SPC/L.240, the French delegation wished to point out that it was not convinced of the wisdom of forgoing the guarantees offered by the Committee of Trustees and paying out funds directly to private associations.

26. The position of the French delegation on the further drafts—A/SPC/L.241/Rev.1 and A/SPC/L.242/Rev.1—could have occasioned no surprise. France continued to believe that the United Nations, while often passive, should be careful, in other instances, not to yield to a compulsive urge for action, overlooking the fact that *apartheid* was not a game and that the Organization must know exactly what it was doing. Moreover, the words “national movement of the oppressed people” in subparagraph (c) of the operative paragraph of draft resolution A/SPC/L.241/Rev.1 were, to say the least, somewhat unclear.

27. The first thing that came to mind on reading draft resolution A/SPC/L.243, dealing with the problem of *apartheid* as a whole, was that during the year that had elapsed since the twenty-sixth session, the world—outside South Africa—had not uniformly presented a spectacle of perfect racial harmony. Southern Africa did not have a monopoly of racism, but more had been done there than anywhere else to establish it as a permanent system. Nothing that had happened in South Africa during the past year gave any reason to believe that the prevailing racist philosophy had been discarded, although there were indications of progress in certain areas. The French delegation feared that the type of text appearing in draft resolution A/SPC/L.243 stood little chance of contributing, even indirectly, to any improvement in the situation. It abounded with condemnations, although it would be better for the Security Council to abandon that kind of vocabulary; in the preambular part, there was some confusion between decolonization and the tragic politico-humanitarian problem presented by *apartheid*; again in the preambular part, and also in the operative paragraphs, there was some confusion, of another kind, between the serious situation created by the policy of *apartheid* and the threat to international peace and security envisaged in the Charter. But if *apartheid* was abhorrent, it was surely because it prevailed in time of peace, and brutality was able to endure indefinitely in South Africa without

engendering international conflicts. Furthermore, operative paragraph 5 condemned the co-operation of certain States with South Africa, while, in actual fact, the number of purchasers of South African products was far higher than the Committee's discussions indicated and, among that number, France appeared low on the list, with a 3.1 percentage of trade with South Africa in 1970. So who exactly was to be condemned? Operative paragraph 6 called for implementation of an embargo which had never, strictly speaking, been approved by the Security Council. Operative paragraph 13, which was completely unintelligible, placed on the same footing the General Agreement on Tariffs and Trade, of which South Africa was a member, the International Monetary Fund, which had concluded an agreement with that country, and a community of nine European States which had neither concluded nor planned to conclude any special agreement with Pretoria, as had already been made clear by the representative of the Netherlands. Operative paragraph 16, which was apparently inviting private associations to organize campaigns against their Governments, sought to make freedom of expression an instrument of propaganda, overlooking the fact that the United Nations dealt with States and not individuals. As for the text as a whole, could it in all conscience be adopted by an Assembly which too often tolerated massive and continuing violations of human rights?

28. However, in the final analysis, *apartheid* was too odious for the French delegation not to share the indignation and impatience of the sponsors who had submitted draft resolution A/SPC/L.243, and consequently it had not wished to vote against their text, despite its obvious deficiencies.

29. Mr. ÅLGÅRD (Norway), speaking on behalf of the Danish, Finnish, Swedish and Norwegian delegations, recalled that, in identical communications dated 4 October 1972,<sup>4</sup> the Governments of the Nordic countries had reiterated their firm opposition to all forms of racial discrimination and to any ideology based upon such discrimination. The delegations of the Nordic countries had also explained their views in the Committee. It was therefore a source of satisfaction to them to have been able to vote for four of the draft resolutions submitted.

