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CONTENTS

	Page
Agenda item 9:	
<i>General debate (continued)</i>	
Speech by Mr. Louw (South Africa)	59
Statement by the representative of the Philippines	70
Statement by the representative of Somalia	71
Statement by the representative of Tanganyika	71
Statement by the representative of Mexico	72
Statement by the representative of India	73

President: Mr. Muhammad ZAFRULLA KHAN
(Pakistan).

AGENDA ITEM 9

General debate (continued)

1. Mr. LOUW (South Africa): May I add my congratulations to the many that Muhammad Zafrulla Khan has already received on his election as President of the Assembly at this session. The overwhelming majority by which he was elected is a fitting tribute not only to the personal esteem in which he is held, but also to his record of service in his country, in this Organization and also as a Judge of the International Court.

2. The President and I first met in 1948—fourteen years ago—when we led our respective delegations at the Paris session of the General Assembly. In the years that have passed since then, I have continued to hold him in high esteem. I am certain that his occupancy of the Presidency at this Assembly will be characterized by that sense of fairness, of impartiality and of justice for which he has acquired a well-deserved reputation.

3. A year has passed since the last session of the General Assembly of the United Nations. It is appropriate that we very briefly glance at what has happened during the past year.

4. The record, as chronicled in the world's Press, is not an encouraging or a cheerful one. In no less than forty-five countries there have been revolutions; coups d'état; revolts; border clashes; internal unrest, accompanied by riots and violence; serious racial clashes between Whites and non-Whites, and states of emergency. These are continuing today, as testified in the newspapers, particularly in The New York Times of yesterday.

5. While these conditions were prevalent in forty-five other countries, the Republic of South Africa was

free from disturbances and unrest, except for a few sporadic anti-Government demonstrations which received very little support from the mass of the Bantu population. Furthermore, in the Republic of South Africa, political calm has been accompanied by conditions of financial stability and by exceptional economic progress, to which a number of visiting businessmen and economists from the United States of America and from Britain have borne testimony also during the past few months. So much for conditions of violence, revolt and unrest in forty-five countries, except South Africa.

6. What about the general international situation? Has there been any improvement since the last session of the Assembly? On the contrary, the position has deteriorated and international tensions have increased. The Cuban situation has become more threatening. The Geneva discussions on disarmament and nuclear tests have proved abortive. The Berlin situation has worsened, and the position in South-East Asia gives cause for concern. I do not think it necessary to deal further with the deterioration in the international situation. It is common knowledge.

7. I come now to the United Nations. Has its position been strengthened? Has its prestige been increased since the last General Assembly? I think that even the most fervent supporter of the Organization cannot give an affirmative reply to that question. True, during the past year the membership of the Organization has still further increased, but will anybody be so bold as to say that the increased membership has brought fresh life and saner counsels to the Organization?

8. The prestige of this Organization, already at a low level, has been dealt a further blow by the recent actions of the Chairman of a United Nations Committee, and of the majority of the Committee itself. Before dealing with other matters I shall now, first of all, proceed to deal with this extraordinary affair. It is necessary in the interests of the Organization itself that full information, a factual account, be given of what actually happened.

9. It will be recalled that at the sixteenth session of the General Assembly a resolution [1702 (XVI)] was adopted establishing a Special Committee of seven members who were instructed, in consultation with the Government of South Africa, to visit South West Africa, and there to inquire into a number of matters which were specified in the resolution. A letter was subsequently sent by the Secretariat to the South African Government requesting its co-operation in carrying out the terms of that resolution.

10. In reply, the South African Government invited the Chairman and the Vice-Chairman of the Special Committee for South West Africa to come to South Africa for discussions. It was made clear that this invitation was without prejudice to the stand which South Africa had consistently taken on the juridical aspect of the South West Africa issue. This invitation

was accepted by the Committee, and in due course the Chairman and the Vice-Chairman came to Pretoria.

11. I now come to the discussion which took place. After the initial discussions between the South African Prime Minister and myself on the one hand, and the Chairman and Vice-Chairman of the Special Committee on the other hand, the Prime Minister formally invited the United Nations representatives to visit South West Africa. They were given the assurance that they could go wherever they pleased, to see and to meet whomever they wished.

12. This was announced in a press release, G.A.2471, of 7 May 1962 issued by the United Nations Office of Public Information. This press release read as follows:

"The Chairman and Vice-Chairman stated that, in the light of the terms of the invitation, and of its acceptance by the Special Committee on South West Africa, they accepted the present invitation. They expressed their appreciation to the Prime Minister and to the South African Government for the opportunity to become directly acquainted with the Territory and its peoples."

13. The itinerary was then discussed and arranged; the two representatives of the United Nations Committee were assured by the Prime Minister—as to that I can personally testify—that they were free to alter the itinerary in any way they wished, and to extend their visit if they so desired. Two aircraft were placed at their disposal for this purpose. In due course they visited South West Africa.

14. On their return to Pretoria, the talks were resumed. In the course of these talks the Prime Minister asked the Chairman and the Vice-Chairman of this Committee whether in the course of their visit and in their private talks with the Bantus—the natives—they had found any evidence in support of the charges against the South African Government, charges which had figured so prominently in the discussions of the Fourth Committee at the 1960 and 1961 sessions of the Assembly, namely—these were the charges—that there was a threat to international peace; that the inhabitants, particularly the non-white inhabitants, were being exterminated—genocide—and that militarization of the Territory was taking place.

15. The Vice-Chairman of the Committee, in reply to the Prime Minister's question, said quite frankly that he had found no evidence of these allegations, and the Chairman stated that he did not notice any degree of evidence as to the truth of these charges.

16. Here I should point out that at the commencement of the talks, that is before they went to South West Africa, when matters of procedure were discussed, it was decided by both parties that agreed communiqués would be issued if and when necessary. The Chairman agreed with this suggestion and in fact he welcomed it.

17. This procedure, which was then decided upon, followed the precedents established when the Good Offices Committee on South West Africa visited South Africa in 1958, and also when the late Secretary-General, Mr. Hammarskjöld, came to South Africa for talks with the Prime Minister. On both those occasions it was felt that this procedure would facilitate free and frank discussion, and would obviate press speculation which would oblige participants in the discussions either to confirm or to deny such reports. I may add, because this procedure has been criticized,

that the procedure of regularly issuing communiqués is also followed at Commonwealth Prime Ministers' Conferences, four of which I have personally attended. I would add that such press communiqués are never signed.

18. In accordance with the procedural arrangement, a joint statement was issued at the conclusion of the talks. This statement reflected what the Chairman and the Vice-Chairman of the United Nations Committee had already stated in the preceding discussions, namely, that during their visit to South West Africa they had seen or heard nothing to justify the allegations, first, that the situation there was a threat to world peace; second, that genocide was being practised by the South West African Administration; and third, that militarization was taking place.

19. This joint statement was thereafter issued to the Press. But it was also released by the United Nations Office of Information on 26 May 1962 in press release G.A.2501.

20. About ten days later, the Chairman of the Special Committee for South West Africa denied participation in, and responsibility for, the conclusions as set out in the joint statement. He further denied that he was jointly responsible for the issuance of this document. The Vice-Chairman, on the other hand, firmly contended that the Chairman had been consulted, and that he had, after suggesting certain changes in the wording, approved of the communiqué being issued. The Vice-Chairman also told the Special Committee for South West Africa that the two members of the Secretariat who had accompanied them, namely, Mr. Berendsen and Miss Jacqueline Yarrow, had been present at the discussions with the Chairman.

21. The Special Committee for South West Africa was now clearly in a difficulty. After all, the records of the Fourth Committee show that at the fifteenth session in 1960 and again at the sixteenth session in 1961 of the General Assembly, no less than thirty-one Member States had declared that the situation in South West Africa was a threat to world peace; sixteen States had made allegations regarding genocide—the words used were that the population was being exterminated—and nine States had complained about the militarization of the Territory. Indeed, these charges figured prominently in the discussion that led to the adoption of General Assembly resolution 1702 (XVI), appointing this Committee.

22. And now the Chairman and Vice-Chairman of this specially appointed United Nations Committee, after having visited the Territory, after having been given the facilities to see whatever they wished to see, and after having listened in private—everything took place in private—to a number of deputations, reported on their return to the Republic that they had found no evidence to support these serious charges.

23. Thus, deprived of what I may call the eagerly sought pretext for taking steps against South Africa, and finding themselves in this very awkward, and indeed painful, dilemma—in view of the admission by the Chairman and Vice-Chairman of the Committee—the majority of the Special Committee on South West Africa decided that the only way out of the difficulty would be to ignore the presence of the joint communiqué, in fact to pretend that it had never happened.

24. For purposes of the record, I now give the actual wording of the relevant paragraphs of the

communiqué, which the Chairman of the Committee afterwards denied having seen—and still less approved.

25. First, I quote the introductory paragraph, which was agreed to by both and which reads as follows:

"Discussions between Ambassadors Carpio and Martínez de Alva and the Prime Minister and Foreign Minister were resumed in the same friendly and frank atmosphere that characterized the former meetings. Ambassador Carpio expressed the appreciation of the visitors for all the arrangements made and for the free and uninhibited opportunities given to the Vice-Chairman and himself to meet with all sections of the population of South West Africa desiring to contact them and hoped that further visits could in the future be arranged."

26. That introductory paragraph is of particular importance because of the Chairman's expressed "appreciation ... for all the arrangements made for the free and uninhibited opportunities given ... to meet with all sections of the population of South West Africa desiring to contact them".

