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Chairman: Mr. Frederick H. BOLAND (Ireland).

AGENDA ITEM 39

Question of South West Africa (*continued*):
(a) Report of the Good Offices Committee on South West Africa (A/3900)

CONSIDERATION OF DRAFT RESOLUTIONS (concluded)

1. Mr. LONGDEN (United Kingdom) thanked the Chilean delegation which, by presenting its draft resolution (A/C.4/L.531), might be said to have broken the ice and brought about discussions between representatives of seventeen Powers, as a result of which the five-Power draft resolution (A/C.4/L.532) had been presented.

2. His delegation had already emphasized its desire to see the problem of South West Africa settled in a manner satisfactory to all three parties concerned: the inhabitants of the Territory, the United Nations and the Union of South Africa. In order to achieve that, the Good Offices Committee on South West Africa would have to continue negotiations with the Union of South Africa. His delegation had therefore voted in favour of the five-Power draft resolution as a whole. However, it had felt that it should not vote in favour of operative paragraph 1 because it considered that the United Nations had nothing to lose and much to gain by accepting the suggestion of the Good Offices Committee that the Union of South Africa should carry out an investigation as to the practicability of a partitioning of the Territory. It had also abstained on operative paragraph 2, not because of the eight-Power amendments (A/C.4/L.535), for which, indeed, it had voted, but because it believed that the Good Offices Committee should be free to examine all possibilities, on the understanding that the final decision would be taken by the General Assembly. It had voted in favour of the amendment presented by Chile (A/C.4/L.536,

para. 1), which mentioned that the General Assembly appreciated the difficulties of the task it had entrusted to the Good Offices Committee.

3. Mr. BOZOVIC (Yugoslavia) said that his delegation had been prepared to support the five-Power draft resolution provided that the eight-Power amendments were adopted, although it had not been entirely satisfied with the draft, which did not accurately reflect the Yugoslav view.

4. His delegation had joined in the seventeen-Power discussions in order to assist in preparing a text which would be acceptable to a majority of the Committee. The delegations of the countries represented on the Good Offices Committee had been kept informed of those discussions and they had appeared to be prepared to accept the text proposed by the five Powers. However, those delegations had finally decided to abstain on paragraphs 1 and 2 of the draft resolution, which were the most important ones. Every delegation was naturally free to vote as it liked, but when the three Member States representing the United Nations in the negotiations with the Union of South Africa abstained in such circumstances, it was justifiable to question the usefulness of entrusting the handling of such negotiations to States whose conception of the interests of the Territory's inhabitants was markedly different from that of the majority of the Members of the United Nations. The representative of the United Kingdom has said that he had abstained because the suggestion made by the Good Offices Committee was in conformity with the interests of the inhabitants, whereas the Committee, by adopting paragraph 1 by an overwhelming majority, had shown that it held an entirely different view. The seventeen Powers which had assisted in preparing the draft resolution had voted, at the twelfth session, for the establishment of the Good Offices Committee which, following its negotiations with the Union, had presented suggestions which were unacceptable. It was now to be feared that the Committee's next proposals would conform even less to the desires of the United Nations. For that reason his delegation had deemed it necessary to abstain and it felt that the abstention of the three delegations most directly concerned was a bad augury for the further negotiations.

5. Mr. GOMES PEREIRA (Brazil) said that his delegation had abstained on paragraphs 1 and 2 of the draft resolution because it had wished to reserve its position on the matter. It had voted for the draft resolution as a whole because it considered that the Good Offices Committee should have its terms of reference renewed and that it should be given an opportunity to continue its work. The representative of Brazil on the Good Offices Committee had received no instructions from the Brazilian Government or from the delegation of Brazil since the Committee had been established.

6. Mr. GEBRE-EGZY (Ethiopia) had voted in favour of the eight-Power amendments, which improved considerably the text of the five-Power draft resolution. He had abstained on the amendment proposed by Chile because it was liable to be interpreted as approval of the suggestions made in the report of the Good Offices Committee. He had also abstained on paragraph 2 of the draft resolution because the expression "international status" did not appear to be sufficiently clear. His delegation had explained to the Committee at the twelfth session (668th meeting) its concern over the possible interpretations of that expression. It had abstained on the draft resolution as a whole for the same reason.