30. Draft resolution A/SPC/L.243 was of great importance. While in agreement with many of its recommendations, the Nordic delegations were obliged, however, to express some reservations, partly for legal and constitutional reasons and partly because they did not feel that all the recommendations were practicable. Again, some of their reservations had to do with principles set forth in the Charter of the United Nations. Moreover, the delegations of the Nordic countries had difficulty in accepting the words “crime against humanity”, as a draft convention on the subject was yet to be dealt with by the proper organs of the United Nations. Furthermore, they could not accept operative paragraph 10, although they understood the desperation of the

<sup>4</sup> See document E/CN.4/1093/Add.7 (mimeographed).



oppressed people of South Africa. They also had doubts about the discontinuance of all forms of contact with South Africa. It was those considerations that had led the Danish, Finnish, Swedish and Norwegian delegations to abstain on draft resolution A/SPC/L.243.

31. With regard to sanctions, everyone knew that, in order to be effective, they must be mandatory and implemented loyally by all Member States. But mandatory sanctions could be adopted only by the Security Council, and should the Council decide to take such action, the Nordic countries would apply the sanctions scrupulously. Lastly, with regard to operative paragraphs 7 and 8 of draft resolution A/SPC/L.243, the delegations of the Nordic countries understood the wording "such effective measures" in operative paragraph 8 to apply only to peaceful measures which could lead to a peaceful solution of the grave situation in South Africa. The seriousness and uniqueness of that situation would have justified a positive vote if separate votes had been taken on those paragraphs.

32. The other draft resolutions adopted by the Committee reflected the common view of the international community on the questions concerned. They might help to promote progress towards a solution of the issue.

33. The delegations of the Nordic countries had voted for draft resolution A/SPC/L.241/Rev.1 concerning the programme of work of the Special Committee on *Apartheid*, without necessarily endorsing all the recommendations it contained. Needless to say, those delegations had also voted in favour of draft resolution A/SPC/L.242/Rev.1, on the dissemination of information on *apartheid*, but he wished to make it clear that since freedom of expression and freedom of organization were principles laid down in the laws of the Nordic countries, the latter could not make demands on information media or influence the establishment of private organizations.

34. It was encouraging to note that draft resolutions A/SPC/L.239 and A/SPC/L.240 had mustered the votes of nearly all Member States, since the struggle against *apartheid* and all forms of racial discrimination could be successful only if the international community made a concerted effort.

35. Mr. SALAZAR LEITE (Portugal) observed that his country had frequently been mentioned during the debate, but it was too often forgotten that Portugal had given and continued to give proof of its goodwill. In any event, Portugal deeply disapproved of interference in the internal affairs of States.

36. His delegation had abstained in the vote on draft resolutions A/SPC/L.239, A/SPC/L.240 and A/SPC/L.242/Rev.1 and had voted against the other two draft resolutions.

37. Mr. NEWLANDS (Canada) said that his delegation, in view of the importance it attached to the

dissemination of information on *apartheid*, had voted for draft resolution A/SPC/L.242/Rev.1, in spite of its reservations regarding the substance of paragraphs 220 to 228 of the Special Committee's report which were referred to in operative paragraph 1 of the draft.

38. Mr. AMAU (Japan) said that his delegation had voted for all the draft resolutions except draft resolution A/SPC/L.243, in the vote on which it had abstained because the draft contained provisions which it found unacceptable. Although the purpose to eradicate *apartheid* was legitimate, his delegation did not concur with some of the drastic measures envisaged.

39. Mr. CARASALES (Argentina) said that his delegation had voted for all the draft resolutions because *apartheid* was a source of constant concern to his Government. That positive vote did not mean that all the drafts were entirely satisfactory and his delegation had reservations about draft resolution A/SPC/L.243 in particular. But, setting differences of opinion aside, it was above all the goal to be attained which counted, and his delegation whole-heartedly approved of that goal.

40. He recalled that Argentina was a member of the Security Council, and explained that his vote in no way prejudged the position his country would take when the Council considered the question of *apartheid*.

41. Mr. DI BERNARDO (Italy) said that his delegation had voted for draft resolution A/SPC/L.239 because it fully agreed with the sponsors' humanitarian views. It had also voted for draft resolution A/SPC/L.241/Rev.1 because in general it supported the work of the Special Committee on *Apartheid*. However, he wished to reserve his delegation's position with regard to the "African liberation movements recognized by the Organization of African Unity" mentioned in subparagraph (a) of the operative paragraph. His delegation considered that that provision could not be construed as a recognition of those movements by the United Nations. He also wished to express reservations concerning the financial implications (see A/SPC/L.244) of subparagraph (b) of the operative paragraph.

