



Wednesday, 26 October 1955,  
at 3.10 p.m.

**New York**

**CONTENTS**

Page

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 (*continued*)..... 11

**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) (*continued*)**

1. Mr. EDBERG (Sweden) said that the decision of the Union of South Africa not to participate in the Committee's discussion of the particular item was based on the argument that consideration of that item would mean intervention by the United Nations in a matter falling essentially within the domestic jurisdiction of the Union and would infringe the latter's rights as a State Member of the United Nations.

2. The Swedish delegation did not place on the term "intervention" as used in Article 2, paragraph 7, of the Charter the narrow interpretation which some commentators placed on it and which, if accepted, would bring Article 2 into conflict with other Articles of the Charter. Through their adherence to the United Nations Charter, the Member States had assumed certain responsibilities concerning human rights. Consequently, the General Assembly had every right to ask a Member State that practised racial discrimination to reconsider its policy in the light of the principles set forth in the Charter. On the other hand, the General Assembly had no authority to recommend the State in question to take specific action. It was for that State itself to consider how to deal with its racial problems. The General Assembly could only point the road, without issuing directives. International co-operation to promote respect for human rights was something new; hence, caution should be exercised in interpreting Articles 55 and 56 of the Charter, particularly since States were not at present bound by a covenant on human rights and in that respect were guided only by the Universal Declaration of Human Rights. It was plain, however, that the United Nations, faced with increasing public acceptance of the principle of racial equality and respect for human rights, could not remain indifferent to the measures of racial discrimination introduced by a Member State in contravention of its undertaking to promote respect for human rights and fundamental freedoms without distinction as to race.

3. It was with those considerations in mind that the Swedish delegation had studied the new report of the Commission on the Racial Situation in the Union of South Africa (A/2953 and Corr.1). It had noted in particular the statement, in paragraph 309 of the report, that the development towards *apartheid* in the Union of South Africa was proceeding "slowly, extremely slowly, cautiously and carefully". That statement was partly valid if *apartheid* was taken merely to mean territorial segregation. If, on the other hand, the term was interpreted as meaning racial segregation in general, it should be observed that the Commission's mild statement was contradicted by the situation which was described in its report and which seemed to have been exacerbated by the new discriminatory legislation enacted by the Government of the Union of South Africa during the past year.

4. The Swedish delegation fully realized that the presence of several ethnic groups in a country presented that country's Government with serious and difficult problems. The Government of the Union could, however, legitimately be expected to show good will in seeking solutions in conformity with the principles of the United Nations Charter. As that was not the case the United Nations had to continue to keep the question of race conflict in the Union of South Africa under observation. The Swedish delegation had, however, some difficulty in accepting the proposals set forth in paragraph 311 of the Commission's report concerning inter-racial contacts. The Commission considered that inter-racial, inter-governmental or inter-group contacts should take place in the presence of proper and very high-ranking representatives of the United Nations so that the principles of the Charter and of the Universal Declaration of Human Rights were effectively represented at the discussion and planning of solutions. No doubt, there might be a certain value in conferences of the type recommended by the Commission if they were held at the international level and their object was the study of world racial problems. But in the case of the problem arising out of the relations between the white minority and the Bantu majority in the Union of South Africa, a conference or talks held under United Nations auspices would, owing to the South African Governments' attitude, be doomed to failure from the start and would merely have an adverse effect on the prestige of the United Nations representatives taking part.

5. The Swedish delegation was equally doubtful about the proposal made in paragraph 312 of the Commission's report that the United Nations should offer the Union of South Africa special technical assistance for the purpose of promoting studies conducive to a peaceful settlement of the racial conflicts in the Union of South Africa. The Commission itself stated a little later in its report that it did not fail to appreciate that such assistance projects, if agreed upon, would have little chance of immediate acceptance by the South African Govern-

ment. It would be humiliating for a Member State to receive an offer of assistance for which it had not asked, and humiliating for the United Nations if the offer was declined.