7. Mr. RODZINSKI (Poland) said that there was an obvious contradiction between paragraph 1 of the draft resolution, for which his delegation had voted, and paragraph 2. No convincing argument had been presented in favour of the renewal of the Good Offices Committee. His delegation was not opposed to the principle of negotiations provided, however, that they could lead to positive results. In the case of South West Africa that was not possible, and the Committee could not even be sure that the Union Government would agree to resume its discussions with the Good Offices Committee. The Fourth Committee should therefore have sought other means of solving the problem. Being unable to support the draft resolution, his delegation had had to choose between abstaining and voting against it. The adoption of the Chilean amendment had finally decided it to vote against the draft resolution as a whole, for it seemed inconsistent to reject the suggestions contained in the Committee's report (A/3900) and to express, at the same time, some appreciation of the Committee's work.

8. Mr. ABIKUSNO (Indonesia) said that, in a spirit of compromise, his delegation had made many concessions and had even agreed to renewal of the terms of reference of the Good Offices Committee. Several delegations had expressed reservations concerning paragraphs 1 and 2 of the draft resolution. His delegation believed that if the Good Offices Committee had made proposals which were not in conformity with the interests of the population of South West Africa and which were incompatible with the principles of the United Nations, that was because its terms of reference were not sufficiently clear. His delegation had therefore wanted the resolution to specify the manner in which the negotiations should be conducted, bearing in mind the objectives to be achieved. It had felt that the Committee should not adopt a defensive attitude and imply that it expected unfavourable results, as the words of the Chilean amendment "with appreciation of the difficulties of the task" suggested. It had found it necessary to reserve its position on the draft resolution as a whole, some provisions of which appeared to cast doubt on the validity of the position previously taken by the United Nations. For that reason his delegation had abstained, but it could have supported the draft resolution if the Chilean amendment had not been adopted or if it had been worded differently.

9. Mr. AMATAYAKUL (Thailand) said that the substance of the draft resolution was to be found in paragraph 1, which rejected any idea of partition or annexation as a basis for agreement. Any plan which would deprive a part of South West Africa of the benefit of

an international status would be unacceptable; the United Nations could not do otherwise than insist on the maintenance of that status for the whole Territory. However, his delegation would not oppose application of the Trusteeship System to a part of the Territory, provided that the other part did not lose its international status, and the draft resolution did not preclude such a solution. For those reasons his delegation, as a co-sponsor of the eight-Power amendments, had requested the insertion of the words "Mandated" in paragraph 2 of the draft. Any solution of the problem of South West Africa should be in conformity with the Purposes and Principles of the United Nations Charter and no plan could be approved which appeared to approve the policy of apartheid. Above all, it was necessary to bear constantly in mind the interests of the inhabitants.

10. Mr. SHIMA (Japan) did not question the validity of the eight-Power amendments, since South West Africa must clearly be considered a Mandated Territory. Furthermore, it was obviously impossible for the United Nations to conclude an agreement contrary to the Purposes and Principles of the Organization. However, the five-Power draft resolution was the result of a compromise and was considered to represent the delicate balance of divergent opinions among the delegations. His delegation had thought that the best way to verify that point would be not to take part in the vote, but to see the result of the voting by other delegations. That was why his delegation had abstained on the amendments. When it had seen that the vast majority of the Committee was in favour of those amendments, it had no longer hesitated to vote in favour of the draft resolution as amended.

11. Mr. CHAMBERS (Australia) said that, at the 761st meeting, he had expressed the opinion that the Good Offices Committee should be charged again with the task of exploring all possible paths to a solution of the problem of South West Africa, and should take into account the general course of the debate on the Good Offices Committee's report. His delegation still took that view and had voted accordingly.