42. His delegation had also voted for draft resolution A/SPC/L.242/Rev.1 on the dissemination of information on *apartheid*. However, an effective information campaign, particularly one dealing with a question whose moral aspects were of the foremost importance, must be based on truthfulness and objectivity.

43. His delegation had abstained in the vote on draft resolution A/SPC/L.243, for although it approved of the sponsors' objectives it felt that the draft resolution contained a number of provisions which were inconsistent with the Charter of the United Nations, ineffective or wholly unjustified, such as the recommendation addressed to the European Economic Community in operative paragraph 13. The Community's position on that point had been stated clearly by the representative of the Netherlands. On the other hand, he wished to

reaffirm his delegation's support for certain provisions in that resolution, such as those concerning the arms embargo and sport.

44. Mr. BASSETTE (Belgium) said that his delegation had voted for all the drafts put to the vote except draft resolution A/SPC/L.241/Rev.1 on the programme of work of the Special Committee on *Apartheid*, in the vote on which it had abstained. It had done so because subparagraph (a) of the operative paragraph referred to the holding of consultations with the African liberation movements recognized by OAU; that would be tantamount to recognition of those movements by the United Nations, and his country intended to reserve its rights as a sovereign State in that connexion. His delegation had also abstained because of the very obscure reference to the national movement of the oppressed people of South Africa in subparagraph (c).

45. Lastly, his delegation had noted with regret that the financial implications of the draft resolution, as set out in the note by the Secretary-General (A/SPC/L.244), considerably exceeded those of the corresponding draft resolution adopted at the previous session. In view of the budgetary limitations facing the United Nations, the Main Committees of the General Assembly should seek to reduce the expenditure resulting from the recommendations they submitted to the Assembly for adoption.

46. Mr. MABATHOANA (Lesotho) said that his delegation had voted for draft resolution A/SPC/L.243, as modified, although it had reservations about some paragraphs thereof.

47. Mr. CARRERAS (Costa Rica) said that his country had always opposed colonialism, as it had opposed any form of exploitation of human beings. The South African régime represented the most extreme exploitation to which any ethnic group could be subjected. His delegation had voted for all the draft resolutions because of the crimes attributable to the Pretoria régime. It wished to point out, however, that although it considered that the provisions of operative paragraphs 8 and 13 of draft resolution A/SPC/L.243, as modified, were valid in the case of the policies of *apartheid* of the South African Government, those paragraphs could not be held to constitute a precedent for any other question.

48. His delegation deeply regretted the effort being made in certain quarters to deceive the peoples of the world by simplifying an extremely complex situation and employing invalid syllogisms so as to identify the problems of one part of mankind with those of another part when they were in fact entirely different.

49. Lastly, his delegation urged all delegations, while condemning the South African régime, to examine their own consciences with a view to discovering what crimes against mankind were being committed in the international community. Taking the necessary steps to end such crimes would give the international community

greater moral authority and would permit progress towards the elimination of *apartheid*.

50. Mr. GALLAGHER (Ireland) explained that in accordance with his Government's attitude towards the policies of *apartheid* of the Government of South Africa his delegation had voted for draft resolutions A/SPC/L.239, A/SPC/L.240, A/SPC/L.241/Rev.1 and A/SPC/L.242/Rev.1.

51. His delegation had certain reservations about some paragraphs of draft resolution A/SPC/L.243, as modified, especially operative paragraphs 5 and 12 and paragraph 16, subparagraphs (a) and (e), in the vote on which it would have abstained if there had been a separate vote. Furthermore, it was extremely concerned about the reference to the European Economic Community in operative paragraph 13. Its position on that point was the same as that described by the Netherlands representative. It had therefore had no option but to abstain in the vote on that draft resolution. It could, however, have voted for operative paragraphs 7 and 8, although it had reservations about the efficacy of sanctions against South Africa instituted by the Security Council. It could also have voted for operative paragraph 10, interpreting the words "by all available means" as implying means consistent with the purposes and principles of the United Nations Charter. It interpreted certain analogous passages in draft resolution A/SPC/L.241/Rev.1 in a similar way.