27. Then comes the important third paragraph of the joint communiqué, which reads as follows:

"At the request of the Prime Minister, both the Chairman and the Vice-Chairman gave their impressions gained during their ten-day visit to the Territory. They stated that in the places visited they had found no evidence and heard no allegations that there was a threat to international peace and security within South West Africa; that there were no signs of militarization in the Territory; or that the indigenous population was being exterminated."

The admission that the two United Nations representatives found no threat to international peace is of particular importance.

28. I shall deal first with the authenticity of the communiqué issued after the termination of the Pretoria discussions, and with the Chairman's role in its preparation, approval and issue.

29. I have already stated that at the outset of the talks it was agreed by both sides that communiqués regarding the discussions would be issued as and when necessary. The first such communiqué was issued at the conclusion of the first round of talks. In that communiqué the Chairman denied having made certain statements to the Press before his departure from New York. That was his first denial. I shall return to this later.

30. As for the final communiqué, from which the Chairman of the Committee later dissociated himself, I wish to state most emphatically that both its issue and its proposed contents were discussed at a meeting on the morning of Friday, 25 May, when the Chairman was present. It will be recalled that the Chairman made a great point later of the fact that he had been ill when that meeting took place. I would therefore repeat most emphatically that both the issue and the proposed contents of the final communiqué were discussed at a meeting on the morning of Friday, 25 May, when the Chairman was present. It was then agreed that a draft should be prepared by the officials—that is, the officials of the delegations of the Chairman and Vice-Chairman and the officials of the Government delegation—on the basis of the discussions to date.

31. When the meeting later reconvened to consider the draft agreed upon by the officials, the Chairman of the Committee was not present. We were informed that he was not feeling well and was at his hotel. But the Vice-Chairman agreed that discussion on the draft should be continued, on the strict understanding that the final text would have to receive the Chairman's approval before it could be issued. He undertook to discuss the draft communiqué with the Chairman before any final decision was taken. I may add that I was present at all the discussions and can personally testify to what happened. So can Mr. Brand Fourie, known to most permanent representatives here as South Africa's previous Permanent Representative to the United Nations. Both of us can testify to the truth of what I have stated here.

32. The following day, the Vice-Chairman of the Special Committee for South West Africa and the two United Nations officials reported that the amended text of the communiqué had been fully discussed with the Chairman, who had given his approval, subject to certain changes, particularly in paragraphs 3 and 4 of the communiqué—changes which he regarded as essential. The paragraphs in question were accordingly redrafted to reflect the changes requested by the Chairman. Several minor editorial improvements in other paragraphs were also discussed with the Vice-Chairman and with the members of the United Nations Secretariat, and they were adopted. The South African Prime Minister then inquired whether the text could be regarded as agreed by all. The Vice-Chairman replied in the affirmative, and the communiqué was accordingly issued.

33. The Committee had been told that the Chairman could not participate because he was very ill; suffering with pain. According to the doctor who attended him at the hotel, the Chairman's indisposition was not such that he could not have participated in the consultations in his hotel room with the Vice-Chairman and the two officials regarding the final terms of the communiqué. Indeed, the officials informed the Press in reply to inquiries that the Chairman was being consulted as if he had been present at the official talks.

34. I come now to a very important fact. It is significant that it was only ten days after the communiqué had been issued that the Chairman of the Special Committee for the first time denied having been associated with the communiqué—and then only when he was questioned by reporters on his departure from South Africa. Meanwhile, of course, he had seen the local newspapers, which were full of the news and were fully reporting the terms of the communiqué; and he also knew that it had been issued as a press release by the United Nations Office of Public Information at New York. He also knew that the Vice-Chairman had reported on the communiqué at an informal meeting of the Special Committee for South West Africa in New York.

35. While he was in the hospital the Chairman was visited regularly by members of my Department—these were courtesy visits—including an Under-Secretary for Foreign Affairs, who had participated in all the talks. To no one did the Chairman make the slightest suggestion that he dissociated himself from the terms of the communiqué. He was also regularly visited by Miss Jacqueline Yarrow, a member of the United Nations Secretariat. I mention that because of his statement that he was all alone and could not see anybody.

36. Mr. Brand Fourie, former Permanent Representative of the Republic to the United Nations, called on the Chairman of the Special Committee in his hotel bedroom on Saturday afternoon, that is, the same day that, according to his statement, the Vice-Chairman had "worked on him" to persuade him to agree to the communiqué. Mr. Fourie actually mentioned the communiqué in the course of his discussion with the Chairman, but the Chairman gave no indication whatsoever that he dissented from the communiqué.

37. In spite of his repeated denials of having had anything to do with the communiqué, it is interesting to note that the Chairman, in his joint report with the Vice-Chairman to the Special Committee for South West Africa, when dealing with the question of assistance to South West Africa by specialized agencies, then used the identical language incorporated in the relevant paragraphs of the communiqué which he had repudiated. The passages in question, to which I have just referred, were in fact lifted bodily from the communiqué, which he now alleges he had never seen, much less approved.

38. I come now to the contents of the communiqué. The Chairman of the Committee later dissociated himself in particular from the statements in paragraph 3 regarding an alleged threat to international peace, militarization of the Territory, and the alleged extermination of the population.

39. As regards the alleged threat to international peace and the militarization of the Territory, the informal record of the discussions at Pretoria, after the United Nations' representatives had returned from South West Africa, that is, before the communiqué was even discussed, shows that the Vice-Chairman found no evidence of the allegations in question, while the Chairman of the Special Committee stated, and I quote his words, that he "did not notice any serious degree of evidence as to the truth of that important charge".

40. The Prime Minister then reminded the Chairman that he and the Vice-Chairman had been told that they could go wherever they wished and that they were at liberty to change the itinerary, if they so wished, and it was also pointed out to them that they had in fact inspected all the centres in regard to which allegations of militarization had been made, including the Caprivi Zipfel, which had been added to the itinerary at the express request of the Chairman.

41. In reply to the Chairman's veiled suggestion that there were probably military bases which they had not visited, the South African Prime Minister immediately offered, in time did not permit the Chairman of the Committee himself to return to South West Africa, to ask the military attachés of any two embassies selected by the Chairman to carry out immediately a detailed investigation of the Territory and to report direct to him, that is, to the Chairman. This offer was not accepted, and the Chairman later said he was satisfied that, in the light of the information given, no further investigation appeared to be necessary.

42. As to the alleged extermination of the population—genocide—the informal record of the discussions at Pretoria shows that the Chairman of the Committee, while commenting on factors such as medical facilities, agreed without reservation that the visitors had seen no trace of genocide.

43. I give this information to the General Assembly in order to show that, quite apart from the joint communiqué from which the Chairman subsequently dis-

sociated himself, the Chairman had previously in the course of the discussions admitted that there were no grounds for these three serious allegations which had been made in the Fourth Committee. As I have said, Mr. Fourie and I were both present at these discussions.

44. The Special Committee on South West Africa was then faced with the position that these three charges, particularly the one relating to international peace, which had figured so prominently in the discussions of the Fourth Committee, were not supported by their Chairman and Vice-Chairman after a visit to South West Africa. Finding itself in this dilemma, the Committee, by a majority vote—I want to emphasize that—decided not to include the communiqué in its report, in other words, to pretend that it had never happened. For good measure, the Committee also decided not to include in its report the formal protest which, in my capacity as Minister of Foreign Affairs, I had instructed our Permanent Representative here to hand to the Acting Secretary-General, which he duly did by means of an aide-mémoire.

45. I have finished with that communiqué for a moment, and I now come to another and important chapter in the history of the visit of these two United Nations representatives to South Africa.

46. In view of the fact that South Africa's policy of separate development, also known as apartheid, had figured prominently in the debates of the Fourth Committee and also in the General Assembly, the South African Prime Minister, in the course of the Pretoria talks, gave full information regarding this policy and its application in practice.

47. After their visit to South West Africa, the two United Nations representatives, on the invitation of the Prime Minister, then visited the Transkei, which is one of the large Bantu areas where this policy is being put into practice. After their return from the Transkei, they visited a gold mine at Johannesburg, and afterwards the Chairman of the Special Committee for South West Africa was interviewed by the representatives of three different newspapers. The reports published in the three different newspapers agreed that he had made statements favourable to the Governments about apartheid policy.

48. According to the Rand Daily Mail, he said: "I would like to see apartheid succeed. It is a policy that has never been tried. I must say it is contrary to what I thought."

Die Transvaler reported that he had said:

"I would like to see apartheid succeed in this country, because you have both the experience and the time at your disposal."

Die Vaderland reported him as saying:

"This is a policy that has never yet been tried out. I would like to see apartheid succeed. It may provide a solution. I must say that apartheid is different from what I thought it was."

49. It will be realized that these statements created a sensation not only in South Africa, but also in Manila, and perhaps even in Cairo. It was reported that the Philippine Government had cabled to ask their newly-appointed Ambassador to the United Arab Republic for an explanation. As a result of pressure from his own Government, he promptly denied the correctness of the three newspaper reports. Later, at New York, he tried

to get out of his difficulty by pretending that he had confused the words "Transkei" and "apartheid". He even went so far as to give to the representative of a United States news agency a verbatim report of what he had said at the Johannesburg Carletonville lunch.

50. I have to tell this General Assembly that he did not have a written speech, but had spoken extempore, "off the cuff", as they say in the United States. The fact is that in the course of his remarks at this lunch, which were very appreciative of what the Government had done, he never mentioned the word "apartheid".

