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CONTENTS

Agenda item 3:

Credentials of representatives to the twenty-fifth session
of the General Assembly (*continued*)

(b) Report of the Credentials Committee..... 1

President: Mr. Edvard HAMBRO (Norway).

AGENDA ITEM 3

**Credentials of representatives to the twenty-fifth
session of the General Assembly (*continued*)***

(b) Report of the Credentials Committee

1. The PRESIDENT I now call on the Chairman of the Credentials Committee.

2. Mr. CREMIN (Ireland), Chairman of the Credentials Committee: I have the honour, as Chairman of the Credentials Committee, to present the Committee's first report contained in document A/8142. The report is a factual and, I trust, clear account of the meeting held by the Committee on 26 October. The Committee decided to recommend to the Assembly the adoption of a draft resolution concerning this first report, which will be found in paragraph 19.

3. The Committee will meet again later for the purpose of preparing a second report on the credentials which, as of 26 October, did not entirely meet the requirements of rule 27 of the rules of procedure.

4. Mr. MONDJO (People's Republic of the Congo) (*interpretation from French*): On behalf of the African Group, I come before the General Assembly to submit to it an amendment [A/L.608/Rev.1 and Add.1] to the recommendation made in paragraph 19 of the first report of the Credentials Committee [A/8142].

5. The African Group—the Group to which the delegation of the People's Republic of the Congo is proud to belong—considers, in effect, as a permanent affront to international awareness and to our Organization the presence in this Assembly of the alleged representatives of South Africa. Now, rest assured that it is not my desire in any way to put *apartheid* on trial. As the Assembly knows, this trial is no longer to be heard. Year after year we come here, and with eloquent proof—documents of abundant clarity are part of our dossier—and with voices stifled with emotion, we refer to the hideous crimes that are committed by the racists against the people of South Africa,

* Resumed from the 1839th meeting.

who are deprived of all their human rights, who are, like cattle, closed up in preserves and are kept in an intolerable state of slavery.

6. No single delegation to the commemorative session of the twenty-fifth anniversary of our Organization was able to be silent about its reproof, its revulsion, before the obsolete and criminal practices of *apartheid*. Why, therefore, do we want to keep the pot boiling? Year after year, resolutions are being heaped up and are being multiplied. We are tired of promises that are no longer kept. We are tired of those pretexts that serve to mask the true face of *apartheid*.

7. Mr. President, Africa is observing you. Africa expects from this session, through your talent, actions—actions that will bring a proof of the desire of all Member States of the Organization to ensure the respect of the sacred principles of the Charter.

8. In the name of what principles do we have to suffer the presence of this handful of dyed-in-the-wool racists, who come here to act in complicity in this Organization and who, furthermore, dare to come and speak on behalf of the people of South Africa, more than 15 million non-whites to whom they refuse their elementary rights?

9. This question of *apartheid* constitutes for Africa—a continent which has long been trampled under foot, strife-torn, humiliated, exploited—a fundamental issue. The debate this morning will make it possible for us to make it abundantly clear at the very outset who are our true friends and who are our enemies.

10. Our amendment would have the draft resolution recommended by the Credentials Committee in paragraph 19 of its first report read:

“The General Assembly

“Approves the first report of the Credentials Committee, except with regard to the credentials of the representative of the Government of South Africa.”

11. Mr. OULD TAYA (Mauritania) (*interpretation from French*): The delegation of the Islamic Republic of Mauritania is a member of the Credentials Committee, but for reasons beyond our control, which we duly regret, we were unable to participate in the last meeting of the Credentials Committee and therefore were unable to enter our reservations in the report that has been submitted to the General Assembly today. Since it is never too late to do a good deed,

the delegation of the Islamic Republic of Mauritania now wishes to submit its reservations regarding this report.

12. The first of these reservations is submitted on behalf of Mauritania and also on behalf of the African Group. It concerns the representation of the delegation that occupies the seat of South Africa. As far as my delegation and other African delegations are concerned, those who occupy the seat of the Government of the Republic of South Africa today are not the genuine representatives of the people of South Africa. As far as we are concerned, this delegation represents a minority, less than 20 per cent of the population of South Africa. Above all, it represents a white minority and in our view the genuine representatives of South Africa are not only the representatives of that minority of less than 20 per cent of the population, but the representatives of the entire population of South Africa. It is for that reason that, on behalf of my delegation and of the African Group, we do not recognize the validity of the credentials of that delegation and therefore support the amendment [*A/L.608/Rev.1 and Add.1*] presented by my colleague and friend, the Ambassador of the People's Republic of the Congo, both in our own name and on behalf of the African Group.

13. Having said this, I should now like, on behalf of the delegation of the Islamic Republic of Mauritania, to enter two reservations concerning the representative of two delegations.

14. My first reservation concerns the representation of the delegation of Taiwan. As far as the Islamic Republic of Mauritania is concerned those persons occupying the seat reserved for China do not validly represent the country which should be represented here, that is to say, the People's Republic of China. I shall not dwell on this matter and I reserve my right to deal with this matter at greater length if necessary during the debate that is to be held on this question.

15. My second reservation concerns the representation of those who contend that they represent Cambodia. As far as my Government is concerned, the only true representatives of Cambodia are those of the Royal Government of Cambodia, presided over by Prince Sihanouk. Unfortunately, those representatives are not with us and my delegation does not recognize the credentials of the delegation here which represents the Lon Nol Government.

16. Mr. ENGO (Cameroon): The delegation of the Federal Republic of Cameroon takes the floor to express its unqualified and unreserved support for the amendment just introduced by the representative of the People's Republic of the Congo, an amendment of which we are a sponsor and which seeks to register, in the only terms that decency would permit, the rejection by the General Assembly of an action which only complacency, miscalculations and lewd conspiracies have sustained in the past, an action which enjoys neither universal conviction nor a foundation in political morality or norms of recognized international law.

