



**Monday, 18 October 1954,
at 3.5 p.m.**

New York

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Chairman: Mr. Rafik ASHA (Syria).

AGENDA ITEM 34

Question of South West Africa: report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1, A/C.4/L.340) (*continued*)

1. Mr. HOO (Assistant Secretary-General in charge of the Department of Trusteeship and Information from Non-Self-Governing Territories) said that at the previous meeting the South African representative had stated that the document entitled "Information and documentation in respect of the Territory of South West Africa" (A/AC.73/L.3 and Add.1 to 3) submitted by the Secretary-General to the Committee on South West Africa contained a number of inaccuracies; he had mentioned one omission, namely the fact that no specific information had been given with regard to slavery. In accordance with rule XXII of the Committee's provisional rules of procedure, the Secretariat had been requested to submit information and documentation in respect of South West Africa for the years since 1946. It had not, therefore, considered it necessary to reproduce information available in the reports of the Union of South Africa to the League of Nations concerning a problem which had long ceased to exist. The South African Government itself had discontinued reporting to the League of Nations on the subject since 1930. The Committee on South West Africa had noted the fact that no specific information concerning slavery was contained in the Secretariat documents and the Secretariat had explained that, to the best of its knowledge, no practices of slavery were to be found in the Territory. That explanation was reflected in annex V, paragraph 99, of the Committee's report (A/2666 and Corr.1).

2. Mr. Ali KHAN (India) said that his delegation had listened with keen interest to the South African representative's statement at the previous meeting. For the first time in seven years the Fourth Committee had had before it a report on conditions in South West Africa (A/2666 and Corr.1, annex V) together with the comments of the administering Power. While it was true that those comments had not been systematic and that they implied no alteration of South Africa's position, which both the United Nations and the Interna-

tional Court of Justice had found to be untenable, they were important and valuable. They helped to complete a picture, which, through South Africa's lack of co-operation, had not been complete and they served to remind the Committee that the welfare and progress of the people of South West Africa was the supreme criterion by which it should be guided. If the Committee and the South African delegation could agree upon that, a positive beginning would have been made.

3. The South African representative's main criticism of the Committee on South West Africa was that it included no member with experience of African administration. That, of course, was a criticism which covered most members of the Fourth Committee. They had no overseas possessions in Africa and could bring to the discussion only common sense, sympathy and a firm belief in the dignity and rights of the individual as affirmed in the United Nations Charter. Those, he submitted, were sufficient qualifications. Moreover, three of the seven members of the Committee on South West Africa had been members of the Trusteeship Council and were not without experience of the general problems of administration in Africa. India was a member of the Council and had examined the records of several administrations. It had found much to commend and much to criticize, but nowhere else had it found an administration based—as the administration of South West Africa plainly was—on segregation and discrimination. The indigenous populations in other Territories had reached various stages of self-government, but their right to vote and be elected was admitted in principle even where it had not been established in practice. In South West Africa, however, the population was completely disfranchised on grounds of race and colour and could not choose those who claimed to rule in their interests. If African problems had anything in common, their solutions should have something in common, too. The only solution under the Charter was a society based on self-government and racial equality. There was nothing whatever in the South West African problem to preclude such a solution.

4. The South African representative had stated that the restrictions on freedom of movement in South West Africa, rightly condemned by the Committee, were used only sparingly and in the interests of the Native population. An incidental effect of one of the regulations might indeed be to prevent the Natives from squandering their income on train rides, but he was convinced that the primary purpose of the regulations was to establish and enforce a system of racial segregation. Until the South African representative could deny that that was the case, the United Nations must maintain that the policy of segregation embodied in such laws was in conflict, not only with the Mandate, but also with the basic assumptions of human worth and dignity

on which the Charter rested. Segregation was inherently contrary to the interests of the people, and laws derived from a philosophy of segregation could only serve to establish discrimination and deprive the majority of the people of their basic rights. However conscientiously and sincerely such laws were applied, the fact that their purpose was mistaken inevitably made their application harmful.

