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Chairman: Mr. Yordan TCHOBANOV (Bulgaria).

AGENDA ITEM 76

The question of race conflict in South Africa resulting from the policies of "apartheid" of the Government of the Republic of South Africa (A/4804 and Add.1-5; A/SPC/L.71 and Corr.1 and Add.1-6, L.72/Rev.1 and Add.1) (continued)

1. The CHAIRMAN drew attention to documents A/SPC/L.71/Add.6 and A/SPC/L.72/Rev.1/Add.1; the number of sponsors of the draft resolutions in question were thus brought up to thirty-one and eight respectively.

2. Mr. MASSOUD-ANSARI (Iran) said that his delegation had not intervened in the general debate because it had repeatedly expressed its condemnation of the policy of "apartheid" in the past, as had the other delegations, and because it felt that it was no longer a matter of expressing disapproval but of finding new and effective means of persuading the South African Government to abandon its policy. He would therefore confine himself to a statement of his delegation's views concerning the draft resolutions (A/SPC/L.71 and Corr.1 and Add.1-6; A/SPC/L.72/Rev.1 and Add.1). He was glad to note that both texts deplored the disregard of the South African Government for the resolutions of the General Assembly. In fact the South African Government, far from heeding the appeal directed to it seven months earlier in resolution 1598 (XV), had intensified its repressive policies. He also considered it appropriate that the preamble to the eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1) should recall the Security Council's resolution of 1 April 1960^{1/} which recognized that the situation in South Africa was one that had led to international friction, and, if continued, might endanger international peace and security. It might also have been desirable to allude to General Assembly resolution 1514 (XV), for "apartheid" was essentially a vestige of colonialism.

3. He would vote in favour of the eight-Power draft, which left it to Member States to decide whether to take action, but had reservations with regard to operative paragraphs 5 and 6 of the joint draft resolution A/SPC/L.71 and Corr.1 and Add.1-6. He would

not hesitate to vote in favour of those paragraphs if he were convinced that the action they envisaged would produce the desired results. Experience had shown, however, that coercive measures often stiffened the attitude of the party against which they were directed. In the present instance they would put the South African Government beyond the reach of the United Nations and thus make it impossible for the Organization to try to persuade that Government of the error of its ways. The South African Minister for Foreign Affairs had rightly stated (267th meeting) that all Members suffered from certain social, moral, economic and political ills. The difference was that other countries were making an earnest effort to overcome them, whereas the South African Government had turned a deaf ear to the appeals addressed to it from every quarter, and closed its eyes to the changes taking place throughout the world, specially in Africa in its efforts to defend its policy. Although the Minister's latest statement (284th meeting) was far from encouraging, he still thought that the United Nations should persevere in its efforts to convince the South African Government that its present course, if not abandoned, would inevitably lead to disaster; that the most important thing in the world today was not so much material well-being but spiritual and moral values, and the respect for human dignity and freedom on which the United Nations Charter was founded. That Government must understand that the appeals addressed to it by the United Nations were not expressions of hostility towards it, but rather expressions of a sincere desire to help it to put an end to a situation which endangered stability in South Africa itself and constituted a threat to international peace and security. The fact that the South African delegation was again taking part in the Committee's deliberations on the subject of "apartheid" gave reason to hope that the Government would bow to the dictates of common sense and realize that it could not forever oppose the trend of the times.

4. Mr. TOURE (Upper Volta) said that the laws of his country, which had only recently attained its independence after having been subjected to colonialism and its attendant evils, banned racism in all its forms. The Government of South Africa claimed to be the Government of an African country and as one of the founding Members of the United Nations had signed the Charter long before the Government of the Upper Volta. Yet it still entertained policies of racial discrimination and, in that respect, lagged far behind the Upper Volta. The time for penning human beings in reservations like wild beasts was gone. There must be an end to the policy of discrimination against the true inhabitants of South Africa or else the whites would find themselves faced by their black compatriots, supported by the vital forces of the entire world. Previous speakers had given the South African Government wise and fair advice. If it did not heed that advice, those on whose behalf the

^{1/} Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960, document S/4300.

