



Seventh session  
Agenda item 66

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 Ad Hoc Political Committee

Rapporteur: Mr. Joaquin E. SALAZAR (Dominican Republic)

1. By a letter dated 12 September 1952 (A/2183) the Permanent Representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen requested the Secretary-General to place on the agenda of the seventh session of the General Assembly the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa. Accompanying the letter was an explanatory memorandum which stated that the race conflict in the Union was creating a dangerous and explosive situation, which constituted both a threat to international peace and a flagrant violation of the basic principles of human rights and fundamental freedoms, which were enshrined in the Charter of the United Nations.
2. On 15 October 1952, at its 79th meeting, the General Committee, after hearing statements by the representatives of the Union of South Africa, the United Kingdom and India, decided to recommend to the General Assembly inclusion of the item in the agenda.
3. On 17 October, the General Assembly at its 381st meeting, considered the recommendation of the General Committee. The representative of the Union of South Africa challenged the competence of the Assembly to consider the item and asked that the Assembly should decide upon that question before voting on the recommendation of the General Committee to include the item in the agenda.

Under rule 80 of the rules of procedure, he introduced a motion (A/L.108) to the effect that the General Assembly, having regard to Article 2, paragraph 7, of the Charter, should decide that it was not competent to consider the item.

4. Following discussion, the President ruled that the proposal of the Union of South Africa was in order and, under rule 80, should be put to the vote before a vote was taken on the recommendation of the General Committee to include the item in the agenda of the General Assembly. It was argued to the contrary that the question before the Assembly was the Committee's recommendation for inclusion of the item in the agenda, not the question of competence which could be discussed only after the item was on the agenda. After an appeal against the President's ruling, the latter was overruled by a roll call vote of 41 to 10, with 8 abstentions.

5. The representative of the Union of South Africa then moved that the item should be excluded from the agenda on the ground that the United Nations was not competent to deal with or even discuss the matter. The General Assembly, by a roll call vote of 45 to 6, with 8 abstentions, decided to accept the General Committee's recommendation to include the item in the agenda.

6. At its 382nd meeting, the General Assembly, referred the item to the Ad Hoc Political Committee for consideration and report.

7. The Ad Hoc Political Committee considered the question at its 13th to 21st meetings held between 12 and 20 November 1952.

8. On 12 November, the representative of the Union of South Africa introduced a motion (A/AC.61/L.6 and Corr.1), under rule 120 of the rules of procedure, whereby the Committee, having regard to Article 2, paragraph 7, of the Charter, would find that it had no competence to consider the item.

9. On 13 November, an eighteen-Power joint draft resolution (A/AC.61/L.8/Rev.1), sponsored by Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Philippines, Syria, Saudi Arabia and Yemen was placed before the Committee. Under that draft resolution, the General Assembly, inter alia, having noted the communication (A/2183) dated 12 September 1952 addressed to the Secretary-General by thirteen delegations regarding the question of race conflict in South Africa, recalling its resolution 103 (I) calling on all governments to take energetic steps to end religious and so-called racial persecution, considering its resolutions 395 (V)

and 511 (VI) holding that a policy of apartheid was based on doctrines of racial discrimination, and conscious that international co-operation could not be furthered and that international peace might be disturbed by policies of racial discrimination and persecution, would (a) establish a commission, consisting of . . . . ., to study and examine the international aspects and implications of the racial situation in the Union of South Africa in the light of the Purposes and Principles of the Charter and the resolutions of the United Nations on racial persecution and discrimination and to report its findings to the General Assembly at its eighth session; (b) invite the Government of the Union to extend its full co-operation to the commission; and (c) decide to retain the question on the agenda of the eighth regular session.

10. On 14 November, the representative of Norway introduced an amendment (A/AC.61/L.9), jointly sponsored by Denmark, Iceland, Norway and Sweden, to the eighteen-Power joint draft resolution which would replace the last two paragraphs of the preamble and all but the last paragraph of the operative part with four new paragraphs. Under the amendment, the General Assembly, recognizing that the methods of Members for giving effect to their Charter pledges might vary with circumstances such as the social structure of the States concerned and the different stages of development of the various groups involved, would (a) declare that in a multi-racial society respect for human rights and the peaceful development of a unified community were best assured when patterns of legislation and practice were directed towards ensuring equality before the law of all persons, and when economic, social, cultural and political participation of all racial groups was on a basis of equality; (b) affirm that governmental policies not directed towards those goals were inconsistent with pledges of the Members under Article 56 of the Charter; and (c) call upon all Members to bring their policies into conformity with their Charter obligation to promote the observance of human right and fundamental freedoms. On 19 November, the amendment was resubmitted by its sponsors as a separate joint draft resolution (A/AC.61/L.12) consisting only of the first three paragraphs of the preamble of the eighteen-Power joint draft resolution and the four new paragraphs of the original amendment.