17. What the Credentials Committee has done through its recommendations is to invite the General Assembly to endorse once more an improper and illegal procedure by which we admit a group of individuals purporting to represent the peoples of the State of South Africa while it remains clear to the entire world that they in fact do not.

18. States, not Governments, are Members of the United Nations. It is a fundamental prerequisite that all who claim the right to sit in any of the organs of the United Nations must establish a clear mandate from the people of a State or from those chosen by them. This invokes the provisions of certain political as well as juridical norms the disregard of which vitiates the elements of justice and legality.

19. It is often said that a people gets the government it deserves. Like most good rules and things, the devil is prone to misinterpretation and misuse. The truth is that it creates or elects.

20. An essential part of sovereignty is the right of peoples to exercise self-determination, electing whatever system of government or political system it chooses. It may freely choose its political system at any time, especially at the time of that exercise. Modern civilization prescribes that the majority shall prevail. It is immaterial whether or not, in the eyes and judgement of others, they will govern or misgovern themselves thereafter.

21. Underlying this concept is a fundamental juridical truth, that the exercise of this right must necessarily involve the express will of the people as a whole. Rule without consent, the establishment of institutions by a minority group is part of the fabric of colonialism. Consent at the time of exercise cannot be presumed but must actively be demonstrated by a people in a free choice.

22. The formal act of establishing a sovereign and independent State or even a free association or integration with an independent State, or the emergence into any other political status, is a solemn act which must meet the criteria of norms of civilized conduct, conduct which the law of the United Nations Charter by its provisions, fully endorses. The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [*resolution 2625 (XXV)*], adopted by acclamation in the General Assembly this year, solemnly declares that, irrespective of the chosen mode of implementing the right of self-determination, the people concerned (a) must be given a genuine opportunity to state a political will concerning such status; and (b) must in fact freely determine what the political status will be.

23. In South Africa, what in fact appears to have been implemented is the political will of a minority migrant group pursuant to a right based on the principles and norms of the law of the jungle. It is hardly different from the imposition of occupation forces which declare themselves citizens of the occupied land,

and claim thereafter that the change of status or nationality automatically validates their occupation. This is untenable in international law and it is not acceptable within the norms of civilized conduct.

24. The facts before this Assembly are clear. At no time in history have the indigenous people of South Africa—who form the vast and unquestionable majority of that geographical expression—expressed their political will in exercise of their right to self-determination or even been offered the opportunity to state that will.

25. The saying that a people gets the government it deserves applies only to those who have the opportunity to exercise the right to shape the form of that government, especially by election. It does not imply that occupation elements, applying brute force, may dominate the weak owners of a given land, because they consider that the weak deserve oppression.

26. The Declaration on principles of international law also prescribes that each State should comply with the principles of equal rights and self-determination of peoples, and that the government must represent “the whole people belonging to the territory without distinction as to race, creed or colour.”

27. The declared laws and practices of the racist régime of South Africa leave no one in any doubt that the majority indigenous section of the society is not considered as satisfying the definition of “people”. They just do not count, except as creatures of God still in the process of evolution. Therefore they have not the right to exercise self-determination under the imposed laws.

28. The voice of these people in opposition has been at least muffled by pressure and forcible action. The knowledge of their plight has been difficult to withhold from a shocked international community.

29. In a commemorative year of the United Nations, in which this august Assembly takes stock and in which Member States have unanimously declared their determination to rededicate themselves anew to the realization of the aims and purposes of the Charter, we must take a stand with justice against evil.

30. The permanent members of the Security Council, by their privileges and also in view of their acquired powers, have a primary legal duty as well as an historic one to ensure the success of our drive for peace in our generation.

31. In South Africa the resistance to change is as strong as ever. Oppression is rife and the minority régime continues to mock this Organization and its principles, and international law itself, with unprecedented defiance.

32. To accept the credentials of the individuals who at present occupy the seat reserved for South Africa is to endorse the *status quo*. I do not believe that this Organization can afford that.

33. The struggle for freedom is nothing new. The spirit involved is universal. It produced the Magna Carta in England, the French Revolution, the emancipation of the freedom-loving peoples of the thirteen American colonies from foreign domination, the October Revolution of the peoples of the Soviet Union. It was the same spirit that ran through all those efforts.

34. We ask those who would not grant to all peoples the same right to the highest aspiration of human ideals—freedom—those who claim to love world peace, international peace, to read the writing on the wall. South Africa is one of the potentially most explosive situations known to history.

35. The march of freedom is on, and history is on our side. The choice for this generation is between a wasteful bitter war and creating the conditions in which peace and mankind alike can find sustenance and well-being. Let us vote on the side of truth; let us not yield to the lamentable prophecies of many a famous writer—for instance of Shakespeare, who, through the mouth of the famous character of Mark Anthony, staring with stunned disbelief at the body of Julius Caesar, said—and we could well borrow these words since they squarely fit the situation in Southern Africa:

“A curse shall light upon the limbs of men;
Domestic fury and fierce civil strife
Shall cumber all the parts of Italy;
Blood and destruction shall be so in use
And dreadful objects so familiar
That mothers shall but smile when they behold
The infants quarter’d with the hands of war;
All pity choked with custom of fell deeds:
And Caesar’s spirit, ranging for revenge,
With Ate by his side come hot from hell,
Shall in these confines with a monarch’s voice
Cry ‘Havoc’, and let slip the dogs of war;
That this foul deed shall smell above the earth
With carrion men, groaning for burial.”¹

36. Tennyson had the same pathetic lament, but perhaps in another form:

“Ah, what shall I be at fifty,
Should nature keep me alive
If I find the world so bitter
When I am but twenty five?”

37. We commend the amendment contained in document A/L.608/Rev.1. and Add.1 for adoption, calling upon the membership to have a sufficient sense of history and dedication to the cause of peace to vote in favour of it.

38. Mr. ABDULGANI (Indonesia): The General Assembly is now called upon to pronounce itself with regard to an item which, according to the Indonesian delegation, is provided for in rule 29 of our rules of procedure.