6. In making those observations the Swedish delegation in no way meant to under-estimate the value of the Commission's report. On the contrary, it felt that the report gave a very valuable picture of the aims, scope and practical consequences of the policy of *apartheid* of the Government of the Union of South Africa.

7. There was in fact only one solution to the racial problem that was in conformity with the spirit of the Charter: partnership between racial groups. It was such a partnership towards which the general trend in other countries faced with the same problem was pointing.

8. Mr. DAUDY (Syria) said that the domestic jurisdiction of a State should be respected as provided in Article 2, paragraph 7, of the Charter, to which the delegation of the Union of South Africa had constantly referred ever since the question of race conflict in South Africa had been placed before the General Assembly. In view, however, of the serious repercussions of the *apartheid* policy on inter-racial and international relations, he felt that the question went beyond the strictly domestic sphere and called for United Nations intervention.

9. He commended the objectivity and impartiality shown by the United Nations Commission on the Racial Situation in the Union of South Africa. He thanked the Government of India for addressing to the Commission a communication (A/AC.70/5) enumerating the discriminatory measures adopted in the Union of South Africa during the past twelve months. It was to be hoped that in 1955 the South African Government would not repeat the charge of partiality which it had levelled against the Commission in 1954. It was to be hoped that the South African authorities would not inveigh against the memoranda of the African National Congress and the South African Indian Congress — both reproduced in India's communication — by describing them as the products of communist-dominated or communist-inspired bodies. The memoranda in question contained statements by prominent persons who had no connexion with communism but who nevertheless condemned the Union Government's racial policy. Those statements were the more significant in that, even in South Africa, white political leaders and distinguished members of the clergy had protested against that policy, which according to many witnesses, might well lead to bloodshed, disturbances and, ultimately, a revolt of the non-white peoples whom it left with no other way out.

10. It was the duty of the United Nations to foresee the tragic consequences of a civil war which might break out between the various races in the Union of South Africa. Such a conflict would certainly have serious repercussions on the African continent and throughout the international community. Hence, it could not be gainsaid that the *apartheid* policy was a seriously disturbing factor in the international scene and likely to impair the general welfare and friendly relations among nations.

11. To ward off that very real danger the United Nations should go to the root of the matter. The *apartheid* policy appeared to have originated in certain white circles in fear of the possible consequences to

themselves of political equality between the different races in South Africa. Such mistrust of the non-whites, however, did not justify the discriminatory measures, which merely worsened the situation. If some whites entertained apprehension concerning the non-whites they should communicate their fears to the United Nations, and should certainly not refuse the assistance which the United Nations was able to give them.

12. The United Nations had taken up the matter because the non-white peoples of South Africa were the victims of injustice and all mankind was moved by their plight. In recent months, the meeting of the World Council of Churches, the Bandung Conference and the Anglican Synod of the Diocese of Trinidad and Tobago had discussed and condemned the policy of *apartheid*.

13. It was not sufficient, however, to condemn that policy; it was also necessary to seek a way out of the impasse. The United Nations should inform the Government of the Union of South Africa that it had no intention of offending it or of infringing the Union's sovereignty. It should make the white and non-white populations of the Union understand that it was aware of their difficulties and mutual fears, and that its intention was to help them to compose their differences in conformity with the principles of the Charter and the Universal Declaration of Human Rights.

14. For all those reasons the Syrian delegation proposed that a mission of good offices should be appointed to convey to the peoples of every colour in the Union of South Africa the message of justice and international solidarity of the United Nations. That mission might be composed of five members, to be chosen with due regard for the principle of equitable geographical distribution. He suggested that the Latin American and Scandinavian countries should be represented, the former because they set an example of inter-racial harmony and the latter because they had a very highly developed sense of social justice.

