



Tuesday, 8 December 1953,
 at 10.30 a.m.

New York

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President: Mrs. Vijaya Lakshmi PANDIT (India).

Adoption of the agenda: fourth report of the General Committee (A/2617)

[Agenda item 8]

1. The PRESIDENT: In putting to the Assembly the recommendations of the General Committee on the inclusion and the method of consideration of the items referred to in this report, I wish to ask the Assembly to consider the question of the immediate consideration to be given to these items in connexion with the provisions of rule 15 of the rules of procedure. The last sentence of that rule states that "no additional item may be considered until seven days have elapsed since it was placed on the agenda". It provides, however, that the Assembly may decide otherwise by a two-thirds majority of the Members present and voting. In putting to the vote the recommendation of the General Committee, I suggest that it should be understood in the vote that the consideration of these items will not be delayed for the seven-day period.

2. We shall now vote on the recommendations of the General Committee [A/2617].

The recommendations were adopted unanimously.

Question of assistance to Libya: report of the Second Committee (A/2612)

[Agenda item 60]

Mr. Haliq (Saudi Arabia), Rapporteur of the Second Committee, presented the report of that Committee (A/2612).

The draft resolution contained in the report was adopted by 41 votes to none, with 5 abstentions.

The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa: reports of the *Ad Hoc* Political Committee (A/2610) and the Fifth Committee (A/2611)

[Agenda item 21]

Mr. Forsyth (Australia), Rapporteur of the Ad Hoc Political Committee, presented the report of that Committee (A/2610).

3. The PRESIDENT: In addition to the report of the *Ad Hoc* Political Committee, the Assembly has before it a report of the Fifth Committee [A/2611] on the financial implications of the draft resolution proposed by the *Ad Hoc* Political Committee. This report is before the General Assembly for its information.

4. The Union of South Africa has submitted a draft resolution [A/L.172] which raises the question of the competence of the General Assembly to adopt the draft resolution proposed by the *Ad Hoc* Political Committee. In order to avoid any misunderstanding on the subject, I would draw the Assembly's attention to rule 80 of the rules of procedure, which governs the situation raised by the draft resolution of the Union of South Africa. According to that rule, "any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question". Therefore, after the explanations of vote have been made, I shall put the draft resolution on the Union of South Africa to the vote first.

5. Mr. RODRIGUEZ FABREGAT (Uruguay) (*translated from Spanish*): I most earnestly request the President to accept a suggestion which I find myself compelled to make from this rostrum, in connexion with the proposal submitted jointly by Uruguay and Chile to the *Ad Hoc* Political Committee when the latter was discussing this matter.

6. With regard to the draft resolution adopted by the Committee, it might happen that one or more members of the commission which is asked to continue the study of the problem of discrimination might be unable to continue to serve. We have some information to that effect. Accordingly, the delegations of Chile and Uruguay submitted an amendment to the *Ad Hoc* Political Committee, which they subsequently withdrew, pending the Committee's decision on the final text of the draft resolution it would adopt. That final draft resolution [A/2610] is now before the Assembly for its consideration, and the delegations of Chile and Uruguay would therefore like to reintroduce their amendment, under which the following new paragraph 3 would be inserted in the text:

"Decides that should any of the members of the Commission be unable to continue their membership, the member or members concerned shall, if the General Assembly is not sitting, be replaced by a person or persons appointed by the present President of the General Assembly in consultation with the Secretary-General."

7. If the General Assembly should adopt the draft resolution as approved by the *Ad Hoc* Political Committee, it might so happen that one of the members of the commission could not continue to serve. It will be understood that when the delegations of Chile and Uruguay drafted their proposal, they had good reason for so doing and for warning the Assembly against appointing a commission or assigning a task to a commission upon which all the members appointed to it might not be able to serve. Accordingly, we merely propose the addition of a new paragraph 3, the text of which I have just read.

8. That is the amendment which the delegations of Chile and Uruguay are submitting to the Assembly; it will be distributed shortly. It was, moreover, submitted to the *Ad Hoc* Political Committee and discussed, so that all the members of that Committee are acquainted with it. The only reason why it was not voted upon in the Committee is that we, its sponsors, preferred at that stage to withdraw it and to reintroduce it in the Assembly, once we had the text of the draft resolution adopted by the *Ad Hoc* Political Committee.

9. With regard to the other aspects of this item, particularly the question of the Assembly's competence and the draft resolution submitted by the *Ad Hoc* Political Committee, my delegation reaffirms the views it expressed fully in the Committee and upon every occasion that the item was discussed.

10. We maintain our position, which we explained earlier in detail, in support of the Assembly's competence to deal with the item, and we shall again vote in favour of the draft resolution as it emerged from the *Ad Hoc* Political Committee, with the addition which we have proposed for the consideration of the Assembly.

11. The PRESIDENT: We shall vote on the paragraph referred to by the representative of Uruguay as an amendment to the draft resolution.

12. Mr. JOOSTE (Union of South Africa): The purpose of my present statement is to introduce, under rule 80 of the rules of procedure, the motion on competence to which the President has referred. This I am obliged to do because of the draft resolution which has emanated from the *Ad Hoc* Political Committee's decision on this item. As the General Assembly is aware, my delegation opposed the inclusion of this item when the agenda was under consideration in the General Assembly. It will be recalled also that in doing so we argued that as the matters to which the item relates are essentially within the domestic jurisdiction of South Africa, the Assembly was debarred by provisions of Article 2, paragraph 7, of the Charter from dealing with the matter in any way whatsoever.

13. Here it is necessary that I should make it quite clear once again that it has always been and continues to be the view of my Government that Article 2, paragraph 7, of the Charter denies the Assembly the right to discuss or to adopt resolutions on any matter which falls essentially within the domestic jurisdiction of a

Member State. This interpretation of the word "intervene", we submit, is based on the explicit provisions of the Charter, in which the powers of the Assembly with regard to any matter within its competence are clearly circumscribed; its powers are to discuss and to make recommendations. To this view, as I say, my Government continues to adhere. It was on these grounds that my delegation opposed the inclusion of the item. But, as will be remembered, despite our argument, which we adduced at the time, the Assembly decided to place the item on the agenda.

14. The Assembly did so for three main reasons. First, a number of representatives argued that the question of competence was one for discussion in committee. Here it should be recalled that, in opposing inclusion, my delegation did not invoke rule 80 of the rules of procedure as I am now doing. Our reasons for not doing so were fully explained at the time. Secondly, certain representatives argued that the South African interpretation of the word "intervene" was too restrictive, holding that discussion, at least, was not precluded by Article 2, paragraph 7, of the Charter. Thirdly, a number of representatives gave expression to the conviction that the item did in fact fall within the competence of the General Assembly. Those representatives took their stand on a variety of considerations, all of which they contended were justified by the provisions of the United Nations Charter. Some of those representatives even held that, as the Assembly last year, at its seventh session, had decided [*381st meeting*] that it was competent to deal with the item, the question of competence was no longer relevant. It was in the light of those contentions, which we do not accept as valid, that the item was placed on the agenda of the present session, and it was in this way that the item found its way to the *Ad Hoc* Political Committee. May I be permitted to comment very briefly on what transpired in the *Ad Hoc* Political Committee.