¹ *Julius Caesar*, Act III, scene I, 262-275.

39. We have before us the report of the Credentials Committee, which indicates that some representatives have made some reservations about certain credentials, and that a number of countries have also made objections with regard to the credentials of the representatives of the South African Government, as we have just heard in the explanations of the representative of the Cameroon and the Islamic Republic of Mauritania.

40. Although the credentials presented by the South African Government are in the narrowest sense of the word in accordance with the wording of rule 27, there are other prerequisites which should be met to sustain the validity of credentials in the broad sense of the word.

41. The representatives of Somalia and Nigeria challenged the validity of the credentials of the present South African delegation as representatives of all the peoples of South Africa, black and white. They stressed that the silence of the United Nations is tantamount to condoning a crime which is being committed against the majority of the South African peoples. It is the view of my delegation that they expressed the sentiments of all of us who are against *apartheid* in mentioning the foundations on which they challenged the credentials of the South African representatives.

42. The policy of *apartheid* of South Africa which, in the words of the recent Lusaka Conference of Non-Aligned Countries,² "arrogantly continues . . . in flagrant violations of various United Nations resolutions . . ." offends our collective interpretation of democratic principles, which include the right of representation. Credence implies faith or belief in something. In this case it is a question of mutual faith or mutual belief in a Government, but I must point out that it is indeed difficult to believe in or have faith in a Government which continues to commit, in the words of our solemn Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations [resolution 2627 (XXV)]: "a crime against the conscience and dignity of mankind and, like nazism, is contrary to the principles of the Charter".

43. The credentials of the South African Government are therefore not acceptable from a moral, social and political standpoint. Certainly, if we are to stand by the work which the United Nations has accomplished in the field of human rights, we cannot accept them without compromising some of the basic tenets of the United Nations Charter. I should add that on many occasions the United Nations Council for Namibia, on which Indonesia has the honour to serve, has tried to contact the Government of South Africa and has been spurned by that Government. Such action leaves us with some doubts as to the intentions of that Government. The South African Government not only blatantly ignores the will of the international community with regard to the legitimacy of the Council but, above

all, does not respect or recognize the credence in the Council that the United Nations itself has.

44. It is our considered opinion that in discussing the amendments before us we are not in any way referring to Articles 5 and 6 of the Charter, which provide for the suspension or exclusion of a Member from the rights and privileges of membership; nor do we wish to encroach upon the powers of the Security Council in this regard. We are, however, taking note of the authoritarian practices of a minority régime which pretends to represent the people it governs and whose byword is racial discrimination and *apartheid*. Regardless of our distaste for such policies we are of the firm belief that excommunication is not the answer. From our own experience we know that communication might bring results but excommunication never will. Nevertheless, we question vigorously practices which are repugnant to our way of life and thought and to the ways of life and thought of many Members among us. It is our conviction that South Africa has not lived up to the ideals to which it ascribed upon joining this family of nations. Such discrepancies cannot pass unquestioned and unnoticed. Perhaps I should say that what the Government of South Africa has done is to excommunicate itself. South Africa itself has raised the question of its own credibility.

45. In conclusion I would like to say that on many occasions when important resolutions regarding the South African question have been discussed we have been cautioned against the use of force and advised to take instead the moderate path. The object was to mobilize public political opinion as an indignant moral force against practices which we all abhor. This is an occasion to use that moral pressure. We should not be hampered by a completely technical interpretation of our rules of procedure because we are not, after all, working in a vacuum where the realities of politics and diplomacy are separate from the mechanics of international parliamentary functions. That is why we will vote in favour of the amendment before us today and why we hope all those who are in favour of fighting *apartheid* with peaceful means will vote as we are voting. Our vote in favour should be considered as a reservation to the report of the Credentials Committee.

46. Mr. FARAH (Somalia): It will be recalled that at the 1882nd meeting of the General Assembly my delegation, in exercise of a right of reply, made a brief statement describing some of the measures that are being applied against the non-white people of South Africa by the Pretoria régime and noting the régime's refusal to abide by its obligations under the United Nations Charter and its refusal to abandon its racist policies. My delegation proceeded to challenge the credentials of the delegation sent by the Pretoria régime on the grounds that the régime did not represent all of the people of South Africa, black and white.

47. At the end of our statement, my delegation moved a motion, supported by the delegation of Nigeria, that the Credentials Committee meet and consider the credentials of the so-called representatives of South Africa

² Third Conference of Heads of State or Government of Non-Aligned Countries held from 8 to 10 September 1970.

without delay and submit a special report on those credentials not later than 27 October 1970. Because of certain procedural requirements and under rule 80 of the rules of procedure, and because you, Mr. President, wished to avoid a procedural debate, you suggested, and we agreed, that you should ask the Under-Secretary-General to draw the attention of the Credentials Committee to the request and ask the Committee to meet as soon as possible.

48. My delegation notes from the first report of the Credentials Committee [4/8142] that the Committee has considered the credentials of the Pretoria delegation—although not specifically but in conjunction with the credentials of other Member States. My delegation has further noted the statements made by the representatives of the Soviet Union and of Poland supporting the Somali proposal that the credentials of the Pretoria régime be not recognized.

49. My delegation has challenged the credentials of the Pretoria delegation because the time has come for the question of their representation to be treated as one that goes beyond mere formalities. The question must be one of substance and not of form. The challenge is based on the grounds that the issuing authority, the so-called Government of South Africa, represents only a small minority group. It does not represent the 15 million Bantus or the 500,000 Asians or the 1.5 million coloured people who together make up over 70 per cent of the population. The so-called Government of South Africa is composed of white men, it is elected only by white men, it is responsible only to white men and it is obligated primarily to promoting and upholding the interests of white men. Our challenge is also based on the unprecedented record of violation of human rights by the Nationalist leaders of South Africa, a record with which this Assembly is all too familiar.