51. Finally, there is this evidence. During the course of his visit to Transkei, and at what is known as "the Great Place of Paramount Chief"—Botha Sigau—the Chairman of the Special Committee addressed a gathering of about sixty persons. Notes were made by the two officials who were present, and I have compared them. Both agree that the Chairman spoke along the following lines. He was now addressing a group of the chiefs of the Bantu and a number of their counsellors, officials and others. He said:

"Your own approach to independence is based on the policy of apartheid—a word which has made South Africa famous in the United Nations and all over the world. This policy has often been misrepresented in the United Nations. I am glad that Ambassador Martínez de Alva and I have been granted the opportunity, through the gracious invitation of your Prime Minister, to witness the application of this policy in the Transkei. Ambassador de Alva and I are going back to the United Nations and we are going to ask the world to have more patience and to give more time to this great experiment."

52. The information that I have given to the General Assembly today shows, and I regret to have to say so, that the Chairman of the Special Committee on South West Africa is a person who, in order to save himself, is prepared to deny any statement that he actually made. The history of his visit to South Africa is that of a succession of denials, and even denials of denials. In fact, some people have wondered whether he would not even deny that he had ever been to South Africa. Indeed, his succession of denials started at the beginning of his visit, when, after being questioned by the Prime Minister, he issued a communiqué, after the Prime Minister had drawn his attention to a statement which he was reported to have made to The New York Times, in which he repudiated that statement, viz., that if he and his Vice-Chairman were actually permitted to visit South West Africa, it would be a history-making admission by South Africa of United Nations authority over the Territory. My Prime Minister took this up very strongly, and the Chairman said that he was misreported and agreed to issue a communiqué, which he duly did, denying this statement.

53. The Chairman of the United Nations Committee even went so far as to complain, after his departure from South Africa, that he had been poisoned by coffee which was served during a break in the Pretoria discussions. Although this allegation is both childish and ridiculous, full medical evidence as to the nature of his indisposition has been circulated privately to the members of the Special Committee for South West Africa.

54. The Chairman of the Special Committee also alleged that he was held under guard while in the hospital. There is not one grain of truth in that charge. The fact is that he and his Vice-Chairman, also while they

were at their hotel, were attended by a security officer, a courtesy generally afforded by all Governments in all countries to important official visitors, generally known as "VIP's".

55. The Chairman of the Special Committee for South West Africa also complained that his visit to the Territory was in the nature of a planned tour, of a personally conducted tour, where he was shown only what the Government wanted him to see. This allegation is completely false. I have already said, and I confirm it again—I was present and Mr. Fourie was present—that he and his Vice-Chairman were given every opportunity to go where they wanted and to see and to talk to whomever they wished. It was also arranged that they could see deputations privately, which is what happened.

56. Since his return from South Africa, the Chairman has complained that sufficient time was not allowed for the Vice-Chairman and himself to study conditions in South West Africa. In view of this complaint, I have to inform the Assembly that he himself before leaving New York had indicated that the visit would have to be a brief one in view of his appointment as Ambassador to the United Arab Republic. Furthermore, while in South West Africa, the Chairman of the Committee decided at the last moment not to participate in several visits which had been arranged and which were on the itinerary, including one to the alleged military base in the Caprivi Zipfel. That visit had been arranged at his express request. He also eliminated from the itinerary a visit to Waterberg East Reserve, where a few hundred Hereros had assembled to meet him. And yet, after his return to New York, he had the effrontery to complain that he had not been permitted to visit this particular Bantu area.

57. I could give further information about the doings of the Chairman of this United Nations Committee, but I think I have said sufficient to show that from the United Nations point of view, the most important lesson to be learned from this unpleasant history is that irresponsible persons should not in future be included as members of important United Nations committees. But I would like to add that persons should not be appointed to a United Nations committee who, like the majority of this Special Committee, close their eyes to facts and, to use an American phrase, "kid themselves" that the joint communiqué never happened.

58. The majority of the members of this Committee have not only ignored the confessions of its Chairman and Vice-Chairman, namely that there is no foundation for three of the most serious charges levelled against South Africa by the Fourth Committee, but they have refused to recognize the fact that the South African Government has in past years gone out of its way to create a better atmosphere and to improve relations with the United Nations, without prejudicing its stand on the juridical aspect of the South West Africa issue.

59. There was an offer made more than ten years ago to come to an arrangement regarding South West Africa with the three remaining associated and allied Powers, as a way to revive the old League of Nations arrangement. That offer was turned down.

60. There was the readiness to meet and to discuss the position with the Good Offices Committee on South West Africa, and the further fact that the South African Government, namely the offer made two or three years ago in consideration to the partition suggestion, a suggestion that came from the Good Offices Committee and not from the South African Government.

61. There was the invitation to the late Secretary-General, Mr. Dag Hammarskjöld, to visit South Africa in order to discuss the differences that had arisen between South Africa and the United Nations. That visit took place, and I can now inform the Assembly — it is a year since Mr. Hammarskjöld unfortunately passed away — that the discussions were very satisfactory and that Mr. Hammarskjöld had been invited to pay a second visit and that he had favourably considered the invitation.

62. There were three other moves by the South African Government, namely the offer made two or three years ago that an outstanding international figure, to be selected in consultation with the President of the Assembly, be invited to visit South West Africa. This offer was not even replied to; it was ignored. It was followed last year by the invitation, which I personally made, to three former Presidents of the General Assembly, to visit South West Africa. I can now mention, for the information of the Assembly, that the three former Presidents invited by me personally were Prince Wan Waithayakon of Thailand, Mr. Belaúnde of Peru, and Mr. Boland of Ireland. Nothing came of this offer.

63. Then came this last effort to try and secure a better relationship and understanding with the United Nations, namely the invitation to the Chairman and the Vice-Chairman of the Special Committee on South West Africa, to visit the country, to go where they liked, to see whom they wished and to have private talks with the people there. We have seen what the result of this gesture was. The two gentlemen frankly admitted that they found no evidence of three of the more serious charges levelled against South Africa. One of them, the Chairman, later turned round and mendaciously denied his own admissions.

64. The majority of the Committee then proceeded to pretend that the joint communiqué did not exist. What a farcical situation! They preferred to accept the accusations of subversive organizations in the Territory and of so-called witnesses, most of them expatriates, representing those subversive organizations.

65. I have shown that the South African Government has gone out of its way to create a better atmosphere and to improve its relations with the United Nations. Our well-meant efforts have been in vain.

66. The joint communiqué issued after the Pretoria talks referred to a statement made by the South African Prime Minister in the course of the discussions with these two gentlemen, namely that he had told them then that a detailed five-year plan for the further economic and social development of the non-European population of South West Africa was being worked out.

67. The initial preparations have since been completed, the Prime Minister recently announced the appointment of a commission of five experts, all highly qualified in their respective fields, to inquire into and to report on steps to be taken for further promoting the material and moral welfare and social progress of the non-white inhabitants of the Territory. The persons appointed to serve on this commission are not only experts in their particular fields but also men of eminence and high standing in South Africa.

68. So much for the South West African situation and, more particularly, the visit of these two representatives of the United Nations. I wish now to deal, as I indicated earlier, with existing conditions within the United Nations and with what I can only term its loss

of prestige during recent years. First I want to refer briefly — and I think it is necessary that I give the information — to South Africa's attitude towards the Organization at the time of its establishment and its attitude today.

69. When in 1946 General Smuts, then Prime Minister, one of the founders of the United Nations, asked our Parliament to ratify South Africa's membership of the United Nations, the need for a world organization was clearly felt. I was a member of the Opposition at the time and I participated in the debate. Dr. D. F. Malan, then Leader of the Opposition, who two years later became Prime Minister, his party's attitude as follows:

"In principle we are in favour of a world organization, this being necessary, we believe, for the maintenance of world peace so far as it is possible."

He and other speakers then drew attention to certain unsatisfactory features of the United Nations Charter. On the other hand, it was noted that in Article 2, paragraph 7, a guarantee was given that the United Nations would not be permitted to interfere in the domestic affairs of Member States. Without that guarantee it is very doubtful whether South Africa and many other countries would have become Members of the Organization.

70. There was speedy disillusionment regarding this safeguard which had been regarded as a cornerstone of the Charter. At the first session of the United Nations General Assembly in 1946, the Indian delegation, supported by a majority of the Member States, disregarded the provisions of Article 2, paragraph 7. General Smuts — who was a founder of the United Nations — the man who wrote the Preamble to the Charter — General Smuts, who led our delegation, returned to South Africa a disappointed and disillusioned man. He publicly stated that he had "found himself up against a stone wall of prejudice" at San Francisco. That was at the first session in 1946. He said that the United Nations was "swayed by emotion".

71. During the years that have followed, the United Nations has, in increasing measure, interfered in South Africa's domestic affairs, and recently also in the domestic affairs of one of our neighbours, namely, Southern Rhodesia. The United Nations will no doubt continue to do so during the present session of the Assembly.

72. The attacks on South Africa, from the time that General Smuts led our delegation at the first session in 1946, have yearly increased in intensity and also in vindictiveness. Our country has been singled out for calumny and vilification, in many cases by delegations whose own Governments are guilty of discriminatory practices and the oppression of large sections of their own populations. In spite of this campaign of vindictiveness and calumny, South Africa has faithfully carried out its obligations to the United Nations. When the United Nations Assembly called upon its Members to join in resisting communist aggression in Korea, South Africa was one of only sixteen Member States that responded to the call, and sent an air squadron to Korea. Some of the countries whose delegations were, and still are, in the forefront of the attacks on South Africa, accuse us of not carrying out the principles of the Charter, but they were prepared to send only medical supplies and, in one particular case, only an ambulance. Many of them preferred to disregard the call

of the Security Council. This is a very important matter in these days.