5. The South African representative had described as unjustified the Committee's concern with the "increasing encroachment upon the limited usable land available for the future needs of the Native population" (A/2666 and Corr.1, annex V, para. 83) and had pointed out that the Police Zone was not a European zone but merely that portion of the Territory which was regularly patrolled by the police. If the South African representative could assure the Committee that his Government intended eventually to extend the Police Zone to cover the entire territory of South West Africa and concurrently to bring about complete freedom of movement within the extended zone, the Committee need have no cause for concern. On the other hand, if the South African Government intended to perpetuate the existence of two separate zones—a privileged zone inhabited by Europeans and an unprivileged zone for Natives alone—and to segregate those zones rigidly by enforcing a whole system of restrictive regulations, any extension of the privileged zone was certainly a cause for the deepest apprehension.

6. The South African representative's arguments justifying the difference in educational expenditure on Europeans and Natives seemed to be based on a confusion of thought. In the first place, claims about what the people were or were not demanding would be a great deal more convincing if there were some system of popular representation in the Territory. In the second place, education policies among less advanced peoples should be based not on demand but on an inescapable and urgent need for education. The demand for education could be created only by education. If, after thirty-five years, the people of South West Africa had not even been taught to desire education, that was in itself an implied criticism of the administering Power. The South African representative's other arguments merely amounted to stating that European education cost more than Native education because the European was better educated. That was precisely the situation to which the Committee on South West Africa had objected. Natives must be given educational facilities and Native teachers must be trained to the same standard as their European counterparts and then paid the same salary. Until the South African representative cited facts to show that such a policy was being applied, the Indian delegation would continue to be apprehensive.

7. The South African representative had concluded by appealing to the judgment of history. Anyone had the right to appeal to history but conclusions about the future could be drawn only from events of the past and the record of history showed that no majority, or even minority, could be denied its rights forever. The problems of a multi-racial society could be solved only by co-operation between the various elements and by their full and democratic participation in the national life. They could not be solved by policies of segregation and discrimination based on the logic of fear. Africa's future would be built by coloured and white men together in freedom and equality; it would be a future

in which all races and classes could take legitimate pride. There was no other solution in Africa. The South African representative might choose to regard the steadfast faith of the United Nations in human dignity and brotherhood as impracticable; he was entitled to his own opinion. Ideals, however, were not only the stuff of vision; they were also the fabric of the Charter and the higher reality by which the actions of the United Nations were determined. History and the force of political powers might sometimes seem to deviate from the ideals of racial equality but they would return to them in the end for the simple reason that no other assumptions would work.

8. Mr. RODRIGUEZ FABREGAT (Uruguay) expressed his pleasure at the fact that, after repeated refusals to co-operate and rejection the United Nations jurisdiction over South West Africa, the South African Government had at last participated in the discussion of South West Africa in the Fourth Committee. It was to be regretted, however, that many of the South African representative's criticisms of the Committee on South West Africa and its report were inaccurate and unjustified.

9. The Committee on South West Africa was not inimical to South Africa. On the contrary, it had been set up in an effort to find an agreed solution and to prepare as objective a report as possible on conditions in South West Africa. Any further information that the South African Government might see fit to divulge would be welcome, even if it meant rectifying certain statements in the Committee's report. The Committee would be only too happy to be able to note any progress by the people of South West Africa.

10. The South African representative had indeed given the Committee some new information, but it was regrettable that that information should have been withheld for so long and should be produced only after the Committee's report had appeared. It was regrettable, too, and incomprehensible that the South African delegation should feel under no obligation to correct various alleged inaccuracies in the report, although it maintained that it could correct them if it wished.

11. The South African representative had pointed out that the Committee on South West Africa had been composed not of experts but of individual governmental representatives. If the South African representative was seeking people with experience in applying racially discriminatory laws to a Trust Territory and segregating people according to colour, he would not find them among the representatives of the Latin-American countries. If, on the other hand, he wanted experience of co-operation in the sincere study of problems, in the application and observation of human rights and in the achievement of democracy and full independence, then any representative from Uruguay fully met those qualifications.

12. With regard to the contention that it was difficult for the outside observer to assess the true situation in South West Africa, it had not been the Committee's wish to remain an outside observer. The South African Government had only itself to blame for the fact that the Committee had been forced to remain outside the Territory. If the South African delegation continued to accuse the Committee of inaccuracy and at the same time refused to make information available, there would seem to be only one solution: the Committee on South West

Africa must go to South West Africa and get the information on the spot.

