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THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING
FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE
UNION OF SOUTH AFRICA: REPORT OF THE UNITED NATIONS
COMMISSION ON THE RACIAL SITUATION IN THE UNION OF
SOUTH AFRICA

Report of the Ad Hoc Political Committee

Rapporteur: Mr. Charles T. O. KING (Liberia)

1. On 14 December 1954, during its ninth session, the General Assembly adopted resolution 820(IX) by which, inter alia, it commended the United Nations Commission on the Racial Situation in the Union of South Africa for its constructive work, requested the Commission to keep under review the problem of race conflict in the Union, and requested it to report to the Assembly at its tenth session.
2. In accordance with resolution 820(IX), the Commission submitted a report^{1/} to the tenth session of the General Assembly on 26 August 1955.
3. At its 530th plenary meeting on 30 September 1955, the Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of the session and referred it to the Ad Hoc Political Committee for consideration and report.
4. The Ad Hoc Political Committee considered the question at its 3rd to 12th meetings held between 24 October and 9 November.
5. At the 3rd meeting on 24 October, the representative of the Union of South Africa stated that the Assembly, in inscribing the item on its agenda, in discussing it, and in adopting resolutions, had acted in conflict with the provisions of Article 2, paragraph 7, of the Charter and had thus infringed South Africa's rights as a Member State under the Charter. In view of this, the

^{1/} See Official Records of the General Assembly, Tenth Session, Supplement No. 14, document A/2955.

Union Government had instructed its delegation not to participate in any discussion of the item nor to be present while the discussion was proceeding. Reserving his right to participate in the voting on any draft resolution that might be submitted, the representative of the Union withdrew the delegation from that phase of the Committee's proceedings.

6. At the 4th meeting on 25 October, Mr. Hernan Santa Cruz, the Chairman-Rapporteur of the United Nations Commission on the Racial Situation in the Union of South Africa, was invited to take a seat at the Committee table, and made a statement introducing the Commission's report. At subsequent meetings he gave certain clarifications of the report and replied to references to it made by various members of the Committee.

7. At the 9th meeting on 3 November, the Committee received a seventeen-Power joint draft resolution (A/AC.80/L.1) sponsored by Afghanistan, Bolivia, Burma, Egypt, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen. Under the terms of the draft resolution, the General Assembly (a) recalling its previous resolutions on the question; (b) recalling section E of resolution 377 (V) in which the General Assembly expressed its conviction that a genuine and lasting peace depended also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security and "especially upon respect for and observance of human rights and fundamental freedoms for all"; (c) reiterating its resolutions 103 (I) and 616 B (VII) in which the General Assembly declared, among other things, that "it is in the higher interest of humanity to put an immediate end to religious and so-called racial persecution and discrimination"; and that "governmental policies ... which are designed to perpetuate or increase discrimination are inconsistent with the pledges of the Members under Article 56 of the Charter"; (d) noting that the Commission on the Racial Situation in the Union of South Africa had submitted its third report; would (1) commend the Commission for its constructive work; (2) note with regret that the Government of the Union had again refused to co-operate with the Commission; (3) recommend for consideration of the Government of the Union the

suggestions made by the Commission in its report; (4) express its concern at the fact that the Government of the Union continued to give effect to the policies of apartheid notwithstanding the request made to it by the General Assembly to reconsider its position in the light of the high principles contained in the Charter and taking into account the pledge of all Member States to respect human rights and fundamental freedoms without distinction as to race; (5) remind the Government of the Union of the faith it had reaffirmed, in signing the Charter, in fundamental human rights and in the dignity and worth of the human person; (6) call on the Government of the Union to observe the obligations contained in Article 56 of the Charter; (7) request the Commission to continue to keep under review the racial situation in South Africa, including, as the General Assembly would hope, improvement, if any, in the situation, and to report to the Assembly at its eleventh session; (8) decide that, should any of the members of the Commission be unable to continue their membership, the member or members concerned should, if the General Assembly were not sitting, be replaced by a person or persons appointed by the present President of the Assembly in consultation with the Secretary-General; (9) request the Secretary-General to provide the Commission with the necessary staff and facilities; and (10) request the Union of South Africa to extend its fullest co-operation to the Commission.

8. At the 12th meeting on 9 November, the representative of Iran introduced two modifications to the seventeen-Power joint draft resolution, which were accepted by its sponsors (A/AC.80/L.1/Corr.2), providing for the substitution for the text of operative paragraph 3 of the following text: "Recommends to the Government of the Union of South Africa to take note of the Commission's report", and for the replacement in operative paragraph 4 of the words "to respect human rights and fundamental freedoms" by the words "to promote respect for human rights and fundamental freedoms".