15. In that Committee, a considerable part, if not by far the greater part, of the debate was devoted to the question of competence, which had been raised by my delegation. In fact, I believe that it would be correct to say that many of the delegations participating in the debate were more concerned with the competence aspect than with the substance of the charges made against my Government. This in itself, I submit, is of significance, and the deduction can legitimately be drawn that not only are there widely differing opinions in this Organization in regard to the limitation imposed by Article 2, paragraph 7, on the Assembly's competence, but that there is also a considerable degree of confusion of thought on the procedural issues involved, which makes it even more difficult to agree on how the problem of competence can best be posed. This indeed is the principal conclusion which, in our view, must be drawn from the *Ad Hoc* Political Committee's debates on competence by any impartial observer not himself concerned in the questions at issue.

16. If this conclusion is correct then, because of the conflicts and the delicate nature of both the legal and political problems involved, there would be ample justification for the General Assembly, as a principal organ of the United Nations, to undertake a detailed review of the Committee's debates. However, while my delegation believes that such a procedure would be in the interests not only of South Africa but of this Organization itself, there are considerations which, in our

view, would militate against such a detailed review in the present state of our deliberations. I shall therefore content myself with referring very briefly to the principal aspects of the competence problem as they were discussed in the Committee.

17. The majority of those who contended that the Assembly had competence to discuss, examine and adopt resolutions on the present item argued that Article 2, paragraph 7, of the Charter could not be invoked because it was not applicable, either because the question of human rights was allegedly involved or because a threat to the peace was allegedly involved, or because the General Assembly was the master of its own competence and had already decided on the question of its competence on this item at the last session.

18. I dealt with these three contentions in detail in the Committee and I am satisfied that they were adequately rebutted. I shall therefore not repeat the arguments I adduced at the time. On the other hand, my delegation sought to show that the item involved the consideration and examination of a number of matters of policy, legislation and administration which were among matters essentially within the domestic jurisdiction of a Member State. These matters of policy, legislation and administration were listed by the South African delegation because they were traversed in whole or in part not only in the explanatory memorandum [A/2183] supporting the original request for the inclusion of the present item in the agenda, but also in the report of the Commission on the Racial Situation in the Union of South Africa [A/2505 and Add.1] and in discussions in this Organization both last year and this year.

19. We argued, therefore, that, having regard to Article 2, paragraph 7, the *Ad Hoc* Political Committee was not competent to intervene in the matters in question. As the records of the discussions in the Committee will show, a number of representatives shied away from this presentation of the competence issue. The manner in which they did so and the manner in which they endeavoured to justify their respective positions are clearly reported in the documents of the debate in the Committee. I need only submit at this stage that they signally failed to show how the question of race conflict could be considered without also considering automatically the internal policies of my Government. In fact the whole discussion in the Committee, in so far as it dealt with the substance of the item, was on the policies, the legislation and the administration of the Union of South Africa on the specific matters which were listed in our motion.

20. May I point out here that the title of the item refers specifically to the policies—I repeat the words “the policies”—of the Government of the Union of South Africa, a fact which was all too often ignored. In any case, the records of the debate in the *Ad Hoc* Political Committee show and will continue to show in a very clear manner to what extent certain representatives realized the dangerous implications of assuming for this Organization competence in the present matter. This, I submit, is clearly borne out by the manner in which they placed on record that their vote against my delegation's motion did not mean what the record of the voting shows it to mean. I shall say no more on this point. The record is there and each and every one of us will stand committed by what appears in that record.

21. As the General Assembly will of course have noted, my delegation's motion on competence was defeated and a draft resolution submitted by seventeen delegations on the substance of the matter was adopted. That draft resolution constitutes, in the submission of my delegation, a specific act of intervention. It is, of course, our view that any draft resolution on this item would constitute intervention.

22. There are, however, a number of delegations which do not agree with us and which maintain that a resolution of a general character, which does not single out any one Member State, would not constitute intervention, even although it might emerge from a discussion on the present item. And I would refer those who subscribe to this view to the terms of the draft resolution in question. Can they say, in all sincerity, that this draft resolution does not constitute a specific act of intervention in the domestic affairs of a Member State? I do not propose to analyse in detail the draft resolution recommended by the *Ad Hoc* Political Committee or to discuss, for example, the condemnatory implications of the preamble. I must, however, comment very briefly on what it envisages in its main operative paragraph.

23. In effect, the draft resolution authorizes the appointment, or reappointment, of a commission to study, examine and report upon the internal situation of a Member State, a situation which embraces not only every field of the internal policies, legislation and administration of that Member State, but also the effect of those policies on the population of the Member State, as well as the population's reaction to those policies. The authority would be granted in this respect authorization to examine and report upon whether a population, groups of a population, or individuals in a population accept the internal policies of a Member State or whether they oppose those policies. The draft resolution includes authorization to examine and report on why those policies are accepted or why they are opposed. It probably also authorizes the commission to make findings as to why those policies ought to be opposed or why they ought not to be opposed.

24. In other words, there is no limitation to what the commission may study and report upon. In operative paragraph 3, the commission is requested “to continue its study of the development of the racial situation in the Union of South Africa”. As applied to the multi-racial community which comprises the population of my country, that can only mean that any and every aspect of the internal political, economic and social situation of the Union of South Africa can be studied, examined and reported upon to the General Assembly. But this is not all. The draft resolution authorizes the commission to suggest measures to bring about a change in the internal situation of my country. Is it necessary for me to point out the extremely serious implications of such a suggestion? I do not believe so; and I shall therefore not take up the time of the Assembly for that purpose. These extremely serious implications are only too evident.

25. It is for these reasons, as well as for the other reasons which I explained in greater detail in the *Ad Hoc* Political Committee, that my delegation claims that the adoption of the draft resolution would constitute a flagrant intervention in respect of matters which are essentially within the domestic jurisdiction of the Union of South Africa. The draft resolution is now before the Assembly, with a recommendation that

it be adopted, and, in accordance with rule 80 of the rules of procedure, it is the request of my delegation that the General Assembly should now decide that it is not competent to adopt it.