13. He quoted paragraph 35 of the Committee's report. It was a grave indictment of South Africa's administration that after thirty-five years of the Mandate the Native population of South West Africa still lacked sufficient political training to vote in even municipal elections and had no representation in the Legislative Assembly. Democracy could be learned only through practice; a people could be trained for self-government only by being given an increasing amount of self-government. He would be only too glad to hear the South African representative refute the facts contained in that paragraph. They could not be refuted merely by claiming that the members of the Committee were not experts.

14. The South African representative had criticized the section of the Committee's report dealing with slavery (para. 99). Since the Committee had merely voiced its regret that it had no information and its understanding that no practices of slavery would be found in the Territory, it could scarcely be accused of inventing information or distorting the facts.

15. Particularly heavy criticism had been levelled at the Committee's report on educational conditions (paras. 145 to 159). In educational matters, mere statistics of school attendance were not enough. The Fourth Committee must bear in mind the purpose underlying education. It was fruitless to teach a child reading and writing for three years and then to send him back to his tribal environment where there were no books or newspapers for him to read and no opportunities for him to participate in the life of his country. While the educational statistics quoted in paragraph 151 were very low, the philosophy underlying education in South West Africa was even more disquieting. The concept of a master race was incompatible with the task of guiding a people towards civilization and self-government. Progress could be achieved only when everyone, regardless of the colour of his skin, was given a fair chance and an equal opportunity.

16. The Fourth Committee must bear in mind that it was not discussing a sterile matter of geographical boundaries. It was concerned with a human problem, the destinies of a people whose future had been entrusted to the Union of South Africa. In accepting the Mandate in 1920, South Africa had accepted as a sacred trust the responsibility to promote the advancement of the peoples of South West Africa towards eventual self-government. South Africa now argued that the Mandate had lapsed with the demise of the League of Nations and that it had no obligation to report to the new international organization or refer petitions to it, because it had no authority. The destiny of the peoples of South West Africa hung in the balance and the world looked to the United Nations for a solution.

17. In conclusion he appealed to the South African Government to co-operate with the United Nations. Fresh data could lead to a fresh understanding. The one desire of the United Nations was to find a solution taking into account the sacred interests of the people of South West Africa, the Union of South Africa and the United Nations. His delegation was always ready and willing to undertake any task that would contribute to such a solution.

18. Mr. KHOMAN (Thailand) explained that he had taken no part in the general debate since his views

were embodied in the report of the Committee on South West Africa. He felt compelled, however, to draw attention to the anomalous nature of a situation in which a Member State which had ignored the recommendations and injunctions of the General Assembly and the advisory opinion of the International Court of Justice and systematically refused to report on conditions in the Territory, to transmit petitions and, above all, to take part in the deliberations of the Committee on South West Africa, now took part in the debate to disparage that Committee's report. A more co-operative attitude on the part of the South African delegation might have prevented errors in the report, if indeed it contained any. The members of the Committee on South West Africa did not claim to be familiar with every aspect of the problems concerning the Territory; indeed they could hardly be, since there was an impenetrable barrier between the Territory and the outside world.

19. He would not reply in detail to the criticisms made by the South African representative; they were obviously inspired by resentment caused by the fact that the report exposed to the world the squalid picture of a people without hope and without a future.

20. The Committee had not been influenced by charges against the Union but had endeavoured to maintain the standard of integrity proper to any United Nations body.

21. The CHAIRMAN drew the attention of the members of the Committee to the draft resolution (A/C.4/L.340) submitted jointly by Brazil, Chile, Denmark, Mexico, Peru and the United States.

22. Mr. KHALIDY (Iraq) asked for an explanation of the purpose of the joint draft resolution.

23. Mr. LANNUNG (Denmark) said that his delegation had warmly supported the proposal made a few days previously (406th meeting) by the Brazilian representative that after the conclusion of the general debate the item should be kept open so as to give members time to consider any draft resolution that might be submitted. He would suggest further that during the interval the Committee on South West Africa should be asked to meet for the purpose of considering whether any immediate additional action would be desirable in the light of the decision taken by the General Assembly at its 494th plenary meeting and the subsequent discussions in the Fourth Committee.

24. Mr. BOZOVIC (Yugoslavia) did not think that the draft resolution should be put to the vote until the Committee had considered and decided on any other draft resolutions that might be submitted.

25. With regard to the suggestion of the Danish representative, he did not think the Committee on South West Africa could be asked to modify or reconsider the General Assembly's decision; such action could be taken only by the General Assembly itself.