Government claimed to be acting would face a grim future.

5. He was not speaking of the Boers but of those who claimed that they were themselves Africans. The fact was that they were neither African nor European, for Europe, to which they claimed to belong by colour and civilization, no longer recognized them, and the Commonwealth had expelled them. Obsessed by the material wealth in which the generous soil of South Africa abounded, they had neglected the human wealth of the country. They would do well to meditate on the sad end to which the advocates of racism in Nazi Germany had come. They claimed to belong to a superior race but by their every act proved the contrary. The President of the Republic of the Upper Volta had rightly said that they were trying to maintain institutions based on policies which were contrary to the divine order of things.

6. His delegation did not object to the eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1) but considered that the joint draft resolution (A/SPC/L.71 and Corr.1 and Add.1-6) of which it was a sponsor would have greater effect. World opinion should be mobilized against the Government of South Africa. Those who voted for neither of the draft resolutions would thereby demonstrate an ill-will equalled only by that of the Government of South Africa itself. He hoped that the General Assembly and the Security Council would do everything in their power to ensure that racial segregation, the shame of the twentieth century, was banned once and for all.

7. Mr. USHER (Ivory Coast) said that his Government's international policy was guided by three principles, tolerance, non-violence and the settlement of all international problems by negotiation. In the general debate (270th meeting) it had accordingly avoided descending to the level of insults, as the South African Minister for Foreign Affairs had done, and had sought to show how closely the policy of "apartheid" resembled that of Nazism. His delegation would have been happy if the Minister in his reply had been able to tell the Assembly that in reality "apartheid" did not uphold the doctrines of Nazism but was a policy of equality among races, a policy of friendship, a policy reflecting the ideals set forth in the United Nations Charter. Instead, the Minister had rejected out of hand all that had been said in the general debate on the pretext that it had consisted of nothing but generalities and philosophical expositions to which there was no need to reply. His delegation had at least derived from that statement the satisfaction of hearing the Minister acknowledge in effect that a Black who resembled the Bantus of South Africa was capable of understanding philosophy.

8. At the beginning of the discussion, the South African Minister for Foreign Affairs had sought refuge in the hollow argument that racism also existed in other parts of the world, an argument which the delegation of the Ivory Coast had already rejected as offering no justification for South Africa's misdeeds. Faithful to its principles, however, it was not in favour of extreme measures, such as the immediate exclusion of South Africa, and it was for that very reason, paradoxical as it might seem, that it had associated itself with the sponsors of the joint draft resolution. It considered that text constructive and he would explain why he thought the objections which had been raised were invalid. First of all, there was the objection that under the terms of Article 7, paragraph 2 of the Charter, the Assembly was not competent to

discuss the issue. The Assembly had been rejecting that argument ever since it had first begun to discuss the question of "apartheid" nearly a decade ago. It was significant in that connexion that the South African delegation, after boycotting the discussions for a number of years, had finally agreed to participate in the debate; that was proof that the Committee's efforts had not been a waste of time and gave reason to hope that the South African Government was perhaps beginning to see the light. Secondly, there was the argument that operative paragraph 6 of that draft resolution was not within the bounds of legality because it advocated sanctions, which only the Security Council could impose. The first question to be asked in that connexion was whether it was illegal for such a draft resolution to be laid before the Special Political Committee or the General Assembly. Article 35 permitted any Member of the United Nations to bring any dispute to the attention of the Security Council or the General Assembly. Article 12 did not apply, since the Security Council had not been notified of the issue. The provisions of Article 11 were also relevant to his argument. If the recommendations referred to in Article 11 concerned the imposition of sanctions, the provisions of Article 14 read in conjunction with Article 41 must be considered. Article 14 provided that, subject to the provisions of Article 12, the General Assembly might recommend measures for the peaceful adjustment of any situation which it deemed likely to impair the general welfare or friendly relations among nations, while Article 41 enumerated measures not involving the use of armed force to be employed by the Security Council to give effect to its decisions, the measures enumerated being much the same as those recommended in paragraph 6 of the draft resolution. Although those measures were not stated specifically in Article 14 there was nothing in the Charter to indicate that the measures which the General Assembly could take under the terms of the latter Article could not coincide with them. In other words, those two Articles read in conjunction with each other served to strengthen the legality of the position taken by the sponsors of the draft resolution, for they showed that care had been taken to propose only such measures as were contemplated in the Charter. The difference between the measures referred to in Article 14 and those enumerated in Article 14, therefore, lay in the juridical nature of the decisions of the two organs concerned.