26. The draft resolution [A/L.172] which we introduce is a brief one, one which we are quite satisfied will comply with all the technical requirements of the rule in question. It reads:

"The General Assembly,

"Having regard to Article 2, paragraph 7, of the Charter,

"Decides that it has no competence to adopt the draft resolution contained in document A/2610."

27. As I say, we are satisfied that no one can validly maintain that this proposal of ours, as presently worded, will not satisfy the requirements of the rule of procedure which we have invoked. That rule, as we know, permits of a challenge on the competence of the General Assembly "to adopt a proposal submitted to it". The proposal in this instance is, of course, the draft resolution submitted by the *Ad Hoc* Political Committee, and our proposal requests the General Assembly to find that, having regard to the provisions of Article 2, paragraph 7, of the Charter, it cannot adopt that proposal or draft resolution which, in our submission, constitutes intervention in the essentially domestic affairs of the Union of South Africa.

28. In conclusion, let me make it quite clear that our motion is related exclusively to the adoption of the proposal before the Assembly; that is, the draft resolution submitted in the Rapporteur's report. This, as I have indicated, meets fully the requirements of rule 80. Our motion does not deal with the question of discussion or anything else; it deals, as I have said, exclusively with the adoption of the draft resolution in question. I trust that representatives will study our motion carefully. I trust also that they will study the draft resolution carefully in order that its true nature may be fully appreciated.

29. Mr. DAYAL (India): The item under discussion was considered in the *Ad Hoc* Political Committee during the last two weeks. On 5 December, after prolonged discussions, in which every aspect of the matter was thoroughly explored, the Committee adopted by a large majority the seventeen-Power draft resolution, of which my delegation was a co-sponsor. It also incorporated an amendment submitted by the delegation of Chile, which now forms operative paragraph 1 of the draft resolution on which we are about to vote.

30. At the same time, the *Ad Hoc* Political Committee rejected, by an overwhelming vote of 42 against and only 7 in favour, with 7 abstentions, a draft resolution submitted by the delegation of the Union of South Africa challenging the General Assembly's competence to consider the problem. That draft resolution, as we and a large number of other delegations had occasion to point out in the Committee, was worded in a manner which seemed to us calculated to camouflage and obfuscate the very issue which the representative of South Africa had raised. Both for that reason, and because the Committee had no doubt as to the General Assembly's competence in the matter, that draft resolution was turned down by an overwhelming vote.

31. The Committee thus clearly decided that the General Assembly was fully competent to consider and,

therefore, to adopt appropriate proposals on a matter which involved the systematic violation by the Union Government of human rights and fundamental freedoms in regard to the non-white population of South Africa. Furthermore, because of the international repercussions of the Union Government's racial policies and because of the obligations which rest upon the United Nations to promote respect for human rights and to prevent the development of a situation which would prejudice international relations, the Committee decided that the Assembly was competent to consider this grave problem.

32. It will be recalled that, last year, at the General Assembly's 401st meeting, the delegation of the Union of South Africa introduced a motion [A/L.124] the terms of which were somewhat similar to those employed in that delegation's present draft resolution [A/L.172]. The motion was rejected by 43 votes to 6, with 9 abstentions. That was the Assembly's clear verdict on the question of its competence to adopt the proposals forwarded to it by the *Ad Hoc* Political Committee. In essence, those proposals called for the establishment of a commission of three to study the racial situation in the Union of South Africa, in the light of the purposes and principles of the Charter, and to report its conclusions to the eighth session of the General Assembly.

33. In the draft resolution which he has introduced today, the representative of the Union of South Africa has again challenged the General Assembly's competence. It is quite unnecessary for me to repeat the arguments on the question of competence which occupied so much of the *Ad Hoc* Political Committee's time. Those arguments are well known. The *Ad Hoc* Political Committee decisively held that the General Assembly was fully competent to consider the question. Indeed, the United Nations commission, in its comprehensive report on the racial situation in the Union of South Africa, devoted considerable space to a consideration of the matter of competence and came to the firm conclusion that the General Assembly had not only the right but also the duty to examine the problem. In the statement which he has just made, the representative of the Union of South Africa has presented no new arguments which would justify a reconsideration of the matter. I have no doubt, therefore, that the General Assembly will again reject the draft resolution challenging its competence.

34. The representative of Uruguay, on behalf of his delegation and that of Chile, has just introduced an amendment which is of a purely procedural character and is designed to ensure that the commission's work would continue should one or more of its members be unable to participate. We think that is a useful precaution to take, and my delegation has no hesitation in supporting the amendment.

35. The discussion in the *Ad Hoc* Political Committee centred largely on the report of the commission established last year. Owing to the short time at its disposal, the commission, consisting of three eminent personalities under the chairmanship of Mr. Santa Cruz, was unable to complete its task. The draft resolution now before the Assembly accordingly requests the commission:

"(a) To continue its study of the development of the racial situation in the Union of South Africa:

"(i) With reference to the various implications of the situation on the populations affected;

"(ii) In relation to the provisions of the Charter, and in particular Article 14; and

"(b) To suggest measures which would help to alleviate the situation and promote a peaceful settlement."

That is a very modest and constructive proposal, in view of the clear findings of the commission and the gravity of the situation in the Union of South Africa.

36. We sincerely hope that, as a result of the commission's further efforts, a fuller study of the problem will be available to us and that from such a study will flow suggestions which will aid at least in ameliorating—and, if possible, in promoting a peaceful settlement of—a situation which is causing so much anxiety, not only on the continent of Africa but also throughout Asia and, indeed, the entire world. Such a development would follow logically from the General Assembly's previous consideration of the question. In addition, it appears, in the light of all the prevailing circumstances, to represent the most helpful and constructive approach to the problem.

37. In conclusion, I should like to say that it is not a question merely of adopting resolutions. We have before us a vast humanitarian problem whose repercussions could be felt far beyond the borders of the Union of South Africa. The great continent of Africa, throughout its enormous length and breadth, is in travail. That continent, with its vast human and material resources, is in process of transition. Will that transition, requiring the necessary adjustment of relationships between the indigenous inhabitants and their white masters, be accomplished in conditions of mutual confidence, peace and understanding? Or will its proper course be thwarted by the propagation and diffusion of pernicious racial doctrines and the sowing of the seeds of racial hatred and conflict? The right path would lead to orderly progress and development. The other is fraught with the most catastrophic consequences—consequences which would not be confined to the Union of South Africa or to the African continent. The signs are there for all to read. Let us, from this rostrum, appeal in the name of justice and human brotherhood to the rulers of the Union of South Africa to pause and ponder. For on their choice depends not only the fate of millions in the Union of South Africa and beyond, but also the development of friendly relations and understanding among nations.