26. Mr. JOUBLANC RIVAS (Mexico) said that his delegation had joined in sponsoring the draft resolution in response to the appeal made by the Brazilian representative to give the Union of South Africa a last opportunity to co-operate in finding a solution of the problem. If the Committee on South West Africa were to be reconvened, the Mexican delegation would take part with the same goodwill that it had always shown.

27. Mr. ROBBINS (United States of America) said that his delegation would support the draft resolution

and also the addition proposed by the representative of Denmark.

28. He did not agree with the views expressed by the Yugoslav representative.

29. Mr. RIVAS (Venezuela) said he understood the purpose of the Brazilian proposal to be that the whole period of the General Assembly session should be utilized in an attempt to reach an understanding with South Africa.

30. He had been somewhat confused by the Danish proposal and was inclined to support the views expressed by the representative of Yugoslavia. The procedural aspect of the matter had been settled by a decision of the General Assembly and could not be reopened, but he agreed with the Brazilian delegation that the substantial aspect should not be dealt with in an equally hasty manner, and he would vote in favour of reopening the debate if any positive steps were taken by the South Africa delegation.

31. Mr. QUIROS (El Salvador) did not consider that the sponsors of the draft resolution had advanced any new fact in support of their proposal to defer consideration of the question. He was not opposed to a postponement but could not see what useful purpose it would serve. There was no reason to suppose that the Union of South Africa would change its policy.

32. Mr. Ali KHAN (India) thought that the item should be postponed only until the conclusion of the following item on the agenda.

33. He assumed that members would be able to submit draft resolutions at any time prior to the approval of the Rapporteur's report.

34. Mr. VERGARA (Chile) supported the Brazilian proposal because he believed that it might pave the way to an exchange of ideas. So far no draft resolutions had been submitted and for that reason he felt the Committee should take time to consider the matter. It should not close the item without having found a solution.

35. Mr. LANNUNG (Denmark) said that he had not made a formal proposal. He had merely suggested that the Fourth Committee should invite the Committee on South West Africa to consider the question of the procedure recently adopted by the General Assembly and to advise the Fourth Committee whether any additional action in the Fourth Committee or the General Assembly was deemed desirable and feasible in connexion with procedural recommendations made by the Committee on South West Africa. The Committee on South West Africa could consider the matter during the interval envisaged in the draft resolution.

36. Mr. RIFAI (Syria) said that consideration of the Rapporteur's report by the General Assembly could be postponed without adopting the draft resolution. The Committee could complete its discussion of any resolutions that might be submitted in connexion with the question of South West Africa and postpone its report to the General Assembly to a later date. He hoped that the sponsors of the proposal would not press for a vote upon it.

37. Miss ROESAD (Indonesia) found the Danish representative's suggestion that the Committee on South West Africa should be asked to consider whether any additional action was desirable in view of the General Assembly's acceptance of special rule F somewhat surprising. A resolution accepted by the General Assembly

could not be reconsidered by a subordinate committee. With regard to the draft resolution, she felt that there was no need to defer approval of the Rapporteur's report since no such report had as yet been submitted. Her delegation would be unable to agree to the postponement of the discussion on the question of South West Africa and on any draft resolution which might be submitted in connexion with that item; nor could it agree to the Indian suggestion that the item should be kept open until after the second item on the agenda had been disposed of. It was desirable that the Fourth Committee should complete its agenda in the agreed order and as quickly as possible. If the draft resolution were voted on before the discussion of other resolutions which might be submitted, the Indonesian delegation would be unable to vote in favour of it.

38. Mr. DORSINVILLE (Haiti) had at first been inclined to abstain in any vote on the draft resolution in a desire to co-operate with those delegations which still seemed to hope that the situation in regard to South West Africa might in some miraculous way be transformed. He had changed his mind, however, in the light of the discussion on the proposal. Certain delegations had hinted that the Fourth Committee had been too hasty in submitting its conclusions on the question of procedure to the General Assembly and wished to avoid any such haste in the discussion of the substantive aspect of the question of South West Africa. However, the substantive aspect had been discussed exhaustively and there could be no question of undue haste. He felt that since the general debate on the substantive aspect had been concluded, the Fourth Committee should now adopt the appropriate resolutions. Other representatives had hinted that a mistake had been made over the procedural aspect. The Haitian delegation had been fully aware of the implications when it had voted against the inclusion of the phrase which was dropped from special rule F. The General Assembly had shown that it had made its decision advisedly when it had upheld the President's ruling (494th plenary meeting) that since the first resolution had been amended, the second had lost its *raison d'être* and should not, therefore, be voted on.

