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**President: Prince WAN WAITHAYAKON (Thailand).**

**AGENDA ITEM 23**

**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 (A/2953 and Corr.1, A/AC.80/L.1) (*continued*)**

1. U HIA MAUNG (Burma) noted with concern that, although the General Assembly had been considering the question of race conflict in the Union of South Africa for several years, it was no nearer a satisfactory solution. That was mainly because the South African Government had constantly maintained that the matter was essentially within its domestic jurisdiction and that consequently the General Assembly was not competent to discuss it.
2. The Burmese delegation would not repeat the arguments that had been advanced frequently and at length to refute that contention. There was, however, one aspect of the question to which it would like to draw the Committee's attention. It had been said that, in view of the South African Government's negative attitude, discussion of the question of race conflict in South Africa by the General Assembly could serve only as an irritant and would merely provoke the South African Government still further. It had also been said that, since the United Nations was not a world government, it could not impose any solution on the Union of South Africa and had better drop the subject.
3. It was true that the United Nations was not a world government; it was an international community dedicated, among other things, to maintaining peace and promoting respect for fundamental human rights. To that end, the Member States of the Organization had entered into formal undertakings; it was therefore the duty of the United Nations to do what it could in the matter. It must not give up merely because it was not in a position to compel the Union of South Africa to take the steps necessary to deal with the problem. The least it could do was to keep the matter on its agenda in the hope that one day the force of international public opinion would induce the Union of South Africa to assume a more conscientious attitude towards the obligations it had contracted by signing and ratifying

the Charter, and renounce its policy of racial discrimination. The General Assembly should show an appreciation of the problem with which the South African Government itself would be faced when it moved towards a solution of the problem and avoid useless recriminations. Meanwhile it must keep the problem under review. Furthermore, to keep itself informed of the development of the situation, the Assembly should also maintain in being the instrument it had created for that purpose and renew the mandate of the United Nations Commission on the Racial Situation in the Union of South Africa. The Commission had done excellent work, despite the severe limitations under which it had had to operate. Its third report (A/2953 and Corr.1) contained information which would be indispensable to the Assembly in following the development of the situation. It was true that the material the Commission had collected was not original and had had to be taken from existing sources. Nevertheless, the compilation and analysis of that material were extremely useful, for the sources from which it was taken were scattered and difficult of access.

4. For all those reasons, the Burmese delegation would vote for the draft resolution submitted by the seventeen Powers (A/AC.80/L.1), in which the Assembly requested the Commission to keep under review the racial situation in South Africa, including improvement, if any, in the situation.
5. Mr. LALEAU (Haiti) said he was deeply grieved to be reminded that in the twentieth century there were still men in some parts of the world who could not enjoy the same rights as their white-skinned fellows because of the colour of their skin. Even if their way of living, their customs and their civilization were different from the way of living, customs and civilization of the white men, what excuse was there for regarding them as inferior beings, when the conclusions of modern ethnology showed how inane that prejudice was. Besides, everyone knew that coloured men, just like their white brothers, flew to the rescue when freedom, peace and democracy were threatened.
6. The Haitian delegation had studied with interest the third report of the United Nations Commission on the Racial Situation in the Union of South Africa, and approved its conclusions in principle. On that matter, it could only confirm the attitude of Haitian delegations to previous sessions of the General Assembly. The Haitian Government was firmly opposed to any discrimination as to race, sex, language or religion and supported by *ad hoc* legislation. The Haitian delegation would therefore vote for any draft resolution condemning racial discrimination which would be likely to abolish the practice.
7. By suggesting a fair and courageous solution of the question of race conflict in South Africa, the United Nations, which was fully competent to discuss the matter, would perhaps prevent the outbreak of a bloody conflict whose effects might be disastrous.

8. Mr. DUNCAN (Panama) observed that race conflict in South Africa was one of the questions which came up regularly at each session of the General Assembly without any solution so far being found. In the case in question, that negative result was due to the fact that the problem was one of the most difficult with which the Assembly had ever had to deal. That was demonstrated once again by the third report of the United Nations Commission on the Racial Situation in the Union of South Africa. The report did the Commission credit. Despite the obstacles and difficulties it had had to overcome, the Commission had done a useful and important work. Its members, and especially its Chairman and Rapporteur, should be congratulated.

9. It was a great pity that the South African Government had once more refused to co-operate with the Commission. That attitude was understandable in view of the fact that the Government of the Union of South Africa had shown that it intended to intensify its policy of racial discrimination, and not give it up. There was no doubt that the policy was a flagrant violation of the United Nations Charter and contrary to the Universal Declaration of Human Rights. It affected the question of fundamental human rights and was therefore of concern to the international community. Consequently, the United Nations was fully competent to discuss it.