9. The decisions of the Security Council called for immediate execution, while those of the Assembly were simply recommendations: if the Assembly wished to ensure that such recommendations were followed by immediate action it should, under the terms of Article 11, refer the issue to the Security Council. That was precisely what paragraph 7 of the draft resolution did. Thus the measures proposed in paragraph 7 were not measures which the Assembly would expect to go into effect immediately but would depend on the outcome of the discussion in the Security Council. The eight-Power draft resolution, on the other hand, proposed measures which were not contingent upon a decision by the Security Council, but could take immediate effect and he would therefore support that text as well.

10. His delegation had joined in sponsoring the joint draft resolution precisely because it felt that the great Powers which made up a large proportion of its membership and had been among the founders of the United Nations should assume their responsibility

ties in the matter and settle once and for all the question whether the policy of "apartheid" was a policy resembling Nazism. They must say whether it was in conformity with the principles of the Charter and, if not, what measures could be taken if they continued to insist, as they had done in the Committee, that the measures proposed in paragraph 7 were not legal despite the fact that they corresponded to the measures provided for in Article 41 of the Charter.

11. When drawing up the Charter the great Powers had enumerated those measures and had provided in Article 42 that if they should prove inadequate, the Security Council could take such action by air, sea or land forces as might be necessary to maintain or restore international peace and security. The sponsors of the draft resolution had preferred to limit themselves to the peaceful measures enumerated in Article 41. If, however, the Security Council found those measures inadequate, the sponsors would draw its attention to the measures provided for in Article 42.

12. If he had been at pains to set forth the position of the sponsors it was because delegations such as his own were highly sensitive to any charge that a draft resolution was illegal. He hoped that he had demonstrated that the joint draft was legal and it was in conformity with the letter and spirit of the Charter. His delegation supported it because the measures it proposed would not be expected to take effect immediately, but would be subject to the outcome of deliberations by the Security Council in which the great Powers would be obliged to assume their full responsibility with regard to the question of "apartheid" and to find an effective means of saving Africa from a cataclysm in which the independence of all the African States would be at stake.

13. Mr. COMPAH (Mali) said that the speech made at the previous meeting by the South African Minister who was at least to be commended on his frankness, had contained no word of remorse and no promise of a change in the policy of "apartheid" which meant in fact the domination and brutal exploitation of one race by another. Faced with such a situation, the United Nations must consider taking forceful measures such as would finally bring to reason the tiny minority of greedy fanatics who persisted in defying the conscience of mankind. The system prevailing in South Africa was a form of colonial slavery, and it was typical of colonialism that its insatiable thirst for ever-increasing profits rendered it deaf to all arguments of logic and morality.

14. The joint draft resolution A/SPC/L.71 and Corr.1 and Add.1-6 of which his delegation was a co-sponsor, was designed to ensure the elimination of "apartheid" in the very near future. The United Nations had already shown sufficient patience, and he trusted that all Members who were genuinely anxious to co-operate in solving the problem before the Committee would give their full support to that draft resolution in order to bring an end to a situation which was highly dangerous to world peace. As the South African Government might learn to its cost, a stability which was established without regard for elementary liberties was a precarious stability carrying in itself the seeds of its own destruction.

15. In his sincere view, the eight-Power draft resolution A/SPC/L.72/Rev.1 and Add.1 was a retrograde step with respect to resolution 1598 (XV), which had been adopted at the previous session and which was still in effect. Those who, from the noblest con-

siderations, were concerned that the economically weaker elements of the South African population would suffer most as a result of the measures proposed in the joint draft resolution, should remember that a doctor was often obliged to cause pain to a patient in the process of bringing about his cure. He therefore trusted that all Members would fulfil their obligations without flinching and give their support to the effective measures proposed.