39. He could not accept the Danish representative's suggestion that the Committee on South West Africa should re-evaluate its work in the light of the adoption of special rule F. The decision had been made by the General Assembly and it would appear that the only course open to the Committee on South West Africa would be to suggest that the Fourth Committee should reopen the matter and place a new resolution before the General Assembly. The Haitian delegation could not agree to such a procedure, and would therefore vote against the Danish proposal.

40. In order to ensure that its position remained perfectly clear, his delegation would be compelled to vote against the adoption of the proposal. He was afraid that if the conclusion of the item was postponed to the end of the General Assembly, the Committee would not have time to adopt appropriate resolutions.

41. Mr. GONZALES (Philippines) sympathized with the Brazilian representative's desire to keep the item open so that any new proposal might receive careful consideration from the Fourth Committee. He also agreed with the Indonesian representative that a mere committee could hardly reconsider what the General Assembly had decided upon. He suggested that the

sponsors of the draft resolution should so amend it as to give expression to the general feeling in favour of keeping the item open until near the end of the General Assembly so that any ideas in regard to new approaches to the question of South Africa could be put to the Committee in the form of resolutions. In view of the doubts that had been expressed about the proposal, he would hesitate to support it as it stood.

42. Mr. LYRA (Brazil) said that the representatives of Syria and Yugoslavia had interpreted the intention of his proposal correctly.

43. The CHAIRMAN took it that the sponsors of the draft resolution would not now insist on putting their proposal to the vote immediately. The matter might perhaps be discussed again when the report of the Rapporteur was ready. The Committee would then be able to decide when it wished to send the report to the General Assembly.

44. Mr. CALLE Y CALLE (Peru), as one of the sponsors of the draft resolution, agreed with the Chairman. The aim of the proposal was to postpone approval of the Rapporteur's report. The purpose of the original Brazilian suggestion had been that the Committee should not close the door on any negotiations or on any attempt to find a solution to the problem of South West Africa. That intention had been condensed into the proposal that the item should be left open so that the Fourth Committee would be able, at any time before the end of the General Assembly, to vote on any resolutions that might be submitted in connexion with the question of South West Africa. In proposing that the approval of the Rapporteur's report on the question of South West Africa should be deferred, the sponsors of the proposal were merely reserving the Fourth Committee's right to vote on any subsequent resolution that might be submitted.

45. Mr. KHALIDY (Iraq) pointed out that the Danish representative had not made a formal proposal. He undoubtedly realized that if he wished to reopen the

procedural question in the General Assembly, he could best do so when the report of the Rapporteur went to the plenary meeting. It had now become clear that the purpose of the draft resolution was to postpone not the discussion of resolutions on the question of South West Africa but the consideration of the Rapporteur's report. However, since that report was not yet in existence, there seemed to be little point in discussing the postponement of its approval. There was therefore no need for the sponsors of the proposal to press for a vote upon it. The Committee could continue with its normal procedure, and take up the question of deferring the approval of the Rapporteur's report when that report was in fact ready.

46. Mr. LANNUNG (Denmark) noted, in reply to the point made by the Indonesian representative, that he had suggested that the Committee on South West Africa should give the Fourth Committee its opinion in regard to any "additional" action which might be desirable and feasible.

47. Mr. DURON (Honduras) wondered whether the sponsors of the draft resolution agreed with the Iraqi representative's interpretation of their proposal and whether they wished to have a vote on it immediately or to wait until the Rapporteur's report was ready.

48. The CHAIRMAN noted that the Brazilian representative had expressed his agreement with the views of the representatives of Yugoslavia and Syria, and would therefore presumably not insist on an immediate vote on the draft resolution.

49. Mr. SOLE (Union of South Africa) was anxious that his delegation's silence on the proposal and in the discussion which had just been concluded should not be open to misinterpretation. His delegation was now clear as to the stage at which the draft resolution would be considered, and would make a statement on it at the appropriate time, after the discussion of any resolution which might be submitted.

The meeting rose at 5.45 p.m.