50. In challenging the credentials of the representatives of the Pretoria régime my delegation is not acting without precedent. Since 1963 the credentials of South African representatives have been repeatedly challenged in the Credentials Committee by a number of different States. In 1966, for example, the representative of Guinea [1498th meeting] asked the Committee to take no decision on those credentials because the persons claiming to represent South Africa in the United Nations represented in fact a minority group of oppressors and “colonists” whose entire activities were contrary to the purposes and principles of the Charter and were in flagrant violation of human rights recognized by the civilized community of nations.

51. In 1968 the representative of the Soviet Union said:

“Since the Pretoria régime is a criminal régime and is committing crimes against mankind, it is obvious that its leaders are also criminals to the extent described in this Charter, and the sentence of the Nuremberg Tribunal. How can they issue credentials? These are credentials that stem from criminals.

... Those who issue these credentials should be brought to trial.” [1752nd meeting, para. 413.]

52. In the past Member States have, on the whole, contented themselves with asking that their reservations on South Africa be noted and have voted to approve, as a whole, the draft resolution on the report of the Credentials Committee. My delegation believes that the substantive issue of the illegitimacy of the South African Government must now be emphasized and that the General Assembly should go beyond the consideration of whether certain pieces of paper have been correctly signed and sealed. In asking the Assembly to do this my delegation is fully aware of the arguments that can be and are most likely to be raised against such a course of action.

53. I will discuss these arguments in due course, but first I ask Members to keep in mind a pronouncement on *apartheid* of the most profound nature and one which my delegation believes should provide the basis for all approaches to this question. It was made by the representative of the United Kingdom before the Special Political Committee in April 1961 [274th meeting] and it explained the reversal of a former British position on *apartheid*—that of support for South Africa’s contention that discussion of this question by the United Nations constituted interference in the domestic affairs of a Member State. The British representative said that *apartheid* was of such an extraordinary and exceptional nature as to warrant our regarding it as *sui generis*. This statement underlines the fact that while there may be other Member States of the United Nations whose Governments do not represent the majority of their population, and while there are other Member States where violations of human rights take place, nowhere else in the world, except in South Africa, is there a commitment to political injustice and a commitment to racial discrimination of so violent a nature that it has led to the virtual enslavement of the majority of the non-white population of South Africa.

54. I should like to deal now with some of the issues that may be raised in connexion with the approach my delegation has taken to the question of South African credentials. In 1965, Mr. Botha, who claimed at that time to represent South Africa, stated [1407th meeting] the arguments which the South African delegations and their supporters have used over the years in rebuttal of the challenges to South Africa’s credential in the Credentials Committee. Those arguments can be summed up as follows: that South Africa is not only a Member State, but also a founding Member of the United Nations; that the credentials of its representatives are issued by the appropriate constitutional authority; that these South African credentials have been accepted by past sessions of the General Assembly; that challenges of South Africa’s credentials have intruded on the sovereignty of South Africa and form a criticism of South Africa’s domestic affairs; and, lastly, that the United Nations would be led into the impossible task of determining in each case whether credentials are those of governments representing the majority of the population.

55. To deal with the first point first; it is of course indisputable that South Africa is a founding Member

of the United Nations. However, it would be pertinent to contrast the Government which signed the Charter at San Francisco with the one which now purports to represent South Africa. Although from its very first session the General Assembly found much to criticize in South Africa's attitude to the treatment of non-white people and in its position with regard to South West Africa, this was still the Government of General Smuts who had signed the Atlantic Charter; who had declared that there had to be a new world order and who had, in 1942, spoken publicly against segregation and racist ideas.

56. In 1945 the South African Government had as one of its leaders Jan Hofmeyer. Addressing the University of Witwatersrand in 1946, he said: "To the four freedoms we must add a fifth, the freedom from prejudice." It was Jan Hofmeyer who threw down the gauntlet to the Nationalists when he said, in the debate on Indian representation, "I take my stand on the ultimate removal of that colour bar from our constitution". He also spoke these prophetic words: "If we act under the tyranny of prejudice and fear we shall not save our white civilization in South Africa. We in fact abandon those principles which make European civilization worth while." At that time Jan Hofmeyer was Minister of Finance in the South African Government and also deputized for General Smuts as acting Prime Minister.

57. But what is the character of the Nationalist Party Government which claims to represent South Africa today? It is the party of Mr. Strijdom who said at that time, in 1945, in reply to Mr. Hofmeyer, "I want to say to the Minister of Finance that the white man will shed his last drop of blood to remain the master of South Africa". This, in short, is the party which conceived and implemented *apartheid*.

58. If South Africa were presenting itself for membership now, having behind it that infamous record of crimes that we have condemned as crimes against humanity, would the Member States of this Organization accept its request for membership on the credentials of its representatives? I think not. In 1945 there was a ray of hope for justice in South Africa. Today there is none. In 1945 South Africa was still within the pale of nations committed—not always with marked success, but committed none the less—to the principles of the Charter. Today South Africa stands condemned by world public opinion as being beyond the pale of civilized nations—and this is due to the racist policies of the Nationalist Party and its minority white Government.

59. The so-called Republic of South Africa has forfeited the right to be considered the legitimate successor of the Union of South Africa on constitutional as well as on moral grounds. It will be recalled that the Republic was established by a referendum limited to the white minority only and after illegal tampering with the constitution.

60. This brings me to Mr. Botha's second point, which was that the credentials of representatives of

South Africa had been issued by the appropriate constitutional authority. The so-called Government of South Africa, with its unparalleled history of repression and its usurpation of the rights of the non-white people of that country, is no more legal or constitutional in character than the Smith régime in Southern Rhodesia against which this Organization has imposed economic sanctions. Why did the United Nations not recognize the Smith régime and why has it imposed punitive measures on the Territory of Southern Rhodesia? The answer is, of course, that in that country an illegal minority Government, guided only by the selfish interests of the white minority, seized power and hopes to maintain its position by denying the political, social and economic rights of the African people, who constitute the majority of the population. This is being done on the basis of theories of racial superiority. If that is the case in Southern Rhodesia, how much more is it the case in South Africa, where the master plan for the entrenchment of racial discrimination and all its attendant injustices was first hammered out?