73. South Africa has, ever since becoming a Member of the United Nations, regularly paid its annual assessments for the general budget—we do not owe a penny, up to the last assessment—and we have regularly paid our assessments for the maintenance of the United Nations Emergency Force in the Suez area; meanwhile many of those countries that accuse South Africa of not carrying out its obligations under the Charter are considerably in arrears with their contributions and payments.

74. South Africa also contributes to four United Nations funds financed by voluntary contributions. When a few years ago the Assembly called upon Member States to take a number of Hungarian refugees, South Africa was prepared to do so, and carried out its undertaking. Some of the States now attacking South Africa gave similar undertakings which they have wholly or partially failed to honour.

75. In view of the support which South Africa has consistently given to the United Nations, in spite of often malicious attacks, I am entitled, I think, to deal with the shortcomings and deficiencies of the Organization. Before proceeding to do so, however, I wish to reiterate and to make perfectly clear that the South African delegation realizes the need of an international organization for achieving the ends set out in the Charter, particularly in Article 1, but is satisfied that the United Nations as it operates today, with the spirit prevailing in the Organization, cannot hope to accomplish those purposes unless it undergoes a radical change.

76. It is not only in South Africa that this view is held. I notice that some government leaders, when in their own countries, have expressed similar views. I trust they will repeat those views in this Assembly. But also persons of national and international reputation, not all of whom are connected with the Government of their countries, have openly criticized the United Nations. Only about five or six weeks ago, ex-President Herbert Hoover of the United States, speaking at West Branch, Iowa, said:

"The time has come in our national life when we must take a new appraisal of this Organization ... now we must realize that the United Nations has failed to give us even a remote hope of lasting peace. Instead, it has added to the dangers of wars which now surround us."^{1/}

77. Realizing that a destructive criticism was not of much avail, ex-President Hoover then proceeded to say:

"The time is here. If the free nations are to survive, they must have a new and stronger world-wide organization ... For purposes of this discussion, I may call it the Council of Free Nations."

78. Ex-President Hoover then proceeded to set out his ideas, and he concluded by stating:

"...some such organized Council of Free Nations is the remaining hope of peace in this world."

79. I suggest that the leaders of the free world would do well to ponder the ideas and the views of this wise and experienced former President of the United States,

who in the past has been a national leader and an able administrator.

80. The present unsatisfactory state in which the United Nations finds itself has been developing for some years. In 1955—this is, seven years ago—at the commemorative session of the United Nations held at San Francisco, I stated my delegation's misgivings about the Organization. I said:

"Has the United Nations lived up to the ideal of universality? Is it not a fact that separate geographical, racial and ideological blocs or groups soon materialized, and that in regard to many issues the tendency has been for these groups or blocs to stand together and to vote together?"^{2/}

I concluded by saying:

"Impassioned speeches from the rostrum, renewed assurances of our belief in the aims and ideals of the United Nations—these are not enough ... We must ask ourselves, now and during the coming months when the General Assembly meets in annual session, how and why we have strayed from the path so clearly defined at San Francisco. We must get back to San Francisco, and to the spirit of San Francisco."^{3/}

81. In 1955 it might still have been possible to get back to the spirit of San Francisco. Today, the United Nations seems to have reached the point of no return. During past years it has become a different Organization. The ideals of its founders have been ruthlessly pushed aside. The actions of too many of the Member States are actuated by self-interest. Important provisions of the United Nations Charter are callously disregarded, or otherwise used to serve the ends of groups of States. Decisions of the Assembly are generally taken, not on the merits of a particular case, but as the result either of caucus decisions or of what is known as "horse-trading". Principle is ignored. Instead, there has developed the application of what I last year described as "the double standard"—one standard for the strong, and another for the weak; or more often, one standard for a particular group of States, and a different standard for another group.

82. Perhaps the most unhealthy feature of what I might call the new United Nations is the manner in which certain Member States, while professing their dedication to the principles and ideals of the Charter, shamelessly proceed to act contrary to those principles.

83. In this connexion, I return to the point which I made at the beginning of my statement, namely, that we should look at world happenings only during this past year, since the sixteenth session.

84. From the point of view of observance (or non-observance) of the principles of the Charter, the outstanding event during the past year has undoubtedly been India's brutal aggression against Goa. This event must be seen in the light also of India's aggressive plans in connexion with Kashmir.

85. I have here a number of quotations from speeches made in past years from this rostrum by Mr. Krishna Menon and others, in which they repeatedly affirmed India's devotion to the principles of the Charter and its renunciation of actions which are likely to aggra-

^{2/} Tenth Anniversary of the Signing of the United Nations Charter; Proceedings of the Commemorative Meetings, p. 167.

^{3/} Ibid. p. 169.

^{1/} This statement was published in The New York Times of 11 August 1962.

vate international tensions. Permite me to mention only a few of them.

86. At the twelfth session of the United Nations in 1957, the Indian delegation was one of the sponsors of a resolution [1236 (XII)] which, inter alia, called for:

"... mutual respect ... non-aggression, respect for each other's sovereignty ... and non-intervention in each other's internal affairs".

The following year, India was again one of the sponsors of the resolution [1301 (XIII)] which, inter alia, called upon and urged all Member States:

"... to live together within the letter and the spirit of the Charter..."

"... to resort to the Organization for the peaceful solution of problems".

"... to take effective steps towards the implementation of the principles of peaceful and neighbourly relations".

87. In the debate which followed, Mr. Lall, the Indian representative, urged the acceptance of the principles of:

"... non-aggression and respect of national sovereignty and territorial integrity".^{4/}

In 1960, Mr. Nehru urged that: "... military and other violent methods should be avoided for the solution of problems".^{5/}

88. In 1960, the Indian delegation actually introduced a resolution [1495 (XV)], entitled "co-operation of Member States", in which it was urged "that all countries, in accordance with the Charter of the United Nations, refrain from actions likely to aggravate international tensions". It is obvious that we should not aggravate them either by psychological warfare or by intrusion and threats to safety.

89. In November of 1961, Mr. Krishna Menon said that: "war is no longer to be the instrument for settling international problems". But when the Government of India decided on aggression against Goa, all her lofty protestations of devotion to the principles of the Charter went by the board.

90. The matter was brought to the attention of the Security Council. Did the Security Council take action — or even condemn India's aggression? It did not. The double standard was applied: one standard for the strong, and another for the weak. Is this Assembly likely to take action? I am fairly sure that nothing will be done. Again, the application of the double standard.

91. In view of the course which the United Nations has been following during recent years, and also during the past year, is it a wonder that statesmen and other prominent persons in Western countries are losing faith in the United Nations, and are saying so quite frankly?

92. There was the recent statement of Lord Home, the British Foreign Minister. Referring to the Goa case, he said:

"The United Nations has not only failed to condemn an act of aggression but went some way to condone it".

Lord Home referred to what he called "nationalism on the rampage", and said:

"This is being imported into the United Nations, and if it is not halted, the United Nations will first be weakened and finally broken".

93. This was said by the Foreign Secretary of Great Britain.

94. On another occasion during this year, the British Foreign Secretary referred to what he called "the crisis of confidence in the United Nations". Linking it with India's action in Goa, he said:

"For the first time since its foundation, a number of countries voted without shame in favour of the use of force to achieve national ends. Four countries which are members of the Security Council supported a resolution condoning the use of force by India against Goa."

And then Lord Home made this significant statement:

"When, therefore, we have reached a stage where a large part of the Organization which is dedicated to peace openly condones aggression, it is an understatement to say that there is cause for anxiety."

95. In this country also, in the United States, fears are being publicly expressed regarding present tendencies in the United Nations. Former Vice-President Nixon, commenting on the Acting Secretary-General's appeal to participate in the United Nations bond issue to stave off bankruptcy, is reported to have said: "The key question is whether the United Nations is worth saving at all."

96. Senator Fulbright, Chairman of the Senate Foreign Relations Committee, in an article in the quarterly Foreign Affairs, described the United Nations as "a cold war battleground". In the October 1961 issue of Foreign Affairs, Senator Fulbright suggested the establishment of "a concert of free nations"—the same idea as that of former President Hoover.

97. Another prominent Senator, Senator Henry Jackson, in an address to the National Press Club in Washington, quite recently suggested that the United States attached too much importance to the United Nations. He expressed the opinion that the best hope for peace "does not lie with the United Nations, but on the power and unity of the Atlantic Community".

98. But very interesting first-hand testimony on present conditions and tendencies in the United Nations is contained in a report^{6/} recently issued by the United States Government Printing Office at Washington. It gives the views of two members of Congress, who last year were selected to serve on the United States delegation to the General Assembly, i.e., on their own delegation. After reviewing the proceedings of the Assembly, the two members of Congress stated their "conclusions". That section of their report opens with the following paragraph:

"The statesmen who drafted the United Nations Charter had a noble dream. Those who would now rely on the United Nations as a cornerstone of our foreign policy are not awake to reality. It can no longer be considered a union of 'peace-loving nations'."^{7/}

^{4/} Official Records of the General Assembly, Thirteenth Session, Special Political Committee, 117th meeting, para. 30.