16. Mr. ARTHAYUKTI (Thailand) said that his country would be betraying the sacred principles which had governed its way of life during the centuries during which people of diverse races, languages and religions had lived together in perfect harmony in Thailand, if it did not express its shock at the attitude of defiance displayed towards world public opinion by a Member of the United Nations, and condemn a racial policy which was incompatible with human dignity. His delegation was also fully aware of the serious consequences to international peace and security which could arise as a result of the "apartheid" policies, and therefore felt bound to urge the South African Government to conform its conduct to its obligations under the Charter. In the same spirit, it fully supported the eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1). The delegation of Thailand was in full agreement with the sentiments expressed in the preamble and in operative paragraphs 1 to 4 of the joint draft resolution before the Committee (A/SPC/L.71 and Corr.1 and Add.1-6) but felt that the punitive measures proposed in the remaining paragraphs—measures to the implementation of which Thailand was in no position to contribute—might not achieve the desired results. They might rather harden the attitude and strengthen the unity of those responsible for the "apartheid" policies, and what was more, they might result in hardship for those, coloured and white, who were fighting for the cause of justice. His delegation would therefore abstain from voting on operative paragraphs 5, 6 and 7 of the joint draft resolution.

17. Mr. PUDLAK (Czechoslovakia) said that his delegation strongly condemned all forms of racialism. During the Nazi occupation, the Czechoslovak people had themselves been subjected to brutal oppression, and he need only recall the fate of the Czechoslovak village of Lidice, the population of which was put to death. The Nazi ideologists had taught that the lives of those of certain races, considered to be inferior, were valueless. The Czechs and Slovaks, and the other Slavic peoples, had been destined by the Nazis for extermination or slavery on the grounds of their racial inferiority. How pitiful that sounded now that Gagarin and Titov, members of the inferior Slavic races, had opened the door to the stars. The United Nations, which had risen from the ashes of the struggle against nazism and fascism, could not remain indifferent to the manifestations of racialism which still persisted. Article 1, paragraph 3, of the Charter, made it binding upon States Members to encourage respect for human rights and fundamental freedoms for all without distinction, and the Czechoslovak Constitution, in full accord with that Article, guaranteed full equality for all citizens of Czechoslovakia.

18. Among the reasons that prompted his delegation to support the joint draft resolution was the obstinate attitude adopted by the South African Government towards the previous resolutions of the United Nations; to err was human but to persevere in error was un-

forgivable. Despite resolution 1598 (XV), adopted by the General Assembly at its fifteenth session, the present year had seen no improvement in the situation but rather new waves of police terrorism directed against the African and "Coloured" population and against all elements opposing the Government's racist policies, with the result that the representative of the Soviet Union had drawn the Security Council's attention to this situation in a letter dated 12 May 1961.^{2/} At the present session, the South African delegation had merely repeated arguments which had already been rejected and the Head of the South African delegation had delivered a speech in the General Assembly which had been so offensive as to provoke a vote of censure by the Assembly at its 1034th plenary meeting. It had become clear that if the Assembly confined itself to advice and recommendations, there was no hope of any change in the South African Government's policies. Changes were necessary and urgent not only in the interests of the non-white majority of the population of South Africa but also in the interests of the white minority which was pursuing a path that would lead it to disaster.

19. Rather than merely condemn South Africa, the United Nations should also condemn those Governments which were giving material and moral assistance to that country in the pursuit of its policies. The representative of Ghana had referred (269th meeting) to weapons received from the United States, the United Kingdom and Western Germany by the South African racials. The participation of West German firms in supplying those weapons was in line with the traditional policies of the German militarists and racials and a memorandum dated 29 September 1961 forwarded to the General Assembly by the Government of the German Democratic Republic pointed out that the present Federal President of West Germany, in a speech at Johannesburg on 16 March 1959 had openly praised the racist policies of the Verwoerd régime.