61. We have asked those who seized power illegally in Southern Rhodesia to show a commitment to speedy and vigorous change which would lead to the participation of all the people of the Territory in the process of government and which would ensure that all the people had an equal chance to share in its social and economic benefits. We have placed that Territory beyond the pale of international relations until its illegal government shows signs of a change of heart. And yet we are asked to accept the credentials of representatives of a Government which has stripped away one by one from the non-white people of South Africa their political, social and economic rights. How can we consider legal a Government which has deliberately ignored the franchise rights of all the races that were entrenched in the 1910 Constitution of the Union of South Africa? The political disenfranchisement of the majority of the population began in 1936 when the South African Parliament deprived Africans of their common role and replaced it with a communal one. It developed momentum with the advent of a Nationalist Party Government in 1948. The Manifesto of that party openly proposed the abolition of native representation in Parliament and in the Cape Provincial Council. From 1951 to 1956 the Nationalists fought to overcome opposition to the segregation of coloured voters from the courts and from those whose consciences had not yet been numbed. To achieve that aim the structure of the Appeal Court was changed and the Senate packed. The way was then open for the removal of the Africans' separate parliamentary representation in 1959, in exchange, supposedly, for the still unrealized independence of the Bantustans. In 1968 the process was completed when the coloured voters' parliamentary and Cape Provincial representation was abolished. At every stage of this process the Nationalists protested that they meant to go no further and each time the promise was broken. There has never been any intention of keeping it as the Party Manifesto shows. What then does the Government whose representatives we are asked to accept represent? It represents a minority of 4 million, who have illegally and unconstitutionally seized power and who have shown quite clearly their

determination to exclude the 17 million non-white people of the Territory from their legitimate role in the government of the country and from their legitimate share in its social and economic benefits.

62. I hope that this Assembly will not be subjected to hearing again the false assertion that all the rights denied to non-whites in white areas of South Africa will be granted in the Bantustans. First of all, the herding of 70 per cent of the population into 13 per cent of the most unproductive areas of their native land is patently indefensible. Secondly, the clear evidence is that Africans will not be anything like their own masters in the so-called homelands. The Nationalist leaders have no intention of giving African enclaves in South Africa the power to overthrow an unjust society. They must keep the Bantustans powerless and poor if white power, white privileges and white profits are to be maintained. Nothing has been done to disprove this fact.

63. In 1965 Mr. Botha, the then representative of the so-called South African Government in this Organization, also raised this question, and I quote his words:

“How many countries represented in this Organization would meet the requirement that their credentials should be the credentials of Governments representing the majority of the population?” [1407th meeting, para.131]

64. Now, this is an important question, a question which all those who support South Africa and who oppose the move by African countries to have South Africa excluded from the councils of this Organization raise and will no doubt bring to the attention of this forum in the course of this debate.

65. I shall repeat the question: “How many countries represented in this Organization would meet the requirement that their credentials should be the credentials of Governments representing the majority of the population? And in what manner is this Organization to determine whether such a requirement is met?” Mr. Botha went on to state that a completely new machinery would have to be established to make such a determination and he submitted that even the determination could not be conclusive.

66. My delegation does not believe that the United Nations can or should undertake lightly or as a matter of course to pass judgement on the legality or on the representative character of the Governments of Member States or on the sincerity of their pledge to abide by the principles of the Charter and the Universal Declaration of Human Rights. But neither can this Organization afford to ignore the systematic and blatant contravention of all its basic principles by a Member State. Neither can we ignore the fact that there is not even a semblance of democracy for all the people of South Africa, but, as one political observer put it, a “pigmentocracy”, a government based on colour. The United Nations has declared *apartheid* to be a crime against humanity. The joint declaration of its twenty-

fifth anniversary session has just proclaimed that *apartheid* is against the conscience and the dignity of mankind. The basis for *apartheid* is political power, illegally held by a minority régime. The result of *apartheid* is the infringement of every one of the articles of the Universal Declaration of Human Rights, as a study by the International Commission of Jurists has pointed out. It takes no new machinery, and it is not difficult to establish conclusively, that the Pretoria régime is illegal and unrepresentative and that its expressed philosophy amounts to the right to enslave a people on grounds of racial superiority.

67. But whether one is considering the unrepresentative character of the Pretoria régime or the nature of its contraventions of the Charter and the Universal Declaration of Human Rights, or even in considering the question of intrusion into the domestic affairs of a Member State, it is necessary to return to the judgement of the United Kingdom representative quoted earlier that *apartheid* is of such an extraordinary and exceptional nature as to warrant our regarding it as *sui generis*.

68. The last of Mr. Botha's points that I shall deal with is the point that the credentials under challenge had been issued by the same Government which had issued previous credentials that had been accepted by the General Assembly. Apart from the fact that it is possible for the General Assembly to change its mind, I would like to put forward this consideration. In dealing with the whole question posed by *apartheid* and the régime which imposes it, the United Nations has acted with unparalleled restraint. The real reasons for this restraint will not always bear scrutiny, but we can let that question pass for the moment. While we have constantly kept the South African question in view and have acted or attempted to take meaningful action to bring an end to *apartheid*, we have, at the same time, given the Nationalist leaders the opportunity of learning and profiting from the experience of membership in the international community. As I indicated earlier, the United Nations should not lightly pass final judgements on Member States, and those that earn its censure should always be given the opportunity to show a change of attitude. In addition, universality of membership is an important aspiration of our Organization and other considerations must always be balanced against this aim. But universality would be meaningless if it were achieved through the compromise of all our principles. For twenty-five years the United Nations has tried dialogue with the Pretoria régime and what has been the result? It flouts the authority of the United Nations by its illegal occupation of Namibia and, far from attempting to bring about a just society in South Africa, it has entrenched its illegal rule and extended the scope of its criminal policies.