15. He hoped that his proposal would be instrumental in producing a *détente* in a country where it was surely needed.

16. Mr. ABDOH (Iran) said that the excellent reports of the United Nations Commission on the Racial Situation in the Union of South Africa described the facts impartially and re-emphasized the principles of the Charter which related to respect for human rights and to international co-operation in the matters of human rights. The members of the Commission and, in particular, its Chairman and Rapporteur, Mr. Santa Cruz, were to be congratulated. The Assembly would be able to consider, in the light of those reports, how to remedy so distressing a situation that was characterized by the violation of the purposes and principles of the United Nations and endangered friendly relations among the peoples.

17. It was evident from the Commission's third report that the policy of *apartheid* had continued to be applied during the past year and that the South African Government had enacted further legislation including the Bantu Education Amendment Act, which might aggravate the existing racial tension. Moreover, the new Government of the Union had declared its firm resolve to continue to apply the policy of *apartheid* to the full. It had, nevertheless, been noted by the Commission that the *apartheid* measures were being applied only gradually and slowly — a fact which, it was to be hoped, heralded the beginning of a change of mind among the leaders of the Union.

18. The Union of South Africa could not cut itself off indefinitely from the rest of the world; it had to fall in with the idea which was gaining ground all over the world that racial discrimination was reprehensible and should be stopped. It was encouraging to note that some members of Parliament and representatives of churches and learned institutions, both in and outside the Union, had consistently opposed the policy of *apartheid*. In particular, the Bandung Conference of Asian and African nations had deplored the policies and practices of racial segregation and discrimination prevailing in large regions of Africa and in other parts of the world and, at the same time, the participants had reaffirmed their determination to eradicate any trace of racialism in their own countries.

19. The same general trend was also to be observed within the General Assembly. The very fact that at various sessions the Assembly had considered the question of racial conflict in the Union of South Africa and that the Commission which it had set up had managed to prepare reports and reach conclusions, despite the lack of co-operation on the part of the Union Government, was significant in itself and indicated that the steps taken by the United Nations would finally prove of value, for no country could remain indifferent to world public opinion. His delegation deplored the refusal of the Government of the Union of South Africa to collaborate with the Commission and the fact that the South African representative had declined to participate in the debate on the plea that the United Nations was not competent to consider the question.

20. Yet, the Members of the United Nations, in signing the Charter, most definitely pledged observance of Article 55, which committed them to promote respect for human rights and fundamental freedoms for all without distinction as to race and hence to promote the gradual implementation of those rights in their respective countries. While traces of racial discrimination, it was true, still survived in some countries, in almost all of them, particularly in the United States of America and in India, sincere efforts were being made to put an end to that state of affairs.

21. At previous sessions of the Assembly, the construction of Article 2, paragraph 7 of the Charter had been much debated. It had been said that discussion of the aims of the Charter with respect to human rights, or the initiation of studies or formulation of recommendations on the subject, could not be regarded as intervention in the domestic affairs of any Member State. Furthermore, Article 2, paragraph 7, could not be interpreted in isolation from the other provisions of the Charter, for, that instrument being one and indivisible, any one of its Articles must be interpreted in terms of the rest. He referred to Article 14 of the Charter, providing that "the General Assembly may recommend measures for the peaceful adjustment of any situation... including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations".

22. The racial situation in the Union of South Africa constituted a serious threat to relations among the various ethnic groups in the world. The policy of white supremacy followed by the Union could only fan the fires of racial hatred. It was a fact that on the continent of Africa an anti-white movement, for which the South African Government must be held largely responsible, was already beginning to emerge. The Secretary-General referring to the problems of the continent of Africa, in

the introduction to his annual report (A/2911), said: "The great changes that are under way in Africa present a challenge to the rest of the world. . . . In the next ten years the peace and stability of the world will be strongly affected by the evolution in Africa, by the national awakening of its people, by the course of race relations . . .". The Secretary-General then, in the same report, announced the establishment of a working party to study the many problems connected with Africa. In the final stage of the current debate the Committee would do well to bear the Secretary-General's conclusions in mind.