^{5/} Official Records of the General Assembly, Fifteenth Session, Plenary Meetings, Part I, 882nd meeting, para. 121.

^{6/} 87th Congress, 2nd Session, House Report No. 1942, Views on United States Membership in the United Nations (United States Government Printing Office, Washington, 1962).

^{7/} *Ibid.*, p. 5.

99. The two members of Congress, whose report I have just quoted, were, I must remind the Assembly, members of the United States delegation last year. According to the report, they then put what they called two "pertinent questions". These questions in the report are the following:

"(1) Can the United Nations, without change in its present composition and present character, ever reach its original goal? (2) Do the policies and activities of the United Nations at this time further the best interests of the United States?"^{8/}

These two members of Congress, members of the United States delegation, then proceeded to give the reply: "Reluctantly and regretfully our answer" to these questions "is 'No'."^{9/}

100. We in South Africa have noted with satisfaction that these two members of the United States delegation strongly criticized the motion adopted by the General Assembly last year, which censured the statement which I made from this rostrum. They expressed themselves very strongly on that motion. These two members of the United States delegation, members of the United States Congress, summed up the position as follows:

"All these facts lead us to re-emphasize that those who would still have us rely on the United Nations as a major instrument of our foreign policy or as an agency dedicated to keeping the peace, are not awake to the facts of life as they are today and probably will be for some time to come."^{10/}

101. The opinions I have just quoted are not those of two obscure members of the United States Congress. They were specially selected to serve on the United States delegation. Their opinions and conclusions are based on the experience of discussions in the Assembly and in its Committees, and on their observation of the inner workings of the Organization and of the various delegations.

102. Before concluding my statement I wish to refer very briefly to South Africa's policy of separate development, also known as apartheid. This, I repeat, is essentially a domestic matter governed by Article 2, paragraph 7, of the Charter. However, to remove misconceptions, I gave full information at two previous sessions of the Assembly regarding the application in practice of this policy, but with little or no effect. To use the words of General Smuts, when he returned from the first session of the United Nations Assembly in 1946: "I found myself up against a stone wall of prejudice." The attacks continued unabated.

103. May I say in passing that some of the sharpest attacks come from the Press, and from political leaders of countries where racial discrimination is openly practised and where serious clashes between whites and non-whites frequently take place, in some cases quite recently. Representatives know to which countries I am referring.

104. In view of misrepresentations regarding the so-called "Bantustan" policy, that is, the policy of eventual full self-government for our different Bantu nations, I explained last year that self-governing powers would be progressively introduced. Subse-

quently, in the Special Political Committee, I was told that the Bantustan policy was merely a bluff.

105. In passing, I wish to mention another instance where a United Nations body misrepresented the aims of the South African Government, thus creating suspicion instead of harmony, which they are supposed to achieve, or to strive for under the principles of the Charter. In the draft resolution on Basutoland, Bechuanaland and Swaziland, the three British High Commission Territories or Protectorates bordering on South Africa, which was sent to the General Assembly by the Special Committee of seventeen members, we find the following passage:

"Expressing its profound concern at the declared intention of the Government of the Republic of South Africa to annex these Territories, and condemning any attempt to jeopardize the right of the people of these Territories to establish their own independent States" [A/5238, para. 214].

A charge is made by a Committee that we intend to annex those Territories.

106. Our colleagues in the British delegation will recall that the South Africa Act of 1909, passed by the United Kingdom Parliament, envisaged the transfer of these Territories, under certain conditions, to the then Union of South Africa. However, the negotiations for such a transfer, carried out over many years, came to nothing. Speaking in our Parliament on 9 February 1961, our Prime Minister stated that the Protectorates would never be incorporated.

107. On subsequent occasions, Dr. Verwoerd, our Prime Minister, again in clear terms, outlined his Government's policy in this matter. Less than three weeks ago, addressing the Transvaal Congress of the Nationalist Party, he emphasized that:

"Incorporation of the Protectorates was not possible and not wise. The Republic, for its part, was prepared to accept the Protectorates as good neighbours. This co-operation could be achieved if the Protectorates sought friendship."

108. Despite these statements by the South African Prime Minister, we get this charge by a United Nations Committee against South Africa, totally unsubstantiated, totally false.

109. To return to the so-called Bantustan policy—this policy has since been implemented in the Transkei, the largest of the Bantu territories. South Africa's critics and enemies in this Assembly will, I know, be disappointed to hear that it has been well received by the Bantu of that territory and that it is operating smoothly and successfully, in spite of attempts by agents of subversive Bantu organizations outside the territory, and by certain newspapers, to discredit and to sabotage the scheme. This policy will be progressively introduced also in the other Bantu territories.

110. South Africa's policy of separate development for Whites and non-Whites will once more be attacked at this year's session of the Assembly, and no doubt threats will be made, and even incorporated in resolutions of the Assembly.

111. Let me assure the Assembly that South Africa will not be deterred by criticism and vilification, or by threats and intimidation, from moving forward on the road—let us say, to our "New Frontier"—which it firmly believes is in the interests of all sections of our peoples.

^{8/} Ibid.
^{9/} Ibid.
^{10/} Ibid., p. 8.

112. The PRESIDENT: I have received requests from a number of delegations for the exercise of the right of reply, which I propose to accord to them, in accordance with established practice, at the end of this morning's meeting. As it is not likely that all delegations who have asked to exercise the right of reply will, within the time, if any, available at the end of the meeting and before its adjournment, be able to exercise that right, those who are left over will be accorded the right of reply after the speakers whose names are inscribed in the general debate for the afternoon meeting have finished speaking, and before the Assembly takes up the consideration of the next item on its agenda.

113. In order to enable the Assembly to carry on according to the scheduled time of the meetings, I propose to adjourn the Assembly at one o'clock, or as near to it as the speaker who may then be in possession of the rostrum may be able to conclude his speech, provided that it does not go beyond a few minutes after one o'clock; otherwise we shall be upsetting the schedule for this afternoon.

114. I call on the representative of Liberia on a point of order.

115. Mr. BARNES (Liberia): The President has just announced that delegations which intend to exercise their right of reply will have the right to do so this morning at the end of the general debate, in accordance with established practice. I am afraid that I am not acquainted with that practice. I should like to draw the President's attention to what took place during the general debate last week when the representative of the Soviet Union spoke in the Assembly [1127th meeting]. Immediately after his speech the representative of the United States exercised the right of reply. Why should this departure be made in this instance? I therefore feel, that that rule, to which the President has referred, is one with which I am unacquainted. I should like to have some guidance on that.

116. The PRESIDENT: First, I should like to reply to the point of order that has been raised. With respect to the occasion to which the representative of Liberia has referred, the right of reply was exercised at the end of the meeting. The representative of the Soviet Union was the last speaker for that afternoon, and the meeting would have been adjourned if there had been no request for a right of reply. The same procedure will be followed this morning. There is no departure from it.

117. I call on the representative of India on a point of order.

118. Mr. LALL (India): May I, with great respect, say that those of us who have been in this hall for ten years have never seen this procedure followed. The right of reply is always granted immediately. The right of reply, I would submit, must be granted immediately when a representative takes the liberty in a debate to mention delegations and individuals by name and to accuse them of actions which are contrary to the Charter—when his own speech is contrary to the Charter.

119. The delegation of India requests that there be no departure from customary procedure today, because that would not be in the spirit of this debate.

120. The PRESIDENT: I have been informed, as I have said, that it is the established practice that

during the general debate, when exercise of the right of reply is requested, it is accorded at the end of the meeting, once the delegates whose names have been inscribed for that sitting have had the opportunity to speak. If it is brought to my notice, as the representative of Liberia attempted to do, that there has been a departure from this practice, I am quite willing to follow any precedents that may have been established. The one instance that was brought to my notice was a case in accord with the practice that I have mentioned: that the last speaker had finished, then the right of reply was requested and was immediately accorded.

121. I call on the representative of India on a point of order.

122. Mr. Krishna MENON (India): As my colleague said, some of us have been in this Assembly for many years. There has been no instance when delegations were attacked, their arguments challenged, and what is more, statements made which were a serious reflection upon their Governments, when the exercise of the right of reply was not immediately granted. It is not correct to say that the procedure of this Assembly is to wait for the end of the meeting. There have been many instances—and we have followed that practice ourselves—where representatives have come to the platform and said that they reserved their right to reply afterwards. But we must be permitted, especially on an issue of this kind, to let the Assembly and the world know that these calumnies are not going to go unchallenged. We did not interrupt the Union of South Africa, which perhaps would have been pardonable in the circumstances. My delegation is not prepared to accept this position unless the President is prepared to hand down a ruling that there can be no challenges and no rights of reply after a representative has finished and before the next speaker is called upon.

123. The PRESIDENT: In the first place, I have not said that this is the procedure. Procedure is laid down in the rules. I have stated what I have been informed is the practice. I might state, to clear up any misunderstanding, if any should exist, that I did not also mean—nor have I used an expression which should be construed to mean—the postponement of the right of reply later than the conclusion of the list for the morning, which does not condemn either the delegations who wish to exercise the right of reply or those who would be interested to listen to the reply and to consider it, to any lengthy postponement. It is just a question of convenience for the representatives whose names have been put on the list to speak this morning: that in accordance with that practice, they would expect to be called upon immediately after the previous speaker has finished, which I propose to do.