69. In the past we have accepted the representatives of the Pretoria régime in our midst in the hope that dialogue would bring about change. That hope has proved to be useless. If the principles of the Charter are to have any meaning we must consider now whether it is not time for action of the gravest kind to be taken to preserve the integrity of those principles. My delega-

tion believes that the nature of the Pretoria régime and the gravity of its crimes are sufficient reason for the suspension and even for the expulsion of South Africa from the United Nations.

70. Permit me one final observation. I have used the word commitment several times in this statement because I think that commitment to the principles of the Charter is perhaps the only criterion that can be used to assess the willingness of States to abide by their obligations under the Charter. In asking Member States to join us in taking the step I have indicated, I would like them to consider these words which are taken from the Manifesto on Southern Africa approved by the Organization of African Unity at its summit meeting in September last year, and endorsed by this Assembly:

“None of us would claim that within our own States we have achieved that perfect social, economic and political organization which would ensure a reasonable standard of living for all our people and establish individual security against avoidable hardship or miscarriage of justice. On the contrary, we acknowledge that within our own States the struggle toward human brotherhood and unchallenged human dignity is only beginning. It is on the basis of our commitment to human equality and human dignity, not on the basis of achieved perfection, that we take our stand of hostility towards the colonialism and racial discrimination which is being practised in southern Africa. It is on the basis of their commitment to these universal principles that we appeal to other members of the human race for support.

“If the commitment to these principles existed among the States holding power in southern Africa, any disagreements we might have about the rate of implementation, or about isolated acts of policy would be matters affecting only our individual relationships with the States concerned. If these commitments existed, our States would not be justified in the expressed and active hostility towards the régimes of southern Africa such as we have proclaimed and continue to propagate.

“The truth is, however, that in Mozambique, Angola, Rhodesia, Namibia and the Republic of South Africa, there is an open and continued denial of the principles of human equality and national self-determination. This is not a matter of failure in the implementation of accepted human principles. The effective administrations in all these Territories are not struggling towards these difficult goals. They are fighting the principles; they are deliberately organizing their societies so as to try to destroy the hold of these principles in the minds of men. It is for this reason that we believe the rest of the world must be interested. For the principle of human equality, and all that flows from it, is either universal or it does not exist. The dignity of all men is destroyed when the manhood of any human being is denied.”³

³ Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.

71. It is with these words that my delegation trusts that Members of this august Assembly will lend their support in seeing that the credentials of the so-called Government of South Africa are not accepted.

72. Mr. BAHOLLI (Albania) (*interpretation from French*): By its recommendation contained in its first report [A/8142] the Credentials Committee accepts the credentials of the Chiang Kai-shek elements, which represent nothing. We strongly protest against this absurd decision, adopted under the pressure of the United States of America, and we consider it null and void. In fact, there is in the world only a single China, one and indivisible: it is the People's Republic of China, whose Government is the only one qualified and possessing all the necessary attributes to represent the great Chinese people in international relations, which includes representing it in international bodies.

73. The island of Taiwan is a Chinese province which is an integral part of the territory of the People's Republic of China, and its temporary occupation by the United States of America can in no way serve as a pretext for having great socialist China represented here by a venal clique for ever rejected by the Chinese people and in the pocket of the American imperialists. The Chinese people will inevitably liberate that part of its homeland. The denial of the legitimate rights of People's China in the United Nations, which is the direct result of the pernicious hold exercised on this Organization by the United States and its collaborators, jeopardizes the prestige of the United Nations and the role assigned to it by the fundamental Purposes and Principles of the Charter, since we know full well that without the People's Republic of China we cannot aspire to solve any of the important problems of our day.

74. As for the credentials emanating from the illegal régime of Phnom Penh and from the white racists of Pretoria, we feel that they also should not be accepted as valid by this Assembly.

75. It is for these reasons that the Albanian delegation will abstain from voting on the recommendation of the Credentials Committee.

76. Mr. KUFUOR (Ghana): I take the floor to support the previous speakers this morning who have called on the Assembly to withhold approval of the credentials of the so-called representatives of South Africa—the action called for in document A/L.608/Rev.1 and Add.1, of which Ghana is a co-sponsor.

77. As has already been pointed out, the first report of the Credentials Committee [A/8142], is incomplete in several respects especially in regard to paragraphs 10 to 15. The Credentials Committee apparently thought that the objections raised by the delegations of Somalia and Nigeria at the 1882nd meeting of the General Assembly, on 23 October 1970, could be satisfied by merely looking at a piece of paper issued by either the so-called Foreign Minister or the Prime Minister of South Africa. There can be nothing further from the truth. What African representatives are con-

tending is basically that the present Government of South Africa is essentially a minority clique which has usurped power and whose philosophical basis of keeping power is so radically and obnoxiously contrary to the spirit and practice of the Charter of this Organization that it is high time that the Organization took the *apartheid* South African Government for what it really is. South Africa cannot at the same time reject the basic tenets of the Charter and continue to sit in its Councils.

78. Some representatives may argue that the Assembly is not seized of the question of recognition of a government at the moment. Ghana supports that view. In fact, we believe that whilst the question of recognition may be interrelated with the question of credentials the General Assembly of the United Nations is not ordinarily competent to grant or withhold recognition of governments—a matter which is essentially within the purview of each sovereign State. But South Africa is no ordinary case. For the record and to emphasize the special nature of the South African case, the Ghana delegation would like to reiterate that no Government of Ghana since its independence has recognized the Government of South Africa, and the present Progress Party Government under the leadership of Professor K. A. Busia has no intention of doing so as long as South Africa continues to practise *apartheid* and to refuse even to consider that it could be wrong in its chosen path. Its inhuman and ironclad will is exposed by its disgraceful rejection of the humane and very balanced offers contained in the now famous Lusaka Manifesto.⁴

79. What we are discussing now is simply the question of the representation of *apartheid* South Africa in this august Assembly. My delegation seriously holds that this Assembly has a moral duty to call on the Security Council to consider whether the continued seating of South Africa is compatible with its obvious rejection of the basic tenets of the Charter. Already the United Nations Economic Commission for Africa has taken the lead in this question by refusing to allow South Africa to be represented at its deliberations. That Commission is none the worse for it; in fact, it is much stronger because South Africa is absent.