12. Mr. KANAKARATNE (Ceylon) recalled the position already outlined by his delegation with regard to the Chilean amendment. His delegation would certainly not hesitate to express its appreciation of the work done by any committee or organ of the United Nations, but it so happened that the report of the Good Offices Committee's work had been regarded as quite unacceptable by the overwhelming majority of the Fourth Committee. On its own admission, the Good Offices Committee had gone beyond its terms of reference, and the solution it had envisaged was clearly contrary to the principles of the Charter. However, it had to be admitted that the Good Offices Committee had encountered many difficulties and that those difficulties were solely attributable to the attitude of the Government of the Union of South Africa. His delegation had therefore abstained in the vote on the Chilean amendment. That abstention, he wished to make quite clear, was not based on any reluctance to expressing appreciation of good work generally. His delegation would have no hesitation, should the occasion arise, in expressing its satisfaction with the work accomplished by any other United Nations organ, including particularly the Committee on South West Africa.

13. His delegation had voted in favour of the five-Power draft resolution as a whole, which was satisfactory on two essential points: it rejected the suggestions made in the Good Offices Committee's report and it invited that Committee to renew discussions with the Union Government. As the Good Offices Committee's terms of reference were now better defined, there was every hope that it would be able to make constructive suggestions in its next report.

14. Mr. ESPINOSA Y PRIETO (Mexico) said that his delegation had voted in favour of the draft resolution. Since there was no better way of dealing with the problem at present, the Good Offices Committee, with the collaboration of the same three Member States, should continue its efforts, conforming to the Purposes and Principles of the United Nations.

15. His delegation, too, was concerned to note that the three States represented in the Good Offices Committee had abstained in the vote on paragraphs 1 and 2. Their abstention was the more surprising as the sponsors of the draft resolution and the amendments had, when preparing the text, several times rejected expressions which might not be acceptable to the members of the Good Offices Committee and in other cases had chosen terms which they were likely to approve. Even if the abstention of the States that were members of the Good Offices Committee in the vote on paragraph 1 was perhaps understandable, because in that paragraph the General Assembly expressed some criticism of the Committee's work by rejecting its conclusions, their attitude to paragraph 2 was more disquieting. Nevertheless, as the three countries had voted in favour of the first part of paragraph 2 and the amendments which formed an essential element of the second part of the paragraph, the conclusion was justified that despite their abstention in the vote on the paragraph as a whole, they did not intend the Good Offices Committee to depart from the Purposes and Principles of the United Nations.

16. Mr. SOLANO LOPEZ (Paraguay) said that his delegation had voted in favour of the draft resolution, which reflected its views. On the one hand, the General Assembly would clearly reject the Good Offices Committee's suggestion regarding the possibility of partition, which would be contrary to the idea of the Mandate and would deprive the population of their hope that they might one day freely determine their own destinies. On the other hand, the Good Offices Committee's powers would be renewed, in conformity with the Purposes and Principles of the Charter. His delegation had voted in favour of the second of the eight-Power amendments (A/C.4/L.535, para. 2) because even though the idea was implicit in the draft resolution, it was better to specify it. His delegation had abstained on the Chilean amendment (A/C.4/L.536, para. 1), not because of any opposition to the idea expressed in it, but because of its drafting and of the way in which it fitted into the text as a whole. It had voted in favour of the draft resolution as a whole, in spite of the adoption of that amendment.

17. Contrary to the assertion of the Union Minister of External Affairs, who was unfortunately absent from the Committee, his delegation, like others, had taken part in the debate without any preconceived ideas.

18. Mr. RASGOTRA (India) said that his delegation, while not accepting the Good Offices Committee's

suggestion, was very anxious that no possible approach to an agreement should be neglected. That was why it had taken part in the preparation of the draft resolution and had been one of the sponsors of the eight-Power amendments. Certain facts which had emerged during the debate had led it to review its position with regard to some of the paragraphs and to the draft resolution as a whole.

19. It had voted in favour of paragraphs 1 to 5 of the operative part and against the Chilean amendment. Like the United Kingdom, but for different reasons, it had felt that such an expression of satisfaction bore no relation to the Good Offices Committee's work. If, as the majority felt, the difficulties had been caused by the Union, there was no need to record that fact in the resolution. If the difficulties were due to the United Nations, as some were inclined to think, the Organization could hardly be expected to condemn itself. Hence the Chilean amendment was not only somewhat pointless, but harmful to the resolution as a whole. The fact that it had been adopted by no more than 28 votes to 21, with 24 abstentions, showed clearly enough that the majority did not approve it.