20. His delegation trusted that the last vestiges of imperialism, colonialism and racialism would soon vanish for ever; it would vote in favour of the joint draft resolution A/SPC/L.71 and Corr.1 and Add.1-6.

21. Mr. TREMBLAY (Canada) said that his country was resolutely opposed to racial discrimination wherever it was practised. Such discrimination was a denial of human equality and dignity and was contrary to the letter and spirit of the United Nations Charter and to universally accepted standards of values. The practice of racial discrimination was not confined to any one nation, but South Africa was unique in that it had incorporated racial principles in the legislative structure of the State, and the Government was deliberately promoting discrimination between the inhabitants of South Africa. As the Prime Minister of Canada had said, South Africa's "apartheid" policy had become the world-wide symbol of discrimination.

22. The defenders of "apartheid" had spoken of the benefits received by the non-white population in South Africa: low-cost housing, hospital and medical facilities, economic improvements and educational facilities. Whatever the importance of those benefits, however, they did not alter the intrinsic evils of a system which asserted the racial superiority of one group over another within the national community.

^{2/} Official Records of the Security Council, Sixteenth Year, Supplement for April, May and June 1961, document S/4804.

The systematic restraint of human liberties which was involved had already given rise to tragic outbreaks of violence in South Africa.

23. It was not to be expected that the "apartheid" system could be suddenly eliminated, but the trend towards the increasingly harsh application of "apartheid" policies must be halted and reversed. Unhappily, the South African Minister for Foreign Affairs, rather than giving any indication of such a reversal of his Government's policies, had stressed its determination to continue its present course.

24. With regard to the question of measures to be taken by the General Assembly, his delegation could well understand the impatience and indignation which had led to the very far-reaching proposals to be found in the joint draft resolution A/SPC/L.71 and Corr.1 and Add.1-6. However, the Assembly was faced here with an evil philosophy which could, in the final analysis, be overcome only by moral persuasion. The Canadian delegation still believed that the purpose of bringing the pressure of world opinion to bear on the South African authorities would not be advanced by the adoption of measures which would only further isolate South Africa from the world community. His delegation therefore had strong doubts regarding any proposal for the expulsion of South Africa from the United Nations, or other measures which might lead to South Africa's departure from the Organization. The first consideration should be the practical effect which any decision would have on the situation in South Africa. The proposed sanctions might well have adverse consequences for the non-white population of South Africa, and make the roll of the moderate forces working for a change in policy more difficult. Rather than isolate the South African Government, the United Nations should seek new and more effective channels for making its views known. The Canadian delegation would therefore vote against operative paragraph 5 of the joint draft resolution, and would abstain from voting on operative paragraphs 6 and 7.

25. It would be better left to the judgement of individual Governments whether specific measures should be taken to exert influence on South Africa, and his delegation would therefore support the eight-Power draft resolution A/SPC/L.72/Rev.1 and Add.1 which emphatically condemned South Africa's continuance of its policies and sought in a realistic way to mobilize the persuasive force of the world community in order to bring about a change of those policies.

26. It was earnestly to be hoped that the South African leaders would yet heed the world's appeals and would work towards a policy of racial partnership, for only thus could the potential promise of South Africa be fully realized. Statements of African representatives who had spoken in the Committee suggested that if a spirit of co-operation was shown by the South African Government, it would evoke a positive response.

27. Mr. DAOUDY (Syria) said that the Committee should be grateful to the South African Government for having taken part in the present discussions, and should be particularly appreciative of the clarity and brutal frankness with which the Minister for Foreign Affairs of South Africa had reflected his Government's attitude. In his statement at the previous meeting, the South African Minister for Foreign Affairs had aimed his shafts in all directions, and

Syria had received particular attention. The Minister for Foreign Affairs had been doing what he considered his duty as the representative of his Government, and it was now the duty of the United Nations to make it clear that his Government's policies could no longer be tolerated.