80. In 1960 when South Africa conducted that bogus and fraudulent referendum, and in 1961 when it proceeded to declare itself a republic, the Commonwealth group of nations, which is a moral association, decided to expel South Africa from its midst. Again the Lusaka Manifesto on Southern Africa, which was endorsed by the General Assembly last year, urges that South Africa should be excluded from the United Nations. Everywhere there is mounting pressure for some concrete and clear manifestation of mankind's abhorrence and disapproval of the policies of *apartheid* of South Africa. We believe the United Nations is a moral Organization. We believe the Assembly has a moral duty to discharge in this matter.

81. This policy of *apartheid* has several times been condemned by this Assembly and already this year's

twenty-fifth anniversary session has condemned it as a crime against the conscience of mankind. It is the contention of my delegation that the least we can do in this Assembly now is not to approve the credentials of the so-called representatives of South Africa.

82. Mr. FINGER (United States of America): The matter which the proposed amendment seeks to raise was decided by the Credentials Committee when it accepted, without a negative vote, the credentials of all the representatives which had been submitted, including those of South Africa. As the Credentials Committee has already determined, the credentials of the delegation of South Africa have been submitted in accordance with rule 27 of the rules of procedure of the General Assembly, which states in relevant part: "The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs." Consequently, there is no legal basis for challenging the propriety of those credentials.

83. The United States Government has consistently made clear its profound detestation of the odious policy of *apartheid* practised by the Government of South Africa and we continue to maintain our strong opposition to that policy. But our abhorrence of *apartheid* does not affect the validity of the credentials of the South African delegation or the importance of adhering to the requirements of the Charter and the rules of procedure. Whatever may be the legal consequences of the policies of the South African Government, they do not go to the matter covered by rule 27. Since 16 December 1969 [1835th meeting], when the General Assembly by a vote of 81 to none, with 21 abstentions, approved the report of the Credentials Committee, including, of course, the credentials of the South African delegation, there have been no new developments which would permit the raising of any question as to the correctness of the relevant documents required under rule 27. No possible basis exists in law or in fact for the General Assembly to reach a different decision on this issue in 1970 from that which it reached in 1969.

84. Whatever the views of delegations may be on the question whether South Africa can or should be suspended or expelled, that does not affect the issue properly before us upon the report of the Credentials Committee. The credentials issued to the representatives of South Africa have been accepted by the Credentials Committee in accordance with the rules of procedure—and that is dispositive of the question. The amendment submitted by the ten States [A/L.608/Rev.1 and Add.1] has, as I have stated, no basis in law or fact. No valid basis has been asserted for the Assembly to refuse to approve the report of the Credentials Committee in whole or in part.

85. Consequently, the United States will vote against this amendment to the report of the Credentials Committee and in favour of the report itself.

86. Mr. TOMEH (Syria): The report of the Credentials Committee is more than a mere report, because it raises very fundamental issues as to the existence

⁴ Ibid.

of those whose credentials are presented. In fact, this is illustrated by the meaning of the word "credentials" itself. Applied to an individual or a person, it entitles that individual or that person to practise or not to practise a profession. Applied to a nation, it entitles that nation to belong or not to belong to the family of nations. Therefore, when we deal with the report of the Credentials Committee, the question is not simply to refer to rules of procedure or to accepted decisions or resolutions or recommendations. In fact, in doing so we are simply engaging in semantics of language and forgetting the heart of the matters with which we are dealing, for, as I said, the word "credentials" deals with the very existence of the States in question.

87. This year, as in the past, my delegation has reservations with regard to the report of the Credentials Committee, but this year these reservations are all the more emphasized because this is the twenty-fifth anniversary of the United Nations, when we have to rededicate ourselves to the ideals and principles of the Charter. Therefore, the yardsticks are the Articles and the ideals and principles of the Charter. Our judgements relate to how we really uphold these yardsticks. We stand or fall by our own judgements.

88. The cynicism of diplomacy ought to be divorced from the issue and forgotten for a moment in order to take into consideration the realities of the world today. Our reservations concern the credentials of the following Members. First, with regard to South Africa we certainly believe that the policy of *apartheid* as practised by the Government of South Africa, in spite of all the resolutions adopted during the twenty-five years of the life of the United Nations, is by itself a yardstick for at least questioning the credentials. Those who go a step further make reservations, and we fully support the draft amendment submitted by certain Member States in document A/L.608/Rev.1/and Add.1. In fact, Syria would like to be a sponsor of that amendment concerning the reservation with regard to the credentials of South Africa.

89. The second point concerns the credentials of the Chinese delegation. When that matter comes before the General Assembly we will express our views in detail. For the time being, however, suffice it to say that we recognize the People's Republic of China as being the State of China, as being the State which has to send a delegation, and the only delegation, to the United Nations.

90. We also refuse to accept the credentials of the Cambodia régime which is now known as the Phnom Penh régime.

91. Fourthly, we strongly object to the acceptance of the credentials of the Member referred to as the State of Israel, for the following reasons. First of all, right now, three and a half years after 1967, Israel occupies areas of three States Members of the United Nations, contrary to the principles of the Charter and contrary to resolutions adopted by the United Nations in the General Assembly and the Security Council.

In the case of my own country, Israel occupied parts of Syria after the Security Council, on 9 and 11 June 1967, adopted two resolutions, resolutions 235 (1967) and 236 (1967), condemning Israel's attack on Syria and requesting Israel to withdraw from the occupied territory of Syria. The resolutions are there for every Member to read.

92. Furthermore, Israel is a racist State; it practises a dual racism: racism against the non-European Jews and racism against the Arabs of Israel.