38. Mr. CHHATARI (Pakistan): It is not the first time that the representative of the Union of South Africa has faced this Assembly with a draft resolution calling upon it to declare its incompetence to deal with a matter with which it has been seized since last year. All of us here are thoroughly conversant with the history of this case. The item was brought before the Assembly for the first time last year. At the time when the question arose whether or not the Assembly should put this item on its agenda, the representative of the Union of South Africa invoked the provisions of rule 80 of the rules of procedure and sought to have his proposal adopted and to have the General Assembly decide that it was not competent to place the item on its agenda. However, the matter was fully discussed here and the General Assembly decided, by an overwhelming majority, that it was in fact fully competent to deal with the racial question.

39. Consequently, a commission was appointed, and this year, in the *Ad Hoc* Political Committee, we have

been discussing the report of that commission. The representative of the Union of South Africa made every effort to arrest the debate and to channel the entire discussion in the direction of competence. I must admit that he succeeded in his efforts in so far as we mainly discussed competence in the *Ad Hoc* Political Committee. It would, however, be wrong for anyone to maintain that the *Ad Hoc* Political Committee did not discuss substance or reach a decision based thereon in connexion with the draft resolution which it adopted and which has now been submitted for adoption by this Assembly.

40. The draft resolution placed before the *Ad Hoc* Political Committee by the representative of the Union of South Africa was unique and ingenious in that it dealt with items which were not under consideration by the Committee. It was an attempt to hoodwink the members of that Committee and, consequently, the members of the Assembly, into voting upon something which was not being considered in the Committee and which was not on its agenda. We had, however, seen through that manoeuvre and had pointed it out to the Committee. We maintain that the extracts of legislation contained in the report of the Commission were brought in only as illustrations to prove a certain point. They are not the foundation stones of the racial policy of the Government of the Union of South Africa. Their inclusion was necessitated because the Union of South Africa did not render any co-operation to the commission.

41. It called the commission "illegal", as it has been doing with regard to everything in this connexion ever since the question of the people of Indian origin in the Union of South Africa has been before the Assembly. That has been its technique. It does not come out in the open. It does not have the courage to put its side of the story before the Assembly so that the Assembly may acquaint itself with both sides of the picture before coming to a conclusion. The commission, similarly, had only one side of the picture before it. It was not allowed to visit the Union of South Africa. Its president wanted to go there in his personal capacity, but even that was denied to him. What was the commission to do? Was it to sit tight in Geneva, and to come here and say that, on a burning humanitarian question, it had not been able to find any material or data which it could put before this Assembly? The commission therefore did whatever it could in those adverse circumstances, and it has presented its report to the General Assembly.

42. The representative of the Union of South Africa now wishes to invoke Article 2, paragraph 7 of the Charter. What has that to do with it, I should like to know? Article 2, paragraph 7, deals only with actual action in pursuance of principles taken by the Organization. Whenever an action is taken that may appear to intervene in essentially domestic matters, Article 2, paragraph 7, can and should be invoked. But the Assembly has only requested the commission to study a certain problem. That has been done under Article 13.

43. The representative of the Union of South Africa has always maintained that the word "intervene" has its ordinary meaning as given in any dictionary. I have asked him many times a question which bears repetition, and I shall put that question to him again. In which dictionary is the meaning of "intervention" given as "discussion" or "study"? What are we doing

here? We are discussing a situation on the basis of a study carried out by the commission. What does the draft resolution of the *Ad Hoc* Political Committee call for now? It calls for the continuation of that study, because the commission itself has said that its report and the material are incomplete. We do not want to be childish. We do not want to demand a verdict on the basis of a report which the commission itself considers to be incomplete. We want to go into the matter more thoroughly. We want to examine it more closely before we are in a position to recommend any step which could be considered to be in the nature of a remedy for the evil which exists in South Africa.

44. If, at that time, the representative of the Union of South Africa finds that the General Assembly is intervening in domestic affairs, he will be at liberty to bring a draft resolution before the Assembly. But at the present stage, when we are only discussing the problem on the basis of a study, that draft resolution is entirely out of order. The representative of the Union of South Africa is trying to arrest the discussion of a humanitarian problem in this Assembly. But no individual and, for that matter, no nation has ever been able to arrest any cycle of evolution. Whenever such an attempt has been made, the evolution has taken the form of revolution. What we are trying to do here is to stop that revolution taking place in South Africa. We want the evolution to go on gradually and systematically.

45. Is it not an irony of fate that the nationals of a country should find themselves slaves under the constitutionally formed government of that country? But that is the situation in the Union of South Africa. All we want is that equal opportunities should be given to all persons of all races, creeds and colours. Is that intervention in the domestic affairs of the Union of South Africa? Is that what the Assembly is being asked to believe? Would it be wrong on our part to say that so many free men cannot possibly be enslaved by any one minority in power, irrespective of the methods which that minority may have used to come into power? Would that be against the provisions of the Charter?

46. I have no doubt that the draft resolution which has been submitted by the representative of the Union of South Africa will be rejected, that this Assembly will once again give a verdict to the effect that it is competent to deal with this question, and that the seventeen-Power draft resolution, which was adopted by the *Ad Hoc* Committee and which is now before the Assembly, will be adopted by an overwhelming majority. The Government of the Union of South Africa may not have a conscience, but we have, and it is we who constitute this Assembly.

47. Mr. TARAZI (Syria) (*translated from French*): My delegation is not prepared to vote in favour of the draft resolution submitted by the delegation of the Union of South Africa. It considers that the General Assembly is competent to deal with the question of racial conflict in the Union of South Africa. The provisions of Article 2, paragraph 7, of the Charter are not applicable in the present case.

48. There is no doubt that all matters of domestic jurisdiction are outside the purview of the United Nations. However, the elements of the problem which the General Assembly has had to discuss during its seventh and eighth sessions show clearly that the policy

of the Union of South Africa with regard to non-Europeans is not a matter which may be classified as coming within the scope of domestic jurisdiction.

49. The report of the Commission on the Racial Situation in the Union of South Africa [*A/2505 and Add.1*] makes it clear that the non-Europeans are under the yoke of a minority which contemplates applying a series of measures in flagrant violation of the provisions of the Charter, claiming to do so in the name of European civilization, although in fact they are dishonouring it.

50. If these measures related to all sectors of the population without distinction or discrimination, no organ of the United Nations would have had the power to examine them. The true nature of the problem resides in the fact that racial discrimination is in reality not an international but a continental problem. The Union of South Africa seeks to establish a distinction based upon racist theories which are inspired by morbid imaginings and which have all come to grief. These theories are concerned with discrimination between Europeans, Asians, and Africans. The draft resolution which the South African delegation submitted to the *Ad Hoc* Political Committee was completely irrelevant. The points covered by that draft resolution obviously had no bearing upon the question of the racial conflict in the Union of South Africa which has been brought about by the *apartheid* policy of the South African Government. Hence my delegation, which fully recognizes the validity and integrity of domestic jurisdiction, does not consider that the case in point falls within that category.