20. His delegation had abstained in the vote on the draft resolution as a whole because of the reservation made by two States represented in the Good Offices Committee, the United States and the United Kingdom. The United Kingdom had just referred to the need for an inquiry into the possibility of partition. Any inquiry authorized by the Fourth Committee would, however, certainly not be conducted as a statistical exercise, but for a definite purpose. By authorizing it, the Fourth Committee would therefore pronounce itself in favour of the principle of partition and annexation which it had condemned almost unanimously.

21. Mr. CARPIO (Philippines) recalled that under rule 129 of the rules of procedure he was not allowed to explain his vote on the amendments which his delegation had co-sponsored (A/C.4/L.535). His delegation had voted in favour of the draft resolution as a whole. It was one of those which had argued as early as 1954 that the approach to the vital problem of South West Africa had to be reconsidered, because all the efforts of the United Nations had been foiled by the attitude of one Member State. For its part, his delegation would have preferred the General Assembly to seek other means of defending the prestige of the United Nations, but since it was the majority's wish to give the Good Offices Committee another year to find a solution, it had not wanted to stand in the way. Yet the Committee's report showed clearly enough that, even if reappointed, it would achieve nothing.

22. His delegation had been surprised to see the members of Good Offices Committee abstain on the second part of paragraph 2. It shared the misgivings of Yugoslavia and Mexico and could only hope that despite such abstention the Good Offices Committee's proposals would not be contrary to the Purposes and Principles of the United Nations.

23. The CHAIRMAN said that he interpreted rule 129 of the rules of procedure as meaning that each delegation could explain its vote but not comment on the vote of others and that a delegation could not explain its vote on an amendment which it had itself submitted.

24. Mr. BOZOVIC (Yugoslavia) explained that he had referred to the statements and the vote of certain

delegations only because they had determined his delegation's vote. At the previous meeting, before the vote was taken, he had emphasized how important it was, from the point of view of the resolution and of his delegation's vote, that the three States members of the Good Offices Committee should vote in favour of the draft resolution, since such a vote was a prerequisite for negotiations with the Union of South Africa.

25. Mr. ESPINOSA Y PRIETO (Mexico) said that he had referred to the vote of the three members of the Good Offices Committee because it was of the utmost importance for the further negotiations and for the vote of other delegations.

26. The CHAIRMAN assured the Yugoslav and Mexican representatives that he entirely agreed with them. Where the vote of one delegation was determined by that of another, it could clearly not explain its own vote in accordance with rule 129 without referring to the vote of the other delegation.

QUESTION OF A VERBATIM RECORD OF THE DEBATE ON SUB-ITEM (a) (continued)

27. Mr. WIESCHHOFF (Secretary of the Committee) explained that the debate on sub-item (a), which was recorded on discs in the original languages, had occupied twenty-eight hours, and would represent about 600 pages of text. It would be impossible to undertake the transcription during the General Assembly, since the available staff was already fully occupied. The work could be done after the General Assembly, assuming that the conference programme for 1959 remained unchanged.

28. Whatever distribution was made of the verbatim record, the text would have to be transcribed by verbatim reporters and a clean typescript made; the cost would amount to about \$4,300 in view of the fact that in addition to the permanent staff the temporary contracts of three Spanish verbatim reporters and three English verbatim reporters would have to be prolonged for three weeks.

29. If the verbatim record were to be made available to the Good Offices Committee only, all that would be required would be a complete English version, and the translation into English of speeches made in Spanish, Russian and French would amount to about 180 pages and would not entail any additional cost. If the verbatim record were to be distributed to all Member States it would have to be drawn up in the three working languages. The translation work needed would amount to some 570 pages into French and 480 into Spanish; it would not be possible to include it in the normal workload of the French and Spanish translation sections and it would therefore have to be done outside, at an estimated cost of \$11,000 including retyping for purposes of reproduction. The cost of reproduction and distribution would amount to about \$500, which would bring the total expenditure to about \$15,800.