52. Mr. BILNEY (Australia) said that his delegation had voted for draft resolutions A/SPC/L.239, A/SPC/L.240, A/SPC/L.241/Rev.1 and A/SPC/L.242/Rev.1, but had been obliged to abstain in the vote on draft resolution A/SPC/L.243, as modified. Although his Government condemned the policies of *apartheid* of South Africa and approved of the objectives of draft resolution A/SPC/L.243, as modified, it felt compelled to formulate reservations about the means recommended for the attainment of those objectives. His delegation could not approve of the appeals in favour of recourse to force the elimination of the policies of *apartheid* and could not believe that the isolation of South Africa was the best means of eliminating *apartheid*. His delegation would have voted against operative paragraphs 7, 8 and 10 of the draft resolution in question, and would have been unable to vote in favour of operative paragraphs 1, 5, 12, 13, 14 and 16.

53. Mr. ARITA QUINÓNEZ (Honduras) said that his delegation had voted for all the draft resolutions, although it had reservations about draft resolution A/SPC/L.243, as amended. It had felt obliged to support the efforts made to eliminate *apartheid*, but it wished to make it clear that it interpreted the words "all available means" in operative paragraph 10 as meaning means consistent with the spirit and letter of the United Nations Charter, since the resolution had been adopted by States which had undertaken to respect the provisions of the Charter.

54. Mr. MACRIS (Greece) reaffirmed his delegation's support for all efforts made within the framework of

the Charter to help peoples to attain self-determination, eliminate *apartheid* and guarantee the equality of all, irrespective of colour or creed. It was for that reason that it had voted for draft resolutions A/SPC/L.239, A/SPC/L.240 and L.242/Rev.1. It had also voted for draft resolution A/SPC/L.241/Rev.1, on the understanding that the activities of the Special Committee on *Apartheid* should not lead to interference in the internal affairs of a State Member of the United Nations.

55. His delegation had abstained in the vote on draft resolution A/SPC/L.243, as modified, because it had difficulties with some paragraphs of that draft, particularly operative paragraph 10. His country was opposed to any weakening of the spirit or the letter of Article 2, paragraph 7 of the United Nations Charter. However, operative paragraph 3 of draft resolution A/SPC/L.243 in its current form, as modified, constituted interference in the internal affairs of a Member State. Similarly, his delegation could not support operative paragraph 16, subparagraph (d), since his country's constitution, in conformity with article 13 of the Universal Declaration of Human Rights, guaranteed the right to freedom of movement. Lastly, he considered that sport was a domain which should remain free of all political disputes, and that the Olympic torch should shine for friends and enemies alike.

56. Mr. TÜZEL (Turkey) said that his delegation had voted in favour of all the draft resolutions and was glad that all had been adopted, but it felt obliged to comment on the modified version of draft resolution A/SPC/L.243. First, he wished it to be entered in the summary record of the current meeting that his delegation felt certain reservations concerning operative paragraphs 7 and 8, which seemed to prejudice the action of the Security Council, the only body competent to adopt the measures envisaged in Chapter VII of the Charter. However, his Government was convinced that additional measures were necessary, and would continue to render its moral and material support. Secondly, in view of the fact that the specialized agencies were legally independent, his delegation had some misgivings about the wording of operative paragraphs 12 and 13. It also had reservations on the wording of operative paragraph 5.

57. Mr. DE SOUZA E SILVA (Brazil) said that his delegation was a sponsor of draft resolution A/SPC/L.240 and had voted in favour of all the draft resolutions which had been put to the vote. Moreover, his Government intended to contribute \$5,000 in 1973 to the United Nations Trust Fund for South Africa. However, his delegation wished it to be entered in the summary record that the Brazilian Government could not approve the use of force as a solution to the problems before the Committee. It did not think that the total isolation of South Africa was a policy which would make it possible to find a satisfactory solution to the problems of *apartheid* and Namibia. It could not approve the trend towards granting official recognition to groups seeking to achieve international status, for the Charter of the United Nations granted that capacity only to legally constituted Governments.