51. For these reasons my delegation will not vote for the motion of non-competence submitted by the South African delegation.

52. The PRESIDENT: We shall now proceed to the voting. In accordance with rule 80 of the rules of procedure, we shall vote first on the draft resolution proposed by the Union of South Africa [*A/L.172*]. A roll-call has been requested.

A vote was taken by roll-call.

Denmark, having been drawn by lot by the President, was called upon to vote first.

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

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

Abstaining: Dominican Republic, Netherlands, New Zealand, Panama, Peru, Turkey, United States of America, Venezuela, Argentina, Canada.

The draft resolution was rejected by 42 votes to 8, with 10 abstentions.

53. The PRESIDENT: We shall now vote on the amendment submitted at this meeting by the delegations of Chile and Uruguay.¹

¹ See paragraph 6 above.

The amendment was adopted by 36 votes to 8, with 15 abstentions.

54. The PRESIDENT: We shall now vote on the draft resolution proposed by the *Ad Hoc* Political Committee in its report [A/2610]. The draft resolution will be voted on in parts.

55. We shall vote first on the first two paragraphs of the preamble.

The paragraphs were adopted by 40 votes to 10, with 7 abstentions.

56. The PRESIDENT: We shall vote now on the third paragraph of the preamble, including sub-paragraphs (a) and (b).

The paragraph was adopted by 37 votes to 9, with 10 abstentions.

57. The PRESIDENT: We shall now vote on the fourth paragraph of the preamble.

The paragraph was adopted by 36 votes to 9, with 7 abstentions.

58. The PRESIDENT: We shall now vote on the fifth and sixth paragraphs of the preamble.

The paragraphs were adopted by 34 votes to 12, with 9 abstentions.

59. The PRESIDENT: We shall now vote on paragraph 1 of the operative part.

The paragraph was adopted by 44 votes to 3, with 9 abstentions.

60. The PRESIDENT: We shall now vote on paragraph 2 of the operative part.

The paragraph was adopted by 40 votes to 8, with 9 abstentions.

61. The PRESIDENT: We shall now vote on paragraph 3 (a), not including sub-paragraphs (i) and (ii), of the operative part. This paragraph, as a result of the adoption of the amendment submitted by Chile and Uruguay, will be renumbered. A roll-call has been requested.

A vote was taken by roll-call.

Saudi Arabia, having been drawn by lot by the President, was called upon to vote first.

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

Against: Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Canada, China, Colombia, Denmark, France, Greece, Luxembourg, Netherlands, New Zealand, Panama.

Abstaining: Turkey, United States of America, Venezuela, Argentina, Dominican Republic, Norway, Peru.

The paragraph was adopted by 38 votes to 15, with 7 abstentions.

62. The PRESIDENT: We shall now vote on sub-paragraph (i) of paragraph 3 (a).

The sub-paragraph was adopted by 35 votes to 17, with 6 abstentions.

63. The PRESIDENT: We shall now vote on sub-paragraph (ii) of paragraph 3 (a).

The sub-paragraph was adopted by 33 votes to 15, with 8 abstentions.

64. The PRESIDENT: We shall now vote on paragraph 3 (b).

The paragraph was adopted by 32 votes to 15, with 7 abstentions.

65. The PRESIDENT: We shall now vote on paragraphs 4 and 5 of the operative part which, as a result of the adoption of the amendment submitted by Chile and Uruguay, now become paragraphs 5 and 6.

The paragraphs were adopted by 35 votes to 11, with 7 abstentions.

66. The PRESIDENT: We shall now vote by roll-call on the draft resolution as a whole, as amended.

A vote was taken by roll-call.

The Union of Soviet Socialist Republics, having been drawn by lot by the President, was called upon to vote first.

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

Against: United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Canada, Colombia, France, Greece, Luxembourg, Netherlands, New Zealand, Union of South Africa.

Abstaining: United States of America, Venezuela, Argentina, China, Denmark, Dominican Republic, Norway, Panama, Peru, Sweden, Turkey.

The draft resolution as a whole, as amended, was adopted by 38 votes to 11, with 11 abstentions.

67. Mr. CAÑAS ESCALANTE (Costa Rica) (*translated from Spanish*): Whenever this item comes before the United Nations General Assembly, doubts are raised concerning the Assembly's competence to deal with it and similar matters. Accordingly, my delegation wishes to explain its vote in favour of the draft resolution submitted by the *Ad Hoc* Political Committee, precisely as it relates to the problem of competence about which so much has been said. In explaining that vote, I shall be complying with specific instructions from my Government.

68. The States which signed the United Nations Charter thereby surrendered part of their sovereignty. It is true that Article 2, paragraph 7, provides that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State". That means, however, that certain matters which until then had been subject to domestic jurisdiction, now ceased to be subject to it, for they had become—and that was the innovation, the revolutionary change brought about by the Charter—matters of international concern. The horrible nightmare from which

the world awoke in 1945 led the United Nations to take that decision.

69. Human rights are among the matters which ceased to come within the domestic jurisdiction of States in 1945. Evidence of that fact is to be found in Article 1, paragraph 3, which stipulates that one of the purposes of the United Nations is to promote and encourage respect for those rights; in Article 13, paragraph 1 b, which provides that the General Assembly shall initiate studies and make recommendations in order to assist in the realization of human rights for all; in Article 55 c, which provides that the United Nations shall promote universal respect for those rights; in Article 62, which authorizes the Economic and Social Council to make recommendations for that purpose; in Article 68, which empowers that Council to set up commissions for the promotion of human rights; and in Article 76 c, which lays down that a basic objective of the trusteeship system is to encourage respect for those rights.

70. It was not to be anticipated that after so many sacrifices, so much loss of life, the articles quoted were to be mere academic pronouncements, or that the world was going to allow them to become such.

71. The countries that signed the Charter at San Francisco accepted the fact that human rights were matters excepted from the rule laid down in Article 2, paragraph 7. That is how my country understands the situation. My country respects and endorses the doctrine of non-intervention, which is the best safeguard of the integrity of small States like the one I represent. It has seen, however, that on many occasions the unrestricted application of that doctrine has converted it into an instrument of negative intervention, in other words, intervention by failing to act, by remaining indifferent to events.