10. The campaign against all forms of intolerance could not but win the fullest possible support from the Government of Panama, a country with a multi-racial society in which racial discrimination did not exist. All countries must unite to overcome discrimination, for no true peace could be established in the world so long as oppressed minorities existed anywhere.

11. Panama was the first to defend the principle of non-interference in the internal affairs of States. It was, however, of the opinion that by ignoring the question of racial conflict in South Africa the United Nations would be acting contrary not only to the spirit of the Charter, but also to the elementary principles of justice and charity.

12. The South African Government's policy of *apartheid* was not merely, as might be thought, a policy of expediency dictated by vulgar prejudices. It was a policy based on principle, conceived and applied by the public authorities under the influence of political, social and religious fanaticism. It involved highly emotional and passionate factors. In studying it, therefore, the United Nations must show the greatest moderation and proceed with the greatest caution. It would serve no purpose to irritate the South African Government by acrimonious criticism or violent diatribes. The General Assembly could not impose an undeviating line of conduct on the South African Government. What it could do was to induce that Government to recognize the obligations it had contracted by signing the United Nations Charter; and make it understand that the United Nations did not intend to play the part of inquisitor and judge or to interfere in its internal affairs but only to help the Government to find a satisfactory solution of the problem with which it was faced and which threatened to assume alarming proportions.

13. Mr. RODRIGUEZ FABREGAT (Uruguay) said that the Uruguayan delegation had studied the Commission's new report with the greatest interest; and it congratulated Mr. Santa Cruz, the Chairman and Rapporteur. The Commission's work deserved the congratulations of all, even of those who considered that the General Assembly should not discuss the question

of race conflict in South Africa. The only regrettable thing was that the report did not contain the material which would have been available to the Commission if the South African Government had agreed to co-operate with it.

14. The situation in the Union of South Africa seemed incredible at the present time, after a war in which all the peoples of the world had united to overthrow the Hitlerite dogma which had imperilled the values of human conscience. The discrimination practised by the South African Government was directed not only against adults, but also against children. Not all children received the same education; some enjoyed privileges while others were deprived of everything which, for other societies and for the United Nations, represented the fundamental elements of human equality.

15. In Uruguay there was no racial discrimination. It was to be found neither in the laws, nor in the customs, nor in the minds of the citizens. The Constitution proclaimed that all men were equal before the law. Any differences between them therefore resulted from their talents and their virtues. Whatever their social situation or their race, the just man and the wise man were respected, and the values deriving from talent or virtue acted as a stimulus to all and as an example to future generations.

16. Democracy could not be regarded merely as a juridical system; it was also a mode of behaviour. Its earliest manifestation was to be found in the equality of all children attending the same schools and receiving the same education, whatever their race or social status. The child must know nothing of a system of discrimination or slavery; his ideal must be to make human solidarity a reality and thus ensure the progress of all peoples. The impression the Commission's report gave was that of living, not in the post-war years, when the watchword had been the liberation of the peoples, but in past epochs, when the peoples of the world had still been slaves.

17. Admittedly the Charter contained an Article limiting the right of the United Nations to interfere in matters essentially within the domestic jurisdiction of any State. Uruguay had always upheld the principle of non-intervention, but that principle must not serve as an excuse for condoning a violation of human rights.

18. It was regrettable that the South African representative was not present, but his absence must not prevent the Assembly from continuing its study of a question affecting one of the essential activities of the United Nations. The Organization was therefore only doing its duty in setting up the necessary organs for a continuing study of the problem, as when it appointed a Commission such as the one which had just presented its third report.

19. It would be possible to discuss the various facets of the report in detail, for example, to analyse the question of education and to wonder why Bantus had not a right to the same education as whites. But education was only one aspect of the social problem. Even if all were given the same education, it would still be necessary to ask whether the Bantus and the people of Indian origin were able to exercise their civic rights. If a man could not play his part in his country's civic life there would be little point in improving his education. In Uruguay, a child was educated because it was known that he would later be an elector and eligible for election; he would become a citizen, whatever his origin.

20. The countries of Latin America had first of all achieved their liberation, and then, through the medium of their laws, decrees and conventions, had endeavoured to make free men of their citizens; in that way they had contributed towards the advancement of mankind.

21. The American countries unanimously condemned the system of racial discrimination, which was contrary to their principles and to the Charter they had all signed. The Uruguayan delegation therefore regretted that the South African Government had refused to take part in the present debate. It considered that, in present circumstances, the General Assembly could not remove the problem from its agenda; it was the duty of the United Nations to continue to study it and to seek a satisfactory solution, in concert with the South African Government.