124. But if the Assembly does not approve of that practice and wishes to depart from it, that can be taken into account. I am a servant of the Assembly; I serve no particular delegation or interest; I take no sides on any matter in any respect whatsoever. I am here to carry out whatever the Assembly regards as convenient for the despatch of its business.

125. I call on the representative of India on a point of order.

126. Mr. Krishna MENON (India): If I understood the President correctly, he said that no procedure was laid down on this question, and that he was referring to practice. I am sorry that my remarks were not clear.

I, too, was referring to practice. I believe that, in this case even more than in any other, the practice should be followed because of the issues involved.

127. Therefore, if it is the President's ruling that no one should be allowed to exercise the right of reply until the other speakers in the general debate have been heard, we should like to challenge that ruling.

128. The PRESIDENT: I am not making any ruling on this matter. I am quite prepared to ascertain the wishes of the Assembly. After all, as I have already indicated, in a matter of practice, it is for the Assembly to decide whether it wishes to affirm or depart from a particular practice. If it is the wish of the Assembly that henceforth the right of reply should be accorded immediately after the statement of the speaker in respect of whose observations the right of reply has been requested, I shall be perfectly happy to comply with that wish. I have no personal views at all on the matter.

129. Since the procedure with respect to the order of speakers that I proposed to follow is not in accordance with the wishes of certain delegations, I shall put the question to the Assembly. I shall ask the Assembly to decide whether the practice with regard to the right of reply should be, that that right should be exercised immediately after the statement of the speaker in respect of whose observations the right of reply is requested, or whether the practice should be that the exercise of the right of reply should be deferred until the list of speakers for the particular meeting has been exhausted.

130. I call on the representative of India on a point of order.

131. Mr. Krishna MENON (India): My delegation has not said that the right of reply should be exercised immediately after the statement of the speaker whose remarks have given rise to the request to exercise that right. If the Assembly should vote to adopt that practice, it would mean that the right of reply would be forfeited if it were not immediately exercised. We do not wish the Assembly to be placed in that position.

132. What we are saying is, that we should have the right to exercise the right of reply immediately, in accordance with practice, especially when a series of calumnies has been delivered against a large number of delegations and against the United Nations.

133. The PRESIDENT: I call on the representative of the Soviet Union on a point of order.

134. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): So far as this procedural position is concerned, it is quite clear that the time when the right of reply is exercised depends mainly on whether the speaker replying to a statement wishes to speak immediately after that statement, or later.

135. If we consult the General Assembly records for previous years, we shall find cases such as those which the President has mentioned, as well as cases in which speakers exercised the right of reply immediately.

If we analyse past practice, however, we see that this must depend on the wishes of the person desiring to exercise his right of reply. Consequently, with all due respect for what the President has said here, I think that the question should not be put to the vote in the form suggested by him, whereby we would

decide once and for all that the right of reply may be exercised only immediately after the statement in question. What if a speaker wishes to exercise his right of reply later? He would lose that right, if we take a decision on the question as formulated by the President.

137. In order not to prolong this procedural discussion, I would therefore propose that we now take a decision on the following concrete question: Should the right of reply to the statement by the preceding speaker be granted, to the delegations which have inscribed themselves as wishing to exercise it, immediately? If the Assembly decides in the affirmative, the delegations will be granted the right of reply forthwith. I think this formulation of the question will be more correct and more in keeping with all the previous practice of the General Assembly.

138. I would thus ask that we should not vote on an abstract, theoretical question. I agree with the speakers who have said that the right of reply should be granted forthwith, and I suggest that the following question be put to the vote: Does the Assembly wish to hear the speakers who have inscribed themselves as wishing to exercise the right of reply in connexion with the statement of the preceding speaker? Should they be granted the right to speak forthwith? It seems to me that this would be the correct decision. Let the Assembly state its will.

139. The PRESIDENT: Before calling on the next representative who has asked to speak on a point of order, I would say the following. I propose to call on those representatives who have inscribed their names to exercise the right of reply in the order in which they have inscribed their names, and I propose to call on them immediately, unless there is any objection to that procedure. If I hear no objection, I shall follow that procedure.

140. I call on the representative of Ghana on a point of order.

141. Mr. QUAISON-SACKKEY (Ghana): I should have liked to come here in the proper way—that is, first of all to congratulate the President on his election to his high office, and then perhaps to make a statement. But I have come here this morning only to help clear up the present tangle.

142. The President has just said that if there is no objection on the part of those representatives who have inscribed their names to exercise the right of reply, he will wait until the end of the meeting before calling on them. Now, I remember that at the last session of the Assembly the President, Mr. Mongi Slim, appealed to the Assembly, in order to save time, to wait until representatives had finished their statements before rights of reply were exercised. That is why some kind of precedent was established. But it applied only to the sixteenth session—and was adopted only because of an appeal by the President.

143. I felt I should make this point clear in order to help the President to avoid being involved in a procedural tangle. At its last session, the General Assembly decided, on the appeal of the President, not to insist that the right of reply should be granted immediately after the statement to which a right of reply was sought, but that decision was in force only for the duration of the session. It was so decided because of the appeal the President then made, and if the President so desired he could make a similar appeal. Then, if the speakers who wish to exercise the right of reply

want to wait until the list of speakers for this morning is completed, it would be for the Assembly to decide.

144. But it would not be proper for the President to make a ruling that a motion should be voted upon which would bind the Assembly for all time. That is why my delegation found it necessary to take the floor to appeal to the President not to put the question in the way he has done.

145. Then we might ask the representative of Guatemala whether he is prepared to wait and speak after those who wish to exercise the right of reply have done so. I would appeal to the representative of Guatemala to do so and say whether he is prepared not to speak now.

146. The PRESIDENT: I am much obliged to the representative of Ghana for the suggestion he has made, but, for two reasons, it is not necessary for me to adopt that suggestion. First, I have already said that I would call the representatives of the delegations who have inscribed their names on the list of those who wish to exercise the right of reply, unless I heard any objections, and I heard no objection. That is why I wished to ascertain whether, in view of what I had already announced, the representative of Ghana still wanted to speak on a point of order.

147. In the second place, I would respectfully point out that if I were to suggest that it was only with the permission of the next speaker, or by his agreement, that I would accord the right of reply immediately, that again might establish some sort of a precedent. I would rather not establish any other kind of precedent for the Assembly than that which it has already indicated by not raising any objection to the right of reply being exercised immediately by those delegations who do want to exercise it at this stage. I will proceed to adopt that course, and therefore I call upon the representative of the Philippines to exercise the right of reply.

148. Mr. PELAEZ (Philippines): I would like to say first of all that I realize that we are pressed for time, and I certainly would not have asked to exercise the right of reply if I had not felt constrained, in view of the statements made by the South African representative, to answer those statements immediately. I will not, of course, try to answer all his speech, which runs to twenty-eight pages, but I shall touch upon those points wherein my Government is concerned.

149. While the South African representative did not speak of the Chairman of the Special Committee on South West Africa as a representative of the Philippines, but as a representative of the United Nations, he did at one point of his statement say that the Philippine Government put pressure upon the Chairman of the Special Committee to retract whatever he might have said in favour of apartheid. I happen to be Foreign Secretary in the Philippine Government, and I wish to deny any such charge.

150. When press reports were issued that Mr. Carpio had made a statement to the effect that apartheid was not as bad as he thought, I sent him a query about what he had said. There was no pressure whatsoever, and I am sorry that this forum of the General Assembly of the United Nations has been used to hurl a charge which is unfounded. With respect to the acts of Mr. Carpio as Chairman of the Special Committee on South West Africa, I have this to say.

151. The Philippine Government has looked into this whole affair, and it is satisfied that Mr. Carpio did not take part in the communiqué, in which it is alleged that there was no evidence in support of the charges made against the Government of South Africa. This matter has been aired before the Special Committee, and the Special Committee upheld Mr. Carpio. But, apparently because this was not palatable to the representative of South Africa, he now charges the Special Committee with distorting the facts. My reaction to that is that it seems we are all out of step in the United Nations except South Africa.

152. I say that this is not the forum in which to bring these charges. That report of the Special Committee should be discussed in the Fourth Committee, not in the General Assembly.

153. I should like to say that I would not want to discuss the merits of this question, and I would merely refer to the statement of the Vice-Chairman of the Special Committee, which appears as part of the report of the Special Committee for South West Africa [A/5212], in which he admits that Mr. Carpio was not present when the communiqué was drafted and when it was released, and that he left Mr. Carpio in the latter's hotel room when Mr. Carpio had still not given his assent to the communiqué.

154. Be that as it may, I should like to state here that this matter has been regarded with deep concern by the Philippine Government, because the Philippine Government does not want to be associated in any manner with any statement favouring apartheid in any of its terms. It is satisfied that Mr. Carpio has not at all been guilty of the acts with which he is charged. I invite the South African representative to bring these facts before the Fourth Committee, where they can be properly aired.

155. With respect to the communiqué itself, the representative of South Africa seems to make much of it that two representatives of the United Nations, who were in South West Africa for ten days, allegedly said there was no evidence of genocide or of any of the acts which were supposed to be investigated. The fact of the matter is that a Special Committee of the United Nations has rejected any such communiqué, and that, I submit, is binding unless reversed by the Fourth Committee or by the General Assembly in accordance with the due processes of this body.