9. At the same meeting, the seventeen-Power joint draft resolution, as modified, was voted on, paragraph by paragraph, with the following results:

Preamble:

The first paragraph of the preamble was adopted by 41 votes to 6, with 7 abstentions.

The second paragraph was adopted by 49 votes to 5, with 1 abstention.

The third paragraph was adopted by 50 votes to 5, with 2 abstentions.

The fourth paragraph was adopted by 48 votes to 5 with one abstention.

Operative part:

Operative paragraph 1 was adopted by 42 votes to 6, with 8 abstentions.

Paragraph 2 was adopted by 39 votes to 7, with 8 abstentions.

Paragraph 3, as modified, was adopted by 36 votes to 11, with 9 abstentions.

Paragraph 4, as modified, was adopted by 42 votes to 7, with 8 abstentions.

Paragraph 5 was adopted by 41 votes to 7, with 6 abstentions.

Paragraph 6 was adopted by 41 votes to 6, with 8 abstentions.

Paragraph 7 was adopted by a roll-call vote of 34 to 12, with 11 abstentions,
as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Cuba, Honduras, Netherlands, New Zealand, Nicaragua, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Argentina, China, Colombia, Costa Rica, Denmark, Iceland, Israel, Norway, Peru, Sweden, Turkey.

Paragraph 8 was adopted by 35 votes to 9, with 12 abstentions.

Paragraph 9 was adopted by 33 votes to 8, with 11 abstentions.

Paragraph 10 was adopted by 35 votes to 8, with 11 abstentions.

The draft resolution as a whole, as modified, was adopted by a roll-call vote of 37 to 7, with 13 abstentions, as follows:

In favour: Afghanistan, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Argentina, Brazil, China, Colombia, Cuba, Denmark, Honduras, Nicaragua, Norway, Peru, Turkey, United States of America, Venezuela.

10. After the voting was completed, the representative of the Union of South Africa stated that he had been instructed to inform the Committee that his Government regarded in a most serious light the inquiry into the legislation of the Union which resulted from previous resolutions and from the draft resolution just adopted. His Government considered that such an inquiry constituted the most flagrant of all examples of transgression of Article 2, paragraph 7, of the Charter, which no self-respecting sovereign State could tolerate. After very serious consideration, the Union Government had accordingly decided to recall the South African delegation and also the Permanent Representative to the United Nations from the present session of the General Assembly.

11. The Ad Hoc Political Committee recommends to the General Assembly the adoption of the following draft resolution:

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM
THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE UNION OF
SOUTH AFRICA

The General Assembly,

Recalling its previous resolutions on the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa,

Recalling section E of resolution 377 (V), adopted on 3 November 1950, in which expressed its conviction that a genuine and lasting peace depends also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the General Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security and "especially upon respect for and observance of human rights and fundamental freedoms for all",

Reiterating its resolutions 103 (I) of 19 November 1946 and 616 B (VII) of 5 December 1952 in which the General Assembly has declared, inter alia that "it is

in the higher interest of humanity to put an immediate end to religious and so-called racial persecution and discrimination", and that "governmental policies ... which are designed to perpetuate or increase discrimination are inconsistent with the pledges of the Members under Article 56 of the Charter",

Noting that the United Nations Commission on the Racial Situation in the Union of South Africa has now submitted its third report^{1/},

1. Commends the United Nations Commission on the Racial Situation in the Union of South Africa for its constructive work;
2. Notes with regret that the Government of the Union of South Africa again refused to co-operate with the Commission.
3. Recommends the Government of the Union to take note of the Commission's report;
4. Expresses its concern at the fact that the Government of the Union continues to give effect to the policies of apartheid notwithstanding the request made to it by the General Assembly to reconsider its position in the light of the high principles contained in the Charter and taking into account the pledge of all Member States to promote respect for human rights and fundamental freedoms without distinction as to race;
5. Reminds the Government of the Union of the faith it had reaffirmed, in signing the Charter, in fundamental human rights and in the dignity and worth of the human person;
6. Calls on the Government of the Union of South Africa to observe the obligations contained in Article 56 of the Charter;
7. Requests the Commission to continue to keep under review the racial situation in South Africa, including, as the General Assembly hopes, improvement, if any, in the situation, and to report to the General Assembly at its eleventh session;
8. Decides that should any of the members of the Commission be unable to continue their membership, the member or members concerned shall, if the General Assembly is not in session, be replaced by a person or persons appointed by the President of the tenth session of the General Assembly in consultation with the Secretary-General;

^{1/} See Official Records of the General Assembly, Tenth Session, Supplement No. 14, document A/2955.

9. Requests the Secretary-General to provide the Commission with the necessary staff and facilities;

10. Requests the Government of the Union of South Africa to extend its fullest co-operation to the Commission.