30. To provide a more expanded summary record of the same meetings would necessitate the production, in the first place, of a verbatim transcript, which would cost \$4,300, as already explained. The expanded summaries would amount to some 300 pages in each language and would first have to be prepared, then translated and subsequently typed. It was difficult to give a precise estimate of the cost of those operations,

but it would probably not be substantially less than that of translation of the verbatim records, especially if account were taken of the additional cost of printing the expanded summaries in the final records of the Committee.

31. Mr. KANAKARATNE (Ceylon) asked the Chairman what he intended to do in view of the fairly moderate estimate of the costs, it being understood that there would be no question of preparing the verbatim record in question before the end of the Assembly.

32. The CHAIRMAN said that that was for the Committee to decide, which it could do by adopting a resolution.

(b) Report of the Committee on South West Africa (A/3906 and Add.1, A/C.4/L.533 and Rev.1, A/C.4/L.534):

(c) Study of legal action to ensure the fulfilment of the obligations assumed by the Mandatory Power under the Mandate for South West Africa: resumed consideration of the special report of the Committee on South West Africa (A/3625, A/3906 and Add.1, A/AC.73/L.10 and 12)

GENERAL DEBATE (concluded)

33. Mr. BAWUMIA (Ghana) congratulated the Chairman and members of the Committee on South West Africa on what they had accomplished despite numerous difficulties, in particular the lack of co-operation on the part of the Government of the Union of South Africa. An examination of the situation in South West Africa as it emerged from the report of the Committee (A/3906 and Add.1) and especially from paragraph 170, showed that the indigenous population was excluded from any share in the political life of the Territory. In the social sphere, Africans did not enjoy the right of free movement, they were confined in reserves, and husbands were deliberately separated from their wives in order to prevent an increase in the indigenous population. The indigenous inhabitants were given only the minimum of education that would make them suitable for employment by Europeans as unskilled workers, and even that was only done for an infinitesimal percentage. In the economic sphere the situation was worse than before the arrival of the Europeans; Africans were separated from their families to work in the mines and on European-owned farms; they were relegated to the least fertile lands, and they did not receive agricultural assistance, which was reserved for European farmers. In such circumstances it could hardly be said that the Administering Authority was fulfilling its obligations under the Mandate.

34. The conclusions reached by the Committee on South West Africa had been confirmed by the two petitioners heard by the Fourth Committee. The African masses that had thus been reduced to a state of slavery pinned all their hopes on the United Nations. It was in the interests of peace, security and democracy that everything should be done to respond to their appeal and to arrive at a prompt solution of the unhappy problem of South West Africa. The Committee on South West Africa should therefore continue its efforts in order to furnish the Fourth Committee and the United Nations with the information that was necessary for reaching such a solution.

35. Mr. ABIKUSNO (Indonesia) said that it emerged from the report of the Committee on South West Africa

that no important changes had appeared in the situation of the Territory during the previous year. The Government of the Union of South Africa was still not complying with the provisions of the Mandate, and was failing to accept its responsibilities as a Member of the United Nations. The indigenous population was still subject to a régime of racial discrimination and was excluded from any share in the political, economic or social life of their own country.

36. In view of the fact that no African had the right to be a member of the Legislative Assembly or to participate in the election of its members, he supported the recommendation of the Committee on South West Africa that that Assembly should be transformed into a properly representative body by extending representation to all inhabitants of the Territory, as a first step towards the transfer of responsibility for the administration to representative institutions proper to the Territory (A/3906, para. 64).

37. In the economic sphere, the Indonesian delegation found it inconceivable that the relations between the European employers and their indigenous employees should still be those of master and servant. He therefore supported the suggestion made by the Committee on South West Africa that the Mandatory Power should undertake a planned programme of economic development designed primarily to secure for the indigenous inhabitants possibilities for greater participation in the economy of the Territory (A/3906, para. 90).