58. Mr. KRÖYER (Iceland) said that his delegation had voted in favour of all the draft resolutions submitted to the Committee, in order to associate itself with the efforts to bring pressure to bear on South Africa and cause it to renounce the policy of *apartheid*. But the fact that it had voted for the modified version of draft resolution A/SPC/L.243 did not mean that it approved all its provisions and recommendations. In fact, as much out of respect for the purposes and principles of the Charter as out of awareness of the practical possibilities, it had to state some reservations. Despite the sympathy which it felt for the oppressed peoples of South Africa, it could not approve the use of force, nor was it convinced that it was desirable to break off all relations with South Africa.

59. Mr. VERRET (Haiti) said that the position of his delegation with respect to *apartheid* had always been guided by the principles of equality and justice for all men, regardless of their race. It had always fought for the right of peoples to self-determination and independence. It would therefore always support measures adopted by the United Nations to eliminate *apartheid*. His delegation was gratified that the draft resolutions had obtained a very large majority. However, if a separate vote had been taken, it would have expressed reservations. By its vote it was reaffirming its solidarity with the oppressed peoples of southern Africa.

60. Mr. ABDULLEH (Somalia) said that his delegation had voted in favour of all the draft resolutions submitted to the Committee. Not only did it fight *apartheid* in all the international organizations, but it also opposed all who attempted to justify *apartheid* or co-operated with the Government of South Africa. There was no doubt as to the reasons why *apartheid* had survived international condemnation, and it was common knowledge that South Africa would not be able to pursue its policy without the support of certain Western countries. If it had not been for those countries, *apartheid* would have been eliminated long ago. The delegations that had voted against the draft resolutions, in particular against the modified version of draft resolution A/SPC/L.243, had voted against the spirit of the Charter, and those that had abstained had abdicated their responsibilities. The African delegations would not forget the names of those who had voted in favour of the draft resolutions.

61. Mr. MOHAMMED (Nigeria) said that the only response which the draft resolutions had elicited from the United States delegations had been the word "no". He would have liked the representative of the United States of America to have had the courtesy to explain why he did not agree with the sponsors of the draft resolutions, so that the wording might be suitably amended. As long as members remained ignorant of the wishes of the United States with respect to *apartheid*, they would continue to act as in the past, in the hope that one day the United States would be willing to explain its attitude.

62. Addressing himself to the representative of France, he said that his delegation was gratified to learn of



France's contribution of \$100,000 to the United Nations Educational and Training Programme for Southern Africa. But *apartheid* was a question which concerned not only Africa but the whole of humanity. If the French were to suffer the fate of the African population of South Africa, Nigeria would not fail to accord the other Members of the United Nations, in their efforts to solve the problem, the same co-operation as in the case of *apartheid* in South Africa. It was all very well for the representative of France to say that there was relatively little trade between South Africa and France; what mattered was not the amount of trade, but the tendency for that trade to increase rapidly. Since French trade with South Africa had outstripped that of many other countries, France was working against the interests of the international community. Although the French Government claimed to be in favour of the elimination of *apartheid*, the votes cast by the French delegation were negative votes. Furthermore, the French Government's action made nonsense of the convincing arguments of the French delegation. How-

ever, the representative of France had said nothing new. His comments on the main draft resolution had been destructive rather than constructive. It was to be hoped that the French would grasp how the United Nations conceived action against *apartheid* and that they would reflect upon the effects of their trade and reverse its trend.

63. The Portuguese delegation had shown courage in explaining its vote on the resolutions relating to *apartheid*, but it would still have to refute individually the various pieces of evidence of its collaboration with the South African Government.

64. The CHAIRMAN said that explanations of vote on the draft resolutions were concluded, but delegations might still submit draft resolutions on agenda item 38. At the following meeting the Special Political Committee would take up item 40.

*The meeting rose at 6.15 p.m.*