28. The joint draft resolution (A/SPC/L.71 and Corr.1 and Add.1-6), of which Syria was a co-sponsor, provided, he believed, the steps which were required to make the South African Government realize that Member States intended to suit their actions to their words. Doubts had been expressed with regard to operative paragraphs 5 and 6 of that draft resolution. Article 6 of the Charter, which was mentioned in operative paragraph 5, laid down that a Member State which had persistently violated the principles contained in the Charter could be expelled from the Organization. Surely the fact that South Africa had persistently violated those principles was not in dispute. As for the propriety of having recourse to the Security Council, it need only be recalled that Article 35, paragraph 1, entitled any Member State to draw the attention of the Security Council to a situation endangering international peace and security, and the General Assembly was therefore clearly so entitled. Moreover, the situation in South Africa had already been brought to the attention of the Security Council on the occasion of the Sharpeville massacre in 1960.^{3/}

29. As far as operative paragraph 6 was concerned, the comments of the South African representative at the previous meeting should serve to confirm how useful the steps proposed would be.

30. In the light of that representative's statement, there was clearly no hope that the South African Government would voluntarily change its policies and he therefore hoped that the joint draft resolution, proposing firm and effective measures, would be adopted by a large majority.

31. Mr. ALVARADO (Venezuela) said that since his country was one of the co-sponsors of the eight-Power draft resolution A/SPC/L.72/Rev.1 and Add.1, he had no need to define its position in that respect. He did wish, however, to state his country's views on the joint draft resolution (A/SPC/L.71 and Corr.1 and Add.1-6). Venezuela's attitude towards the South African Government's policies of "apartheid" was well known. The laws of Venezuela, its national life as a multi-racial society in which people of all races lived together in harmony, and the Catholic beliefs of the vast majority of the population, combined to determine its opposition to "apartheid". Its attitude was also inspired by the belief that Article 2, paragraph 7, could not be interpreted in isolation from the rest of the Charter and used as a shield for violations of other provisions. The South African Government's policies of "apartheid" were a clear violation of Article 55, sub-paragraph c and Article 56 of the Charter and Article 1, paragraph 3. Venezuela rejected the contention that under Article 2, paragraph 7, the United Nations was not competent to discuss the question of the racial conflict arising out of them. The Venezuelan delegation had demonstrated its repugnance to "apartheid" most recently on the occasion of the vote of censure in the General Assembly (1034th meeting).

^{3/} Official Records of the Security Council, Fifteenth Year, Supplement for January, February and March, 1960, document S/4279 and Add.1.

32. The provisions of operative paragraph 6 of the joint draft resolution caused the Venezuelan delegation great difficulty for two reasons: first, the appeal for specific measures, and second, the nature of those measures. The measures themselves were those indicated in Article 41 of the Charter which came, of course, within the sphere of the Security Council. In accordance with its view that the provisions of the Charter must not be interpreted separately, but only as a complete text, the Venezuelan delegation felt that Article 10 should not be interpreted in such a way as to allow the General Assembly to trespass upon the functions of the Security Council, even to the extent of making recommendations. Venezuela would therefore be unable to support operative paragraph 6, and if that paragraph was voted upon separately and approved, it would be unable to support the draft resolution as a whole. Venezuela could also not agree with the view that the measures set forth in operative paragraph 6 would be, as it were, without effect pending the decision of the Security Council. The unequivocal wording of operative paragraph 6 did not permit such an interpretation.

33. The Venezuelan delegation had no particular objection to the other paragraphs of the joint draft resolution, although it had certain reservations in respect of operative paragraphs 5 and 7. Its vote in favour of those two paragraphs, which drew the attention of the Security Council to certain Articles of the Charter, should not be interpreted as a vote on the substance of the proposals in regard to the expulsion of the Republic of South Africa and the imposition of sanctions upon it. Venezuela's views on those matters would be expressed in the Security Council, if the occasion arose.