38. In the field of health, the Committee on South West Africa said that because of racial discrimination the expectation of life of the indigenous population was much lower than that of the Europeans, and that a high proportion of non-Europeans suffered from under-nutrition and malnutrition. The Indonesian delegation therefore supported the recommendation that priority should be given to the establishment of a state hospital and of additional medical facilities in the northern areas in which a majority of the indigenous population lived (A/3906, para. 148).

39. The Union Government's policy of discrimination was also apparent in the field of education, and the Indonesian delegation had therefore proposed to the Committee on South West Africa that it should recommend that indigenous inhabitants should be represented on the Education Advisory Committee. His delegation also supported the other recommendations in paragraph 167 of the report.

40. The Committee on South West Africa had stated that the Union Government had applied its policy of apartheid even more rigorously during the previous year, and it was unlikely that any change in that situation would result from the recent appointment of Mr. Verwoerd as Prime Minister. The Indonesian delegation was convinced that the continuation of that policy was bound to have disastrous consequences for the future both of the Territory and of the Union of South Africa itself. As the Reverend Michael Scott had said in his book A Time to Speak, ^{1/} the indigenous inhabitants were offering increasing resistance to the policy of racial exploitation to which they were subjected and it was to be feared that they might one day be forced to give up the practice of non-violence that had been followed thus far. Moreover, as the report showed, the Union Government's policy of apartheid

^{1/} New York, Doubleday & Company, 1958.

was opposed by a liberal minority of the European population, and its integration policy was unpopular with the European farmers.

41. The Indonesian delegation believed that if efforts were not made to solve the problems of South West Africa in a vigorous and imaginative way, there might be incalculable consequences for the future of civilization.

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.533 and Rev.1, A/C.4/L.534)

42. Mr. Irving SALOMON (United States of America) said that, with regard to the draft resolution on the report of the Committee on South West Africa (A/C.4/L.533/Rev.1) originally introduced by Ethiopia and Liberia and now, he was interested to see, co-sponsored by Poland, his delegation would have voted for the original text (A/C.4/L.533), just as on a number of occasions in past years it had voted in favour of virtually identical texts. His delegation felt, however, that the new operative paragraph 3 which had been added to the text, while perhaps not inconsistent with the general tenor of the report of the Committee on South West Africa (A/3906 and Add.1), did not correspond exactly to the very clear and unequivocal recommendations contained in that report, which the United States member of the Committee had helped to formulate. Moreover, operative paragraph 2, which would approve the report exactly as it stood, and operative paragraph 4, which would draw the attention of the Government of the Union of South Africa to the contents of the report, were entirely and completely sufficient in themselves. He failed to see that anything whatsoever would be gained by including operative paragraph 3. He would therefore strongly urge the sponsors of the draft resolution, as well as all other delegations, to consider that point seriously and, having considered it, to decide whether operative paragraph 3 should be retained. If the sponsors nevertheless decide to retain it, his delegation would be obliged to vote against it and, if the paragraph was included in the text of the draft resolution, it would have to reserve its position on the draft resolution as a whole.

43. Mr. RODZINSKY (Poland) thanked the delegations of Ethiopia and Liberia for allowing the Polish delegation to join with them as a co-sponsor of the revised draft resolution. He reminded the representative of the United States that a paragraph similar to paragraph 3 of that draft resolution was included in the resolutions on the subject of the conditions in the Territory adopted at the ninth, tenth and eleventh sessions of the General Assembly. Consequently he failed to see why that paragraph could not be included in the resolution adopted at the thirteenth session, especially since it reflected the views expressed by the great majority of delegations that had spoken on the question.

44. Mr. KANAKARATNE (Ceylon) suggested a slight drafting change in operative paragraph 4, so that the paragraph would read:

"4. Decides to draw the attention of the Government of the Union of South Africa to the report of the Committee."

45. Mr. GEBRE-EGZY (Ethiopia) pointed out that the sponsors of the draft resolution had not yet had the opportunity of introducing their text formally, but they hoped to do so at the following meeting. He was sure

that they would welcome any improvement in the drafting of the text.

The meeting rose at 12.55 p.m.