156. The South African representative also said that Mr. Carpio had at one time endorsed apartheid. We have investigated this matter, and Mr. Carpio has explained that a policy followed by the South African Government in the region of Transkei had been put to him as an enlightened implementation of apartheid. He was told that the region of Transkei was being prepared for independence and for self-government, and his reply was that, if in truth the people of Transkei were being prepared for independence and self-government, then to him the name did not matter. But that statement should not be taken as an endorsement of apartheid, of a policy that seeks to separate races, of a policy that seeks to deny man equal rights simply because his colour is not white.

157. I heard with amazement the indictment of the United Nations and with more amazement the plea of the representative of South Africa that we should return to the spirit of the San Francisco Charter. What amazing words. I have the Charter of the United Nations here as it was signed in San Fran-

isco, and some of the very first words of the Charter proclaimed that the United Nations was being established

"to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small".

158. A return indeed to the spirit of San Francisco! The United Nations has all the time been working not for a return to, but for the maintenance of, the spirit of San Francisco, and to the end that this Organization should be a citadel for the dignity of the human being, yet the representative of South Africa now says that the United Nations has failed because it has strayed away from the spirit of San Francisco.

159. Who has strayed away? Those who seek that there shall be equality among men regardless of race, colour or creed, or those who officially want the United Nations and the world to agree that a group of men may disregard the rights of another group simply because they are not of the same pigmentation? I was most amazed to hear the representative of South Africa repeat the words which he said he uttered in 1955 at the commemorative session of the United Nations General Assembly held in San Francisco. What were those words? I quote:

"Has the United Nations lived up the ideal of universality? Is it not a fact that separate geographical, racial and ideological blocs have materialized?"^{11/}

160. Who is trying to draw racial lines? Who is trying to deny the spirit of universality upon which the United Nations is founded? Yet the man who said this says that the United Nations is useless, that it must be changed radically. Yes, there must be a radical change, and that change must be in the hearts of those who, in this modern day and era, still deny men equal rights simply because of their colour.

161. I will not refer to the other things that have been said here against other delegations, but I do want to say this. The Philippine Government, although realizing that their Ambassador, Mr. Carpio, went to South Africa as a representative of the United Nations, is satisfied that he had no part in this communiqué which it is now sought to foist upon the General Assembly. It is satisfied that its Ambassador, Mr. Carpio, has not deviated from the stand of the Philippine Government and it will continue to oppose apartheid and any kind of racial discrimination no matter what finery they are clothed in, because they are against the fundamental rights of man.

162. I wish to reserve the right to reply in more detail to these statements of the representative of South Africa in the proper forum and at the proper place. Meanwhile, I would like to take up the challenge of the representative of South Africa. If truth is South Africa's defence, no matter what may have happened in this unfortunate visit of the Chairman and Vice-Chairman of the Special Committee to South Africa, I challenge it to open up the country and to allow more representatives of the United Nations really to know the facts, to stay there, not for a week or ten days, but for months, and to give them full freedom to report the true facts.

^{11/} Tenth Anniversary of the Signing of the United Nations Charter: Proceedings of the Commemorative Meetings, p. 167.

163. Mr. ARTEH (Somalia): I thank the President for giving me this opportunity to express my point of view, but I would like to say that my delegation reserves its right to express its opinion and to speak on the subject in more general terms on a later occasion. I think it is also pertinent to mention here that the chairman of the African group, the representative of Tanganyika, will also speak on the question and on the references made by the representative of South Africa to the integrity of Africans in general.

164. I would like to say that my delegation maintains the respect it has always had for the integrity of Mr. Carpio, and my delegation, which happens to be represented on the Special Committee for South West Africa, does not question and will never question the integrity of the Chairman and Vice-Chairman, who went to South Africa as representatives of this world Organization to make observations on the spot on conditions prevailing in the Mandated Territory of South West Africa. On their return they reported to the Special Committee and we have studied their report. We find that they made conclusions and recommendations on what they saw in the Territory, and I would draw the attention of representatives here to the fact that the Committee has written a report [A/5212] in compliance with the special tasks assigned to it by resolution 1702 (XVI). That report includes the report of the Chairman and Vice-Chairman. I do not intend to pass judgement on the report. That would be immodest on my part. But I am sure when Members read the report that the truth will be revealed as conspicuously as the morning sun rising into the horizon of a clear sky. The only request I would like to make is that Members read the report.

165. In conclusion, I would like to say that a representative who is blinded by racial prejudice and a love for oppressing people who are equal to him, can today be challenged by the formidable force of reason, logic and justice.

166. Mr. SWAI (Tanganyika): As the current chairman of the group, I am speaking on behalf of the African Members of the United Nations. The Foreign Minister of the Republic of South Africa has dwelt at length on the alleged communiqué which, we are told, was issued after the visit of the Chairman and Vice-Chairman of the Special Committee on South West Africa. The sum total of his argument is that these two representatives of the United Nations have exonerated the South African Government of charges made against its apartheid policies, particularly as they operate in South West Africa. Specifically this would mean that the position in South West Africa is such that, first, it is not a threat to international peace and security; second, that the South African Government is not exterminating the inhabitants of South West Africa—that is, that the South African Government is not practising genocide; and third, that no militarization is taking place in South West Africa.

167. I state here categorically that his arguments have not changed even by an iota our previous observations and conclusions.

168. We therefore make very strong reservations on the controversial alleged communiqué as reflecting the accurate and true position in South West Africa and in South Africa at large. Later we shall have occasion to explain our stand severally and collectively.

169. The South African Government should not try to hoodwink this Assembly into believing that all the

contradictions, charges and counter-charges, denials and counter-denials, involved in the alleged communiqué should make the Assembly change its previous consensus of opinion and feeling. The South African Government should recognize that the thirst for the freedom of the human soul is insatiable. The struggle for its attainment is irresistible and invincible. Apartheid policies will in the end be conquered, for they are beastly, unholy, unrealistic and hypocritical. The good cause will triumph over evil; democracy will triumph over apartheid; non-racialism will triumph over racialism. History and we shall bury apartheid.

170. The South African Government should change its policies now to avert a potentially highly explosive and intolerable situation which is inflicting, and will continue to inflict, untold misery and hardship on the vast majority of the inhabitants of South Africa, and may plunge the whole world into a third world war.

171. I submit that the policies of the Government of South Africa are still a flagrant violation of fundamental human rights and are against the very spirit, letter and basis of the United Nations.

172. Mr. CUEVAS (Mexico) (translated from Spanish): The Minister for Foreign Affairs of South Africa has made clear and repeated references to the behaviour of the representative of Mexico on the Special Committee for South West Africa. I consider it of the utmost importance for me to give the true facts. Otherwise there is a danger that my country's position and policy in a question of such paramount importance might be misinterpreted.

173. The efforts made by the United Nations with respect to the Territory of South West Africa have been manifold. Legal steps have been followed by negotiations, and to these has been added the moral pressure exerted year after year by the General Assembly through its resolutions. All of them have had the common characteristic of proving useless. Up to now it has been impossible to move the Government of South Africa one inch. It was for this reason that at its sixteenth regular session the General Assembly set up a new Committee and entrusted it with new tasks. It was no longer a question of engaging in negotiations but rather of taking action. The majority of Members of our Organization wanted a special body to study the adoption of measures designed to give effect to principles which had hitherto been thwarted. The task assigned to the new body was clear and precise: it was to help the people of South West Africa to exercise the right of self-determination.

174. The Special Committee, however, acted with regrettable haste: it agreed to enter into secondary negotiations with the Mandatory Power and it also agreed that its Chairman and Vice-Chairman should go to South Africa and the Territory of South West Africa on conditions which were really not acceptable.

175. My delegation does not consider it necessary to offer any defence for the actions of Mr. Martínez de Alva; for his good faith is evident from the documents submitted to the Committee. Nevertheless, by the inducement of permitting a United Nations presence in the Territory, the Mandatory Power achieved an extraordinary diplomatic success: it was able to discuss the problem of South West Africa outside the context of the United Nations resolutions.

176. The whole mission, therefore, seems to my delegation to be completely null and void. Neither the Committee nor any of its officials were competent to en-

gage in negotiations which were contrary to its terms of reference. For this action, blameworthy and prejudicial to the United Nations as it is, each and every member of the Committee must bear responsibility. This original and very serious defect is enough to make my Government take a dispassionate view of what has occurred since.

177. It can scarcely hold itself responsible for invalid acts carried out by a subsidiary body of the General Assembly in direct contradiction to its terms of reference. When a committee departs from the rules prescribed for it, we can assume that its troubles are just beginning.

178. We find, then, that the most harmful and reprehensible result of the Committee's action was the notorious communiqué to which the representative of South Africa attaches so much importance. We could discuss this communiqué but my delegation does not see any point in doing so. The more we plunge into the sea of contradictions and difficulties which it presents, the more we shall be helping those whose aim is to weaken the United Nations. The intention of the South African Government is to make capital of all these difficulties, to sow discord among those who up to now have been the almost unanimous majority of the Organization and to pursue its course with impunity in the Territory whose destiny it is seeking to control.

179. It is sufficient to say that the Mexican delegation does not consider itself in any way bound by this document and this is an appropriate occasion to state once and for all the reasons on which it bases its position. In the first place, we are dealing with the act of a Committee which was acting contrary to its terms of reference, as I said, and whose acts were therefore absolutely null and void. In the second place, the Chairman and Vice-Chairman of that body were never authorized to issue such a document, the importance of which nobody could fail to realize. Thus, in addition to the first reason, there is another and perhaps more important reason why it is null and void. Nor can we attach to what was only a brief visit under careful supervision any value other than that of a partial and incomplete testimony which was influenced by a number of personal factors. It is clear from their report to the Assembly that that is how the officials in question regarded it. The apparent optimism of the communiqué disappears when we look at the picture as a whole.