34. Mr. DA COSTA (Brazil) said that the joint draft resolution (A/SPC/L.71 and Corr.1 and Add.1-6) contained provisions relating to the possible expulsion of South Africa from the United Nations and the imposition of diplomatic and economic sanctions. He would not dwell on the legal aspects of expulsion, although he had serious doubts in that connexion, but he did wish to point out that it would create a very dangerous precedent. No Member of the United Nations had as yet been expelled from the Organization, although there had been frequent instances of violations of the Charter or disobedience to the directions of the General Assembly. The proposal to expel South Africa was a counsel of despair which would have no constructive effect. The United Nations could exert more influence on South Africa if it continued to be a Member. The current debate was an example: it was impossible for the South African delegation not to have been deeply impressed by the unanimous condemnation of its Government's policies, and impossible for it not to communicate those views to its Government. Despite Government censorship, news of the debate would eventually reach the general public in South Africa, where it would encourage the non-white population and the liberals who still existed in that country.

35. The proposal to impose sanctions was not realistic. It should not be forgotten that, apart from the legal aspect of the Assembly's competence to call for sanctions, its injunctions were only recommendations. It was very doubtful whether those recommendations would be followed by all countries, particularly those which maintained active trading relations with South Africa and might perhaps be

unwilling to sacrifice vital interests. An ineffective and incomplete boycott could only damage the prestige of the United Nations. Moreover, even if South Africa could be completely isolated, the only result would be to deprive the world of its opportunities to exert direct pressure on South Africa to abandon its dangerous and inequitable policies, to discourage liberal circles in South Africa and to provoke a violent reaction in that country which might well bring even greater hardship to the very people the United Nations was seeking to defend. The only practical course which the United Nations could follow was to throw all its weight into an effort to encourage the liberals of South Africa and bring home to the South African Government the unanimity of world opinion. It could do none of those things if it isolated South Africa by expelling it from the Organization and imposing sanctions upon it. The Brazilian delegation would therefore vote against operative paragraphs 5, 6 and 7 of the joint draft resolution.

36. The eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1) was much more realistic. Operative paragraph 4, which urged all States to take such separate and collective action as was open to them in conformity with the Charter of the United Nations, provided the only course likely to promote a solution of the problem which would not be fatal to all sections of the South African population. The Committee should be inspired by the patience of Chief Albert Luthuli, 1960 winner of the Nobel Peace Prize, and a persistent advocate of non-violence. The Brazilian delegation would vote in favour of the eight-Power draft resolution.

37. Mr. MAIGA (Niger) said that although the South African Government's policies of "apartheid" had been under strong criticism by the United Nations for the past ten years, that Government had replied to the adoption of each General Assembly resolution by intensifying its racial discrimination under the cover of Article 2, paragraph 7 of the Charter. It was clear now that the whole world, save for certain backward-looking countries which persisted in clinging to the outworn remnants of privilege, was anxiously looking forward to the end of "apartheid". The United Nations, therefore, must state its position more forcefully than it had in the past, when the Government of South Africa had ignored its recommendations. It should therefore adopt the joint draft resolution which covered all that was expressed in the eight-Power draft resolution and was much more likely to be effective.

38. Mr. GOMEZ ROBLEDO (Mexico) regretted that the sponsors of the two draft resolutions had not been able to agree on a joint draft that could have secured almost unanimous approval and therefore possessed greater moral authority. The Mexican delegation would have liked to be able to support the joint draft resolution because it was the work of so many of the African delegations, which had a very deep and real interest in the matter. Unfortunately, for legal and political reasons, it was obliged to object to operative paragraphs 5 and 6.

39. In regard to operative paragraph 5, he noted that although Article 6 of the Charter did not prohibit the General Assembly from calling the attention of the Security Council to a situation which might demand the expulsion of a Member from the United Nations, the normal procedure was that the initiative and the recommendation should come from the Secu-