72. On the one hand, we have the clear danger of intervention; on the other, international indifference in the face of tyranny, genocide, the violation of rights, the fact that sovereignty is being snatched out of the hands of the people. Non-intervention, in that extreme form, sometimes assumes the attributes of intervention against the people. For that reason, Costa Rica considers it a step forward that the United Nations Charter should have placed human rights under international jurisdiction and made them subject to collective surveillance. My country believes in collective surveillance. It has studied and welcomed with interest and sympathy the action taken by international bodies in accordance with this modern concept, which is nowadays called collective intervention or international surveillance. That is the scope which my delegation attributes to Article 2, paragraph 7, when it is taken together with Articles 1, 13, 55, 62, 68 and 76 of the Charter.

73. When Costa Rica subscribed to the Charter, it is considered that, in the interest of peace and the tranquility of mankind, it was surrendering part of its absolute sovereignty. Hence it can proclaim that it accepts the jurisdiction of the United Nations in respect of human rights, because the promotion of those rights is one of the fundamental objectives of the United Nations. Therefore, we proclaim in this world Assembly that we accept that jurisdiction, and accept it also in respect of ourselves.

74. Costa Rica has a long and acknowledged record of respect for human rights. However, if the day should

come when it found itself charged with violating them, it would gladly open its doors to investigation and examination and would gladly abide by the resolutions adopted and the recommendations made by the United Nations Assembly. That is how Costa Rica understands the United Nations Charter, and it was with that understanding that it signed it.

75. Mr. URIBE CUALLA (Colombia) (*translated from Spanish*): The delegation of Colombia feels bound to place on record the reasons for its vote in favour of the draft resolution submitted by the Union of South Africa and against the draft resolution of the *Ad Hoc* Political Committee, which has been approved by an overwhelming majority in this Assembly. At the outset, we must state that we are implacably opposed to racial discrimination. In Colombia, it does not exist; whole groups of our population are coloured and they all enjoy equal rights with the other sectors of the population. We have had senators, representatives and Ministers of various colours. Thus, we are not reactionary in that respect; we agree with the principles of civilization outlawing racial discrimination. On the other hand, we are keenly concerned about the very loose interpretation given to Article 2, paragraph 7, of the Charter, because, in studying the report of the commission appointed by the Assembly to study racial discrimination in the Union of South Africa, we found that the commission had embarked upon the study of a series of matters which are exclusively within the jurisdiction of a government and of a State. It dealt with legislation, voting rights, transport, economic and social questions and all kinds of other problems, so that in actual fact it took on the aspect of a commission of inquiry.

76. We feel that the precedent may be disastrous for the stability of the United Nations, because, while the Members certainly became parties to a covenant, they did so without limiting their sovereignty and their national jurisdiction. It was precisely Article 2, paragraph 7, which gave rise to the most important debates at the San Francisco Conference, and it is very probable that, if that paragraph had not been included in the Charter, the Conference would not have come to an agreement. We are deeply concerned lest, on the basis of this precedent, other Member States might, in the near future, be accused in this Assembly, so that this forum, which is supposed to be a forum for the establishment of international peace and understanding, which is the fundamental objective of the Charter, might become an arena for internecine strife and conflicts of all kinds which could lead to greater and more violent disturbances.

77. Consequently, Colombia, acting in conformity with the United Nations Charter, as it demonstrated so clearly and forcefully by its contribution of naval and army personnel to the Korean war, is not being reactionary in its vote, but is simply acting in keeping with the Charter. It wants law to be the rule of the United Nations; it wishes no violations of a Charter which up to the present has not been revised; it wants all nations to abide by the letter and the spirit of the Charter, because only thus can right triumph over might. Might is obviously triumphing when a text is expanded and made to say what it does not in fact say.

78. The Colombian delegation is thus against racial discrimination, but, above all, it is dedicated to the Charter signed at San Francisco. It believes its position

to be neither contradictory nor reactionary. We respect constitutional principles and we respect the law, and in the United Nations we wish to maintain that position, so that no one may be able to accuse us of being inconsistent, and so that we may continue to be loyal to that admirable United Nations Charter which was designed to bring peace and harmony to the world.

**The Ewe and Togoland unification problem:
report of the Fourth Committee (A/2605)**

[Agenda item 31]

79. Mr. RIFAI (Syria), Rapporteur of the Fourth Committee: The report of the Fourth Committee [A/2605], which is now before the General Assembly, is concerned exclusively with a problem affecting two of the Trust Territories which has been a matter of concern to the United Nations for a number of years and which has come to be known as "The Ewe and Togoland unification problem".

80. Representatives of the main political parties in the two Trust Territories appeared before the Fourth Committee for the third successive year. The Committee devoted no less than thirteen meetings to the problem. The three inter-connected draft resolutions which are annexed to the report represent, in the view of the Committee, a further constructive effort to ensure the fulfilment of the genuine aspirations of the Togoland peoples, and take account of recent events which have had an important bearing on the discussion of the problem.

81. It will be noted from the title above the three draft resolutions that the Fourth Committee has decided that the problem should be known henceforth simply as "The Togoland unification problem". This change represents a more precise recognition of the fact that the desire for unification in one form or another extends beyond the large Ewe tribe, where it originated, and affects the interests of the two Trust Territories as a whole.

82. The Fourth Committee recommends these three draft resolutions for adoption by the General Assembly.

83. Sir Gladwyn JEBB (United Kingdom): My delegation would like to request a separate vote on paragraph 3 of the operative part of draft resolution C, and to explain at the same time why we propose to vote against that paragraph.

84. In the first place, what does this paragraph purport to establish? What is the point of it? It states as a finding of the General Assembly that it would be contrary to the principles and purposes of the International Trusteeship System for Togoland under British administration, or any part of it, to be integrated in the Gold Coast—by which I suppose is meant to form part of the Gold Coast—before both these Territories have attained self-government or independence.

85. I shall seek to show that this proposition is not at all in accordance with either the letter or the spirit of Article 76 of the Charter.

86. We maintain that the basic objectives of the trusteeship system, as defined in Article 76 of the Charter, certainly would be achieved through the freely expressed decision of the inhabitants of a Trust Territory to terminate their status as wards of the United Nations

by becoming equal citizens of a fully self-governing or independent country. By such a decision the inhabitants, as we think, would unquestionably reach the goal of self-government or independence, and these are the words of the Charter.

87. Now we do not maintain, of course, that this is the only way in which the inhabitants of the Trust Territory of Togoland under British administration can achieve the objectives of the International Trusteeship System. It is not the only way, but we do suggest, with great respect to everybody here, that it is at least one way, and this one way—there is no question about it—would be denied by paragraph 3 of the operative part of draft resolution C, to which I have referred. There seems to be, we think, absolutely no need for this Assembly to go on record as justifying such a denial as this, which would indeed limit the application in the Trust Territory of the principle of the self-determination of peoples which is so frequently invoked in our debates here in this Assembly.