180. With respect to the actions of the representative of Mexico, I should like to dispel all doubts once and for all. Men, as such, are all fallible, but in any case it cannot be said that their mistakes reflect a country's foreign policy, which is linked with its own real philosophy of life. Nothing they could do would change a policy like Mexico's which on the subject of the equality of peoples and their right to self-determination has never varied.

181. In the above-mentioned communiqué there is no reference to the policy of apartheid. Nevertheless the statements of the Prime Minister of South Africa oblige me to refer to it. Without denying its own inmost beliefs, Mexico's only position could be a complete rejection of this policy.

182. My country is the product of a continual process of interbreeding which has been going on for a thousand years and it cannot understand how men can develop except in obedience to the great rule of love for one's neighbour. History abounds with the remains of those

civilizations which tried to develop in accordance with rules of exclusiveness and selfishness. Mexico, on the other hand, belongs to the school which believes that it can give the best of itself while receiving all that others, in their turn, can give it. At the same time, it believes that membership in the United Nations carries with it the clear and specific obligation to leave the lump of national egotism with universal concepts and it cannot tolerate the violation of concrete obligations assumed under the Charter which affirm the genuine and indivisible equality of the human race.

183. Neither can Mexico condone the sacrifice of one people by another on the altar of suppositious and obsolete interests; even less can it respect such subjugation when it is based on completely inadmissible racist theories.

184. We have been told that the South African Government has made important concessions to the United Nations, and that these are evident from the aforesaid communiqué. As I see it, these concessions are tantamount to throwing a drowning man a book on the art of swimming instead of a lifebelt.

185. The only new position which we could accept as of vital importance would be the abandonment of the apartheid policy. If the Government of South Africa can assure us that this will be its future policy, my Government will be the first to try to obtain the most flexible terms which will enable the people of South West Africa to exercise the right of self-determination under the watchful supervision of the United Nations.

186. Mr. Krishna MENON (India): I would like to express the appreciation of my delegation of the fact that this matter of practice has been referred to the meeting of the Assembly itself, and that a happy solution has been reached where, with the minimum that is required, we can express our opinions as we are doing now, which is the most appropriate time.

187. The address made by the representative of South Africa to the Assembly consists of about 8,000 words and we have not had the opportunity to study it in full. It is not the intention of my delegation to traverse the whole of this document or, indeed, to reply to other representatives in the Assembly who have quoted words in context or out of context, as the case may be. I would refer at the present moment to certain general observations in the way of attacks, either veiled or unveiled, on my country and Government—indeed, even attacks on the United Nations. These are matters of general argument which any representative is entitled to put forward, and we shall answer them in due course.

188. The first of these is in regard to the conduct of the Indian delegation in 1946 in violating the Charter, particularly Article 2, paragraph 7.

189. We share the feeling of the President and that of his country, that we have no apologies to make, that we are happy with our record, that we have not allowed this crime against humanity to be protected by an interpretation of the Charter which was never intended at San Francisco or anywhere else.

190. I have no desire at the present moment to embark on an analysis of Article 2. We have not touched, either in this debate or in any other, on any matter concerning any country which is essentially within the jurisdiction of that country. The crimes against humanity, the treatment of Indian peoples in South Africa, the violation of treaty obligations, the cruelties

practised—these are not essentially within the domestic jurisdiction of South Africa; and what is more, this Assembly, not once or twice, but, I believe, eight or nine times over, by overwhelming majorities, consisting not only of people from one part of the world or of one persuasion in political or economic matters, has supported this view. Therefore we have no need to apologize for having attempted to persuade the Assembly to violate the Charter or for having submitted to the Assembly proposals involving violations of the Charter.

191. On the other hand, we have always relied—and I am happy to say the great General Smuts did—on what has been written into the Charter in the second paragraph of the Preamble, where it says:

"to reaffirm faith in fundamental human rights"—human rights—"in the dignity and worth of the human person"—not only of nations—"in the equal rights of men and women and of nations large and small".

192. It goes on, in Article 1, paragraph 3, to speak about "encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

193. It fell to the delegation of India at San Francisco, even before India's independence, when it was represented by the nominees of the British Government, to introduce this amendment, including the reference to racial discrimination, into the Charter. And General Smuts, on behalf of the Union, accepted it and, what is more, quite rightly appropriated to himself the credit for the virtuous action of agreeing to it.

194. We now come to what has been called "double standards". It is very difficult to answer those allegations, because some of them are veiled and some of them are directed against us. But, broadly speaking, what has been said or implied is that in our country there are instances of discrimination. I do not deny this. I would not be so hypocritical as to deny it. There is not one nation—there are not many nations—in the world where social, religious, racial and, even more, economic discrimination against people does not prevail. But the Government of the Union of South Africa is the only one that makes a virtue of it. We try to get away from it. Our Governments do not advocate, practise, permit or exclude from penal provisions the practice of discrimination. But the policy of the South African Government is not only to live with this sin but, far from trying to eliminate it, to state to the world that racial discrimination is right. It is established as a virtue and, what is more, it is put forward as a pattern for other people to follow. This is rather different from the lapses that occur in human society in many nations. Therefore, when one speaks about double standards, and refers to social evils in one country or another, our country is no exception to the general rule. But we have strenuously tried to overcome these evils and we have condemned their existence both in our country and elsewhere.

195. Then there is a reference to our role—not by name, but by implication—in Korea, a very thinly veiled reference to the fact that some countries, though they subscribed to it, did not participate in the United Nations action in Korea.

196. First of all, the United Nations Charter does not impose any obligation upon any country to take up arms unless it wishes to do so. That is purely a voluntary

action. But, over and above that, my country's record in regard to Korea will stand examination. We made our contribution toward peace in that area at considerable sacrifice to ourselves. Perhaps we did not do it in the same way that South Africa did; some countries do it in one way, and other countries do it in some other way. Therefore, our record in regard to Korea will stand examination. And perhaps it is to be noted that we did not volunteer, that the United Nations itself invited the Government of India to assume this role. Therefore, if we are condemned, the whole of the Organization is condemned.

197. Then there are two other matters. One is in regard to Goa. I have no desire to argue this question all over again, because this is really not a history lesson. Nor am I going to enter into discussions of what Lord Home is supposed to have said. We can settle affairs with Lord Home in other places, and I am not going to permit myself to be dragged into an argument with my good friend, the Foreign Secretary of the United Kingdom. I have no doubt that, if he did say this, he has had enough time to think things over and probably has different views now. But, so far as Goa and Kashmir are concerned, to use the word "aggression" is very strange: you cannot commit aggression on your own country. You can only commit aggression in other places. We have not committed aggression. We have not violated the sovereignty of Portugal or any other country. What we have done is simply, after very patient efforts put forth in other ways over a long period of time, finally used such strength and determination as we have in order to end colonialism. And, what is more, this was after the United Nations had decided that colonies have no place in the world. Goa is not Portugal. It is India. As has been repeatedly said in this Assembly, even the British, who were with us in one way or another for two or three hundred years, never insulted us by calling us Englishmen. That was left to the Portuguese.

198. Therefore, in regard to these two questions of Goa and Kashmir, while this is not the time or place to speak about them, the position is that they are Indian sovereign territory, which was defended at the appropriate time by such strength as India had and which will continue to be so defended if the occasion should arise.

199. Therefore, the whole of this tirade against India arises from the fact that since 1946 the Government of India, not particularly for its own selfish reasons, has drawn the attention of this Assembly not only to the problem of Indians in South Africa but to the larger problem of what has been called apartheid. Perhaps the name does not fully indicate what is involved. It means real racial discrimination—not discrimination in a

small way, but regarding people who do not belong to certain races as not belonging to the human family and as being outside the context of the Charter.

200. It is not my intention, in answering these allegations, to use language of the type that has been used in attacking us. We do not have any apologies to make in regard to the various resolutions that have been moved. I am glad that, in order to make this criticism, the representative of South Africa was at least compelled to study them. There have been resolutions moved here, in regard to what has been called co-existence and neighbourly relations, resolutions which have been accepted by the entire Assembly. If those resolutions were wrong, then the entire Assembly is wrong.

201. If we have sometimes, like other people, failed to live up to the highest principles set forth by the Charter in any particular, we may be guilty in that particular. But nothing has been brought against us.

202. It is true that we have said that war is no longer useful as an instrument for deciding issues between nations. That was said in the context of world disarmament. That is still our position. I do not know why we come in for criticism in this regard.

203. I conclude by saying that South Africa is the only State in this Assembly which is guilty of flagrant violation of the Charter. What is more, the State is based—in so far as it accepts apartheid—on this violation. South Africa makes a virtue of apartheid, and it prescribes it as a remedy for the world's ills. Fortunately, the world is too sensible to accept that.

204. There are other matters referred to in the statement made by the representative of South Africa which my delegation will take up at the appropriate time.

205. I ask the President's forgiveness for having interrupted the proceedings this morning. But we did not begin it. It is necessary that, when calumnies of this kind are delivered, the answers should be given before the issue is forgotten, and also the replies are perhaps briefer in that way than they would otherwise be.

206. I thank the President again very much for the opportunity he has given to my delegation to explain its position.

207. The PRESIDENT: That concludes the list of delegations which have asked to be allowed to exercise the right of reply.

The meeting rose at 1.10 p.m.