11. On 15 November, the following two amendments to the eighteen-Power joint draft resolution were placed before the Committee: (1) an amendment by Brazil (A/AC.61/L.10) to alter the terms of reference of the commission proposed in the first operative paragraph by inserting the phrase "with due regard to the provision of Article 2, paragraph 7, of the Charter" after the words "study and examine", and by substituting the word "conclusions" for the word "findings" in the same paragraph; (2) an amendment by Ecuador (A/AC.61/L.11) to delete the phrase "and examine the international aspects and implications of" from the same operative paragraph, and also to delete the last paragraph of the preamble and the last paragraph of the operative part.
12. On 19 November at the 20th meeting of the Committee, Israel introduced an amendment (A/AC.61/L.13) to the eighteen-Power joint draft resolution to replace the words "its findings to the eighth regular session of the General Assembly" occurring in the first operative paragraph with the words "its conclusions to the Secretary-General for transmission to the Members of the United Nations".
13. The representative of Mexico proposed orally at the same meeting to amend the first part of the Brazilian amendment to the first operative paragraph of the eighteen-Power joint draft resolution by supplementing the reference to Article 2, paragraph 7, by additional references to Article 1, paragraph 3, Article 13, paragraph 1 (b), Article 55 (c) and Article 56 of the Charter. The representative of Brazil accepted the amendment.
14. On the same day, at the request of the delegation of Haiti, there was circulated to the Committee (A/AC.61/14) a letter dated 17 November 1952 from Professor Z.K. Matthews, representative of the African National Congress, concerning the possibility of his appearing before the Committee.
15. On 20 November, at the 21st meeting of the Committee, the representative of India submitted, on behalf of the sponsors and after consultation with the representatives of Brazil, Ecuador and Mexico, a revision (A/AC.61/L.8/Rev.2) of the eighteen-Power joint draft resolution deleting from the original text, the last paragraph of the preamble and amending the terms of reference of the Commission proposed in the first operative paragraph, thus incorporating the Brazilian amendment (A/AC.61/L.10) as amended at the suggestion of the representative of Mexico and the first two parts of the Ecuadorean amendment (A/AC.61/L.11). The representative of Ecuador withdrew the third part of his amendment.

16. The representative of India also suggested that, so far as the membership of the Commission proposed in the first operative paragraph was concerned, the President of the General Assembly should nominate three persons from a panel of names to be submitted to him by the sponsors before the item was dealt with in plenary meeting.

17. At the same meeting, the Union of Soviet Socialist Republics introduced an amendment (A/AC.61/L.15) to the first operative paragraph of the revised eighteen-Power joint draft resolution to add, after the words "Article 1, paragraph" the words "2 and paragraph".

18. The Committee then proceeded to vote on the draft resolutions and amendments thereto.

19. The motion (A/AC.61/L.6) submitted by the Union of South Africa was rejected by a roll call vote of 45 to 6, with 8 abstentions. The voting was as follows:

In favour: Australia, Belgium, France, Luxembourg, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Against: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Yugoslavia.

Abstaining: Argentina, Dominican Republic, Greece, Netherlands, New Zealand, Peru, Turkey, Venezuela.

20. The revised eighteen-Power joint draft resolution (A/AC.61/L.8/Rev.2) was next voted on, paragraph by paragraph, with the following results:

The first paragraph of the preamble was adopted by 44 votes to one, with 12 abstentions.

The second paragraph was adopted by 44 votes to one, with 12 abstentions.

The third paragraph was adopted by 44 votes to one, with 14 abstentions.

The fourth paragraph was adopted by 35 votes to one, with 21 abstentions.

The amendment of the USSR (A/AC.61/L.15) to paragraph 1 of the operative part was adopted by 29 votes to 5, with 23 abstentions.

The amendment of Israel (A/AC.61/L.13) to the same paragraph was rejected by 33 votes to 2, with 23 abstentions.

Paragraph 1 of the operative part, as amended, was adopted by a roll call vote of 35 to 8, with 16 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

Against: Denmark, Iceland, Netherlands, New Zealand, Norway, Peru, Sweden, Union of South Africa.