rity Council itself. He believed that the paragraph was therefore not in accordance with the spirit of the Charter. It would be preferable to have the situation brought to the attention of the Security Council by a member of that body, and the geographical composition of the Council was such that even if none of the permanent members brought the matter up, one of the non-permanent members would be almost certain to do so. No decisive action could be taken except on the recommendation of the Council, and some of the sponsors of the joint draft resolution recognized that fact and had admitted that their basic purpose was to transfer the debate to the Security Council. The Mexican delegation would prefer to take such effective and legal action as was open to the General Assembly. Even though the Assembly's repeated appeals to South Africa had so far been disregarded, they possessed great moral force and were preferable to concrete measures of doubtful legality. Mexico's views on expulsion had not been determined simply by the case under discussion. As early as the Dumbarton Oaks Conference,^{4/} Mexico had opposed the inclusion of an expulsion clause in the Charter, on the grounds that it was inequitable as it would not apply to the permanent members of the Security Council no matter how often they might violate the provisions of the Charter; further it also weakened the idea of universality. Mexico had also opposed a similar provision, the withdrawal clause, in the Charter of Bogotá of 1948 setting up the Organization of American States and had only agreed to it because of the pleas of certain other States who would have been unable to sign the agreement without that clause. Mexico felt that neither the regional nor the world organization should be regarded as contractual associations, set up to satisfy particular interests, but as the embodiments of true communities, bound together by geographical, economic, political and human ties, which must seek and retain universality.

40. The Mexican delegation also had certain reservations in regard to operative paragraph 6. That paragraph was not unlike operative paragraph 4 of the eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1), although paragraph 4 covered measures other than sanctions, such as diplomatic pressure by States that had reason to believe their efforts might have some hope of success. In other words, operative paragraph 4 of the eight-Power draft resolution was more flexible, and the fact that it did not enumerate the measures which might be taken meant that it was not open to the charge of interfering in the domestic affairs of States. Operative paragraph 6 of the joint draft resolution, on the other hand, might give rise to charges of interference. Moreover, the measures which it proposed were in principle those set forth in Article 41 of the Charter and therefore came within the competence of the Security Council acting in respect of Chapter VII. The Charter did not formally prohibit the General Assembly from recommending measures of the kind enumerated in Article 41, but it did place the responsibility for taking such action on the Security Council. The Mexican delegation would therefore be unable to vote in favour of operative paragraphs 5 and 6 of the joint draft resolution.

41. On the other hand, because it was aware of the rising indignation over South Africa's intransigence, and because it wished to make the Mexican attitude towards "apartheid" perfectly clear, it would not

^{4/} The United Nations Conference on International Organization, vol. 3, Doc. 2, G/7 (c).

oppose the wish of the majority. It would therefore abstain from voting on operative paragraphs 5 and 6 and on the draft resolution as a whole. It would vote in favour of the eight-Power draft resolution for the reasons stated in the general debate (271st meeting). Mexico's reservations in regard to the action which should be taken on the South African problem were not prompted by selfish economic reasons, nor were they evidence of a lack of sympathy for the non-white population of South Africa. They were the result of Mexico's strong desire to see the Charter faithfully observed.

42. Mr. HAILEMARIAM (Ethiopia) said that his delegation wished to introduce an amendment to the eight-Power draft resolution (A/SPC/L.72/Rev.1 and Add.1). He would like to read it to the Committee before the end of the meeting, so that it could be discussed at the afternoon meeting.

43. The CHAIRMAN said that in principle, amendments and proposals should be introduced in writing and circulated to all delegations twenty-four hours before being discussed. However, if the Committee had no objection, the Ethiopian representative could introduce his amendment at once for consideration at the afternoon meeting.

44. Mr. MASSOUD-ANSARI (Iran) said that he had no objection in principle to the presentation of the amendment, but his delegation's position would have to be guided by the nature of it. If it was a far-reaching amendment, the Iranian delegation might need twenty-four hours to form its opinion.

45. Mr. HAILEMARIAM (Ethiopia) said that his amendment was in accordance with the Charter and hoped that it would not raise any objections. He proposed that a paragraph should be inserted after operative paragraph 3 of the eight-Power draft resolution, calling the attention of the Security Council to the provisions of Article 11, paragraph 3, of the Charter and requesting it to consider what measures should be taken against the Republic of South Africa for its persistent violations of the Charter of the United Nations.

46. The CHAIRMAN said that the Committee could decide at its next meeting whether to discuss the Ethiopian amendment at once, or to enforce the twenty-four-hour rule.

The meeting rose at 1.10 p.m.