22. If the Union of South Africa had taken a different attitude, and it had been possible to consider, together with its representatives the various aspects of the problem and seek a common solution, the United Nations might have been able to change its method. But, as matters stood, it had no option but to renew the Commission's mandate to study the racial situation, keep the question on the Assembly's agenda and instruct the Commission to continue its work, while awaiting developments in the situation and a change in the South African Government's attitude towards the Organization itself and towards international co-operation in the field in question.

23. To conclude, he asked the Commission to add to its next report more exact figures on illiteracy, infantile mortality, electoral rights, wage levels, cost of living and so forth in South Africa, in order to make possible valid comparisons between the situation of whites and non-whites in the Union of South Africa. If such data were given, the United Nations could draw important conclusions and help the South African Government to eliminate racial discrimination within its territory.

24. Mr. VASSALLO (Chile) said that his country's attitude towards racial discrimination in the Union of South Africa was based on the concept that all human beings had inalienable rights, on the tradition of democratic equality and on the conviction that any continuous and systematic violation of such rights obliged the United Nations to intervene and seek a solution.

25. The Chilean delegation consequently considered that a study of the question was well within the General Assembly's competence. Arguments which invoked Article 2, paragraph 7, to prove the contrary only strengthened that opinion. Indeed, if that paragraph were correctly interpreted, it would be seen that it was applicable only in the light of Articles 55 and 56. Moreover, discussion of the matter of competence was pointless, because the General Assembly had already settled the question three years previously, and since that time the highest organs of the United Nations had adopted many resolutions on the racial situation in the Union of South Africa.

26. The Commission's report was all the more important in that racial conflicts in South Africa were inflaming passions not only in the Union of South Africa itself, but in the whole of Africa and in Asia. The report would obviously have a great influence on the debates in the General Assembly and on the decisions it would shortly be called upon to take.

27. The immediate question was to determine the proper course to follow. Although the United Nations Commission had kept well within its instructions and

had behaved with great tact, the South African Government had not only refused to co-operate with it, but had also refused to abandon its policy of *apartheid*. Some thought that the Commission's very existence provoked the South African Government to persist in its attitude and therefore considered that, to facilitate that Government's task, the General Assembly should either take no further interest in the racial situation in South Africa, or should replace the Commission by some organ more acceptable to the South African Government.

28. It was clearly impossible to solve the question of racial discrimination as rapidly and effectively as might be desired. But that was no reason for the General Assembly to hold aloof from a problem which was so explosive in character and so troublesome to closer international relations and respect for human rights. If the Assembly acted thus, it would deeply disappoint the peoples of the United Nations, and above all the peoples of Asia and Africa, which were painfully sensitive to any discrimination affecting their nationals. The Assembly had all the more reason for dealing with the question inasmuch as the resolutions it had hitherto adopted had always been kept at a very high level. The discussions of the matter had never contained anything which might irritate or offend the Government or citizens of the Union of South Africa. Thus the sole aim of the United Nations was to help to settle, by peaceful co-operation, a problem which, while it concerned one of its Members, threatened to endanger friendly relations among the nations. For all those reasons, the General Assembly should persevere with its efforts.

29. The idea that the Commission should be replaced by some other body would not lead to a satisfactory solution; first, because the South African Government denied purely and simply that the United Nations was competent in the matter and because another body with the same purpose would be no more acceptable to it than was the present Commission; and secondly, because the methods proposed to that end were in fact not applicable. The Cuban representative, for example, had suggested (8th meeting) that a study of racial discrimination should be included in the studies which the Secretary-General intended to make, and that Member States should be invited to supply information on racial questions in their countries. But the Secretary-General's study had not even begun. As for Governments, it was not likely that they would answer any such request for information. When the Commission had addressed a similar request to them some years previously, only three Governments had complied. Neither should it be overlooked that, even if such information were forthcoming, the Secretary-General would not be able to classify and analyse it as required, since any such analysis would entail a political responsibility incompatible with his functions.

30. There was thus every reason to renew the existing Commission's mandate and to instruct it to continue its work. Any resolution which went further than that would be very likely to provoke an unfavourable reaction in South Africa. But an international Assembly appointed the guardian of world peace could not do less.

31. In conclusion, he hoped that the Government of the Union of South Africa would finally acknowledge the facts and agree to help in finding a solution to a problem which was a serious peril to international relations.

The meeting rose at 12.20 p.m.