Abstaining: Argentina, Australia, Belgium, Canada, China, Colombia, Dominican Republic, France, Greece, Luxembourg, Nicaragua, Paraguay, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Paragraphs 2 and 3 were adopted by 36 votes to 7, with 15 abstentions.

Paragraph 4 was adopted by 32 votes to 7, with 18 abstentions.

The draft resolution as a whole, as amended, was adopted by a roll call vote of 35 to 2, with 22 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

Against: Peru, Union of South Africa.

Abstaining: Argentina, Australia, Belgium, Canada, China, Colombia, Denmark, Dominican Republic, France, Greece, Iceland, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

21. The Committee then voted, paragraph by paragraph, on the joint draft resolution (A/AC.61/L.12) submitted by Denmark, Iceland, Norway and Sweden, with the following results:

The first paragraph of the preamble was adopted by 18 votes to 5, with 31 abstentions.

The second and third paragraphs were adopted by 26 votes to one, with 32 abstentions.

The fourth paragraph was rejected by 20 votes to 17, with 21 abstentions.

Paragraph 1 of the operative part was adopted by 20 votes to 9, with 28 abstentions.

Paragraph 2 was adopted by 20 votes to 9, with 30 abstentions.

Paragraph 3 was adopted by 23 votes to 5, with 29 abstentions.

The draft resolution as a whole, as modified, was then adopted by a roll call vote of 20 to 7, with 32 abstentions. The voting was as follows:

In favour: Argentina, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, El Salvador, Iceland, Israel, Netherlands, Nicaragua, Norway, Paraguay, Peru, Sweden, United States of America, Uruguay.

Against: Byelorussian Soviet Socialist Republic, Czechoslovakia, Mexico, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Australia, Belgium, Bolivia, Burma, Dominican Republic, Ecuador, Egypt, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Luxembourg, New Zealand, Pakistan, Panama, Philippines, Saudi Arabia, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

22. The Ad Hoc Political Committee therefore recommends to the General Assembly the adoption of the following two draft resolutions:

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA  
RESULTING FROM THE POLICIES OF APARTHEID OF THE  
GOVERNMENT OF THE UNION OF SOUTH AFRICA

A.

The General Assembly,

Having taken note of the communication (A/2183) dated 12 September 1952, addressed to the Secretary-General of the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa,

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that the General Assembly declared in its resolution 103 (I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution and called upon all governments to conform both to the letter and to the spirit of the Charter and to take the most prompt and energetic steps to that end,

Considering that the General Assembly has held, in its resolutions 395 (V) of 2 December 1950 and 511 (VI) of 12 January 1952, that a policy of "racial segregation" (apartheid) is necessarily based on doctrines of racial discrimination,

1. Establishes a commission, consisting of \_\_\_\_\_, to study the racial situation in the Union of South Africa in the light of the Purposes and Principles of the Charter, with due regard to the provision of Article 2, paragraph 7, as well as the provisions of Article 1, paragraphs 2 and 3, Article 13, paragraph 1 (b), Article 55 (c) and Article 56 of the Charter, and the resolutions of the United Nations on racial persecution and discrimination, and to report its conclusions to the General Assembly at its eighth session;
2. Invites the Government of the Union of South Africa to extend its full co-operation to the commission;



3. Requests the Secretary-General to provide the commission with the necessary staff and facilities;
4. Decides to retain the question on the agenda of the eighth session of the General Assembly of the United Nations.

B.

The General Assembly,

Having taken note of the communication (A/2183) dated 12 September 1952, addressed to the Secretary-General of the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa,

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that the General Assembly declared in its resolution 103 (I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution and called upon all governments to conform both to the letter and to the spirit of the Charter and to take the most prompt and energetic steps to that end,

1. Declares that in a multi-racial society harmony and respect for human rights and freedoms and the peaceful development of a unified community are best assured when patterns of legislation and practice are directed towards ensuring equality before the law of all persons regardless of race, creed or colour, and when economic, social, cultural and political participation of all racial groups is on a basis of equality;

2. Affirms that governmental policies of Member States which are not directed towards these goals, but which are designed to perpetuate or increase discrimination, are inconsistent with the pledges of the Members under Article 56 of the Charter;

3. Solemnly calls upon all Member States to bring their policies into conformity with their obligation under the Charter to promote the observance of human rights and fundamental freedoms.