23. The Iranian delegation fully shared the Commission's view, expressed in paragraph 311 of its report, that the solution of the racial problems in the Union of South Africa should be to promote inter-racial contacts at conferences and round-table discussions between white and coloured men of good will and that such contacts should take place in the presence of very high-ranking representatives of the United Nations. The question of a possible offer of technical assistance by the United Nations to the Union of South Africa required very discreet and careful handling. He added that the term of office of the United Nations Commission on the Racial Situation in the Union of South Africa should be renewed so that it could continue to suggest such solutions as it considered appropriate.

24. Lastly, he appealed to the Union of South Africa not to turn a deaf ear to the voice of world public opinion and to co-operate in the quest for a solution to the serious problem under discussion. The South African Government should do everything in its power to prevent, in its part of the world, a civil war of which the white minority might well be the first victim and which might also have serious international repercussions.

25. Mr. CROSTHWAITE (United Kingdom) after recalling that his delegation had stated its views on the question of race conflict in the Union of South Africa at previous sessions, said that in the opinion of the United Kingdom Government the question was essentially within the domestic jurisdiction of the Union of South Africa and that the Assembly was not competent to discuss it. Article 2, paragraph 7, of the Charter applied, and it was untenable to argue that Article 10 authorized the General Assembly to deal with the question. His delegation had always maintained that the item was wrongly inscribed on the Assembly's agenda and that the Commission headed by Mr. Santa Cruz was an illegal body. That being so, it was not surprising that the labours of the Commission had been so unproductive. In its third report, the Commission did no more than give extracts from material available elsewhere. Even those who did not share his delegation's views on the legal aspects of the matter must surely be wondering whether the path on which they had set out was leading them anywhere. It seemed clear that such a course, which involved considerable expense, could lead nowhere. The United Nations was not a world government; it was an organization for co-operation among sovereign States within the limits laid down by the Charter. No progress could be made without the co-operation of the Member States involved. Yet that was just what the Assembly had been trying to do. The only practical result had been the progressive estrangement of the Union of South Africa from the United Nations. The United Kingdom delegation deeply regretted the absence of the South African

delegation and appealed to all the members of the Committee to listen to the dictates of prudence and restraint.

26. Mr. SAPOZHNIKOV (Ukrainian Soviet Socialist Republic) said that, despite repeated appeals by the General Assembly to the Government of the Union of South Africa to abandon its policy of *apartheid*, the situation in South Africa scarcely showed any improvement. As was clear from the third report of the United Nations Commission on the Racial Situation in the Union of South Africa, some discriminatory legislation enacted in earlier years had been continued and new measures put into force during the year, with the consequence that race conflict in the country had been aggravated.

27. The repercussions of the *apartheid* policy went far beyond purely national bounds; they constituted a serious international problem. That policy conflicted with the provisions of the Charter and with the duty of every Member of the United Nations to ensure that they were respected. The policy of *apartheid* was a threat to the peace of the world.

28. The Conference of Asian and African nations, held at Bandung from 18 to 24 April 1955, had deemed it necessary to consider the question of race conflict in

South Africa and had condemned the policy of racial discrimination and *apartheid* as a violation of human rights. It had extended its sympathy to the victims of racial discrimination and to all those who sustained their cause, and had pledged the moral support of the peoples represented at the Conference.

29. In the light of those facts, the argument put forward by the delegation of the Union of South Africa, alleging that, under Article 2, paragraph 7, of the Charter, the General Assembly lacked competence to deal with the question of race conflict in South Africa hardly carried much weight. His delegation was convinced that the situation resulting from the conflict came within the terms of Article 14 of the Charter, which empowered the Assembly to recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deemed likely to impair the general welfare or friendly relations among nations.

30. Accordingly, he considered that the Assembly could and should continue its efforts to settle the question and he would support any proposal to that effect that was consistent with the purposes and principles of the Charter.

The meeting rose at 4.20 p.m.