88. Let me make it entirely clear that we have no fixed idea regarding the conditions under which the purposes and principles of the trusteeship system should find their final expression in Togoland under British administration. We shall be guided only, and I repeat only, by the freely expressed wishes of the people concerned, ascertained moreover in whatever way seems most suited to meet the needs of both the Administering Authority and the United Nations. We have absolutely no reservations on this—none whatever. But we could not agree, with great respect, that the free choice of the people should be arbitrarily limited in advance by the adoption of the proposition in paragraph 3 of this draft resolution. We think, therefore, that to pass it would be a profoundly undemocratic action for this Assembly to take. We shall therefore vote against this paragraph and against the draft resolution as a whole if it is maintained. We hope that the great majority of members will follow us in so doing.

89. Mr. MUNRO (New Zealand): I wish to address the Assembly on paragraph 10 of draft resolution A. The words to which I particularly address myself are "... which will facilitate the unification of the two Trust Territories". My delegation desires a separate vote on this paragraph because, in our judgment, these words amount to a prejudgment of the issue and are in effect an endorsement of unification.

90. We submitted an amendment in the Fourth Committee which sought to replace the words "which will facilitate" by the words "with respect to". We simply wished to remove from the draft resolution any suggestion which might prejudge the solution that might be recommended by the Joint Council for Togoland Affairs. We felt that the wishes of the people of the two Trust Territories had never been clearly and overwhelmingly expressed in favour of any one form of unification for those Territories, and that it was entirely a matter for the people of those Territories when the time came to express their will. It is right, we think, that the Assembly should recommend to the Administering Authorities "the re-establishment of the Joint Council [for Togoland Affairs] with the power to . . . make recommendations on the question of unification". The Joint Council, we hope, will faithfully reflect the wishes—and it is the wishes that I emphasize—of all sections of the population of the two Trust

Territories. The decision as to their political destiny should, in our view, depend primarily upon the wishes of the people themselves, and we do not, I repeat, desire the Assembly to prejudge in any way the issues which are to be considered by the Joint Council.

91. The amendment proposed by New Zealand in the Fourth Committee was defeated by 22 votes to 19, with 9 abstentions, and the New Zealand delegation, as a result, felt obliged to abstain on the draft resolution as a whole.

92. We should like to vote for this draft resolution. I repeat that, but we can do so only if it does not contain the last words of paragraph 10, namely, "which will facilitate the unification of the two Trust Territories". Accordingly, I ask the President to request the Assembly to vote separately on paragraph 10 of draft resolution A, and my delegation sincerely hopes that the words in that paragraph will be altered in the manner I have suggested.

93. Mr. MENON (India): I wish to make a few observations in regard to draft resolution C, which was originally submitted by several countries, including my own.

94. We regard the draft resolution as standing as a whole, and really the part on which future action will centre is paragraph 4. Paragraph 4 specifies that whatever action is taken will be in accordance with Article 76 of the Charter. It will be "the progressive development of the inhabitants towards self-government or independence". It is also stated there that "their freely expressed wishes" would govern the matter and also that "the special circumstances created by the constitutional and political situation in the Gold Coast as it affects both Togoland under British administration and Togoland under French administration" would be taken into consideration. What is more important is that the Trusteeship Council at its thirteenth session is asked "to re-examine in all aspects" this problem.

95. I should like to say here that the Prime Minister of the Gold Coast, Mr. Kwame Nkrumah, a great African and leader of his people, who has made great sacrifices in order to establish a position in the Gold Coast where it is rapidly marching towards its independence, a statesman and a gentleman of quality, is a person who can be trusted to take into account the wishes of these people.

96. There is nothing in this draft resolution which militates against the future of these Territories being determined in accordance with the wishes of the inhabitants. We do not consider that any violation has been caused to the Trusteeship Agreements, and there is no attempt here to limit the self-determination of peoples. Paragraph 4 expressly refers to the conditions that exist at the time and to special factors.

97. I would like it to be known that, as far as we are concerned, we have nothing but the friendliest of feelings with regard to the Government of the Gold Coast, its distinguished Prime Minister and the leaders of his movement. I would like to say, too, that this draft resolution is one which conforms to the provisions of the Charter. If the progress towards self-government or independence achieved in the Gold Coast spreads across the territory which is now under its administration, that territory will also become self-governing, and the provisions of the draft resolution will thus meet with confirmation.

98. The PRESIDENT: We shall proceed to vote on the draft resolutions recommended by the Fourth Committee [A/2605].

99. I shall first put to the vote the paragraphs of draft resolution A up to and including paragraph 9 of the operative part.

The paragraphs were adopted by 50 votes to none, with 7 abstentions.

100. The PRESIDENT: We shall now vote on paragraph 10 in two parts. The first part reads: "Expresses the hope that the different political parties of both Territories will co-operate to achieve a formula acceptable to all . . .". The second part reads: "which will facilitate the unification of the two Trust Territories".

The first part of the paragraph was adopted by 53 votes to none; with 1 abstention.

The second part of the paragraph was adopted by 32 votes to 14, with 6 abstentions.

101. The PRESIDENT: We shall now vote on draft resolution A as a whole.

The draft resolution was adopted by 46 votes to none, with 9 abstentions.

102. The PRESIDENT: We shall now vote on draft resolution B.

The draft resolution was adopted by 52 votes to 1, with 4 abstentions.

103. The PRESIDENT: The Assembly will now vote on the paragraphs of draft resolution C up to and including paragraph 2 of the operative part.

The paragraphs were adopted by 40 votes to 5, with 11 abstentions.

104. The PRESIDENT: We shall now vote on paragraph 3.

The result of the vote was 28 in favour, 17 against and 3 abstentions.

The paragraph was not adopted, having failed to obtain the required two-thirds majority.

105. The PRESIDENT: We shall now vote on paragraphs 4 and 5.

The paragraphs were adopted by 40 votes to none, with 12 abstentions.

106. The PRESIDENT: We shall now vote on draft resolution C as a whole, without paragraph 3 of the operative part.

The draft resolution was adopted by 37 votes to 3, with 12 abstentions.

107. Mr. MALBRANT (France) (*translated from French*): I do not wish to take up too much of the Assembly's time, but at this stage in the debate I feel that the French delegation's views on resolutions A, B and C on the question of Togoland unification should be expressed.

108. I shall refer, first of all, to resolution B, which invites the Administering Authorities concerned to revise the electoral system in force, in order to ensure elections with universal suffrage.

109. It may seem superfluous to assert from this rostrum that public opinion in France is unanimously in favour of universal suffrage. There are and can be no differences of opinion on that principle. The difficulties arise only with regard to its application in overseas territories. One of these difficulties, which I believe is well known, is that of the need for the accurate identification of the electors. Without such

previous identification, universal suffrage would obviously be but a mockery. In the African territories, however, despite considerable progress, the civil status of the indigenous inhabitants is still inadequately established. How could it be otherwise in countries where it may be contrary to custom for people to reveal their origin, where local custom sometimes imposes a change of name and where public opinion is not convinced of the advantages of holding a census?

110. In a liberal and well-intentioned spirit, efforts have been made to mitigate that difficulty legally by instituting many electoral categories of different kinds, which in no way restrict the right of suffrage, since their sole purpose is to make it possible to identify the electors. At the present time, anyone who can prove his identity and domicile can vote, and I can state that the franchise is now within the reach of all male adults who wish to exercise it in the overseas territories and Trust Territories administered by the French Republic. To show the progress achieved in eight years, it is enough to say that, last year, the number of votes cast in those countries in territorial elections was fifteen or twenty times higher than in 1945, when the first elections for the Constituent Assembly took place.

111. Women's suffrage is a different problem, which I must admit has been only partially solved. I have made my career in Africa, at the service of the Africans, and have lived for years in their midst, in the most remote parts of the country. I am therefore well acquainted with African society. In spite of its long-standing and increasingly close contacts with Europe, this society has remained exceptionally homogeneous and closely attached to its traditions and customs. There can be no doubt that, with rare exceptions on which no general rule can be based, the subordinate status of women remains a characteristic and fundamental trait of the African clan or family. Incidentally, this applies to many countries outside Africa. Nevertheless, there can be no doubt that the elimination of that state is imperative for all governments which have responsibilities in Africa or elsewhere.

112. The French Republic is fully aware of that responsibility and, if I were not obliged to confine this statement to strict limits, I could cite many measures which it has taken to achieve that purpose. The fact remains, however, that no principle, even if it is universally acknowledged in the Western world, can be introduced in Africa without certain precautions and modifications, if local society is not to be shaken to its very foundations and if the desired reforms are to be successful. It is undoubtedly desirable to accelerate progress. In order to do so, the wall of tradition must be breached. But it should be breached at the most strategic place.

113. One concept which is acknowledged universally, and especially in Africa, is that of the respect due to mothers of families, whose prerogatives are undisputed by reason of their responsibilities. Women's suffrage in French Africa is mainly based on that concept, because it is the most acceptable for Africans, the most likely to ensure the success of a reform which is so bold and, I might almost say, in the case of Africa, so revolutionary. This type of suffrage will be progressively extended, and I think I can say that the development thus begun will be rapid and that the time is not far off when universal female as well as male suffrage

will be possible. Transitions and adaptations are essential simply in order that the suffrage may be exercised in a genuinely democratic way, which is certainly what we all wish.

114. If resolution B had been submitted alone, the French delegation could have voted for it, since it had no reason not to signify its approval of a principle which it had already affirmed. But it so happens that that resolution is very closely connected with resolution A, and thus with a specific case to which I shall refer in a moment. This explains our abstention.

115. I shall now deal with resolution A. The Government of the French Republic considers that this resolution, like resolution 652 (VII), is based on inaccurate premises, namely, that "the unification of the two parts of Togoland is the manifest aspiration of the majority of the population of the two Trust Territories".

This dogmatic statement, this incorrect generalization, is clearly belied by facts which are available to everyone in the Franco-British memorandum of 10 December 1951 [A/C.4/198], the report of the Visiting Mission in 1952 [T/1034 and Add.1], the debates in the General Assembly and the petitions submitted to the United Nations. I cannot go into the details today. I would simply ask the members of the Assembly to bear in mind the great phenomenon of human geography which exists in the Gold Coast, Togoland, Nigeria and the Cameroons; the profound ethnical cleavage, in many places deepened by differences of religion, between the coastal peoples and the inland peoples, and the fact that it is our duty to consider the rights and interests of both.

116. If the problem of the reunification of Togoland were as simple as the General Assembly seems to think, it would undoubtedly have already been solved. In fact, it is much more complex and unless we consider it in the light of the true facts, we shall fail to achieve our ends. Unless our approach is practical and accurate, we shall merely complicate the task of the Administering Authorities and excite comment, impatience or unjustified reactions. I felt it my duty to point this out.

117. The French delegation has another and equally fundamental objection to resolution A: by prejudging the will of the Togolandese about the unification question, the Assembly is at the same time prejudging their wishes concerning the methods by which the present difficulties are to be solved.

118. In pursuance of resolution 652 (VII), consultations were begun in the Territory, but they have not yet been concluded. The *Parti togolais du progrès*, however, which holds the majority of the seats in the Territorial Assembly and all the Togoland seats in the French Parliament, has unequivocally expressed its objection, in view of the unsuccessful experiments in the past, to the renewal of the Joint Council for Togoland Affairs and its formal opposition to the re-establishment of that body on the basis of the conditions laid down by the minority. The members of the Fourth Committee heard that party's representative. His frankness and plain speaking must have convinced them.

119. The Government of the French Republic, for its part, cannot consider imposing the laws of the minority on the majority, which has expressed its wishes

freely and by democratic means. That would be contrary to its principles and traditions. Moreover, such action could not but cause difficulties infinitely greater and more serious than those with which we are now concerned, since, apart from the upheavals which might well result, France might justifiably be accused of having failed in its mission of establishing democracy in the Trust Territories and teaching democratic practices to their inhabitants. Togoland has freely elected institutions which are daily becoming more firmly established and the authority of which is continually increasing. We could not incur the onus of discrediting them and destroying their prestige and efficiency.

120. The French delegation felt obliged to make this statement in order to show its loyalty to the United Nations and its respect for the freely expressed wishes of the Togoland people. My delegation's abstention in the vote means that, although it cannot bind its Government in advance by accepting debatable or controversial conclusions, it nevertheless reaffirms its wish to co-operate with the United Nations in all good will and good faith in seeking objective and equitable methods of settlement by means of negotiation and conciliation.

121. Before concluding, I should like to refer briefly to resolution C. It seems to my delegation that this resolution was introduced merely in order to enunciate solemnly, in connexion with the first specific case, the new doctrine, formulated this very year, during this session, which is promulgated in the resolution adopted on the factors relating to self-government [*resolution 742 (VIII)*]. The French delegation has already explained why this doctrine is unacceptable. I shall not refer to the matter again. Clearly—and the question now before us shows this—it will unduly limit the people's power of free decision, which ought to be unrestricted and as wide as possible. Article 76 of the Charter makes this quite clear. On the basis of these considerations, my delegation would have been obliged to cast a negative vote. The decision of the Assembly, which has wisely refused to approve operative paragraph 3, has enabled us to reconsider the negative vote which we cast in the Fourth Committee, and we decided to abstain from voting.

The meeting rose at 12.55 p.m.