93. In addition, Israel never adopted a Constitution, because a Constitution is supposed to give the limits and borders of a State. We have four maps of Israel now: the Israel of 1947, of 1949, of 1956 and of 1967. The Credentials Committee and the Members of the United Nations ought to at least ask themselves the question: for which Israel are they accepting the credentials that are being submitted? Is it the one of 1947, of 1949, of 1956, or of 1967?

94. What is more, the General Assembly adopted two resolutions concerning the Holy City of Jerusalem, requesting in unequivocal terms that Israel rescind all administrative measures that it had adopted vis-à-vis the City of Jerusalem. The Security Council also adopted two resolutions to that effect. Israel completely disregarded those four resolutions concerning the Holy City of Jerusalem, holy to all religions of the world.

95. Then there is the humanitarian question. Israel refused, successively, to accept a representative of the Secretary-General to investigate its violations of the human rights of the people under its occupation; to accept a tripartite Committee voted by the General Assembly; to accept the Special Committee dealing with violations of human rights. But the truth has come out clearly in the reports published lately by the International Red Cross Committee.

96. Finally, Israel has been refusing from 1948 up to now to implement all resolutions concerning the right of the Arab refugees to return to their homes in Palestine, a right that was given to them by the General Assembly, that was legislated by this body and that is utterly denied by Israel.

97. In the light of those facts, my delegation has no choice but to abstain from the vote concerning the credentials of Member States—that is, we shall abstain from the vote on the report of the Credentials Committee.

98. Mr. OGBU (Nigeria): My delegation supports the proposed amendment unequivocally. I stress the word unequivocally because my delegation is aware of the many buts and ifs which are being voiced in the corridors on this very important subject and recently voiced from this rostrum by the representative of the United States. We of the Afro-Asian group are by now well accustomed to being told to go slow. Each time we demand that this Organization act in accordance with its Charter, each time we demand the enforcement

of resolutions and decisions jointly taken, we are told of the many difficulties, real and imaginary, legal and otherwise, that make it imperative to proceed with caution. What it all boils down to is that we should not rock the boat by insisting that our vital interests, which are in fact the vital interests of the United Nations, should be protected.

99. After the many criticisms of this Organization which all Members voiced in the process of our self-determination during the general debate and the commemorative session, my delegation believes that we should here and now embark upon such concrete measures as will raise the prestige and effectiveness of the United Nations.

100. Of these measures none seems more urgent than ensuring that each Member fulfils the basic conditions of membership, that is, a willingness to carry out the obligations imposed by the Charter. The United Nations does not force membership on any country. On the contrary, States voluntarily and solemnly assume membership with the clear understanding of what is involved. If a State on assuming membership finds the obligations burdensome, it has the option, in fairness to itself and to this Organization, to resign its membership. Failure to take this honourable course imposes upon other Members of the Organization the obligation to demand the resignation or indeed to expel the delinquent. To do otherwise, to harbour such a Member, is to condone bad faith and to serve notice that the rules of the Organization are not worth more than the paper on which they are written.

101. The Republic of South Africa has proved to be a delinquent and has been a source of serious embarrassment to this Organization.

102. The United Nations is dedicated to the maintenance of peace and security, but South Africa's policy is by common consent bound to lead to anarchy and chaos; the United Nations is dedicated to the promotion of friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, but South Africa is dedicated to the promotion of the theory and practice of inequality and the domination of man by man; the United Nations is dedicated to the promotion of human rights and fundamental freedoms for all peoples without distinction as to race, but South Africa has erected into a system of government a doctrine based on the inequality of men and the denial of the most elementary of human rights. South African policy is thus completely at variance with the three cardinal purposes of the United Nations.

103. South Africa has not made any pretence at hiding this basic conflict; witness its contemptuous disregard of United Nations resolutions on *apartheid*, on colonialism, on Namibia and on Rhodesia. Only yesterday the diabolical influence of South Africa and its potential danger for harmony within this Organization was highlighted when a permanent member of the Security Council had to veto a resolution on Rhodesia [1556th meeting]. We all know that the illegal régime in

Rhodesia has been able to defy this world body only because of the support of South Africa. We have now found that the veto power, with all the bad taste it leaves in the mouth, will be employed rather than that the cancer in the United Nations body politic will be removed. The danger implicit in an uncured cancer is obvious. Yet we cannot blame the Charter for it makes adequate provision for dealing with a situation like this. Article 6 of the Charter is quite clear.

104. In the meantime, what is of immediate concern is rule 27 of the rules of procedure. My delegation notes with regret the pious attitude taken to the question of South African representation in the Credentials Committee. This is a question that transcends the simple application of rule 27 of the rules of procedure. How does one deal in good faith with a country that has continuously shown such bad faith? But even arguing purely on the basis of rule 27, the South African delegation as presently constituted should have no place in this Assembly. Whom does the supposed Minister for Foreign Affairs, who issued the credentials which we are told are in order, represent? At best he represents only the white settlers who constitute less than 17 per cent of the population. He does not and cannot pretend to represent the 15 million indigenous black populace and about 2 million other non-whites. So the United Nations has thus found itself in a situation where it has disqualified from having a voice in this Organization 17 million people a population more numerous than the population of some 75 per cent of the Member States.

105. My delegation cannot be a party to this colossal fraud being committed by the white settlers. We do not recognize the representatives from Pretoria as being the representatives of the people of South Africa. Credentials issued by a usurper cannot in our opinion be in order. This Assembly should pronounce itself unequivocally on the side of our Charter.

106. Mr. BITSIOS (Greece) (*interpretation from French*): I do not intend at this time to go into the substance of the specific item with which we are dealing. Our opposition to *apartheid* as a theory and a policy is integral. It has been expressed in the various Committees where this subject has been discussed. However, in connexion with a matter of principle—particularly as certain representatives who spoke before me have dwelt on this matter and made other points in connexion with it, and in order to further clarify our thinking, my delegation would like to have the opinion of the Legal Counsel regarding whether the object of our discussion today is the validity of the credentials according to rule 27 of the rules of procedure or whether other considerations going beyond what is laid down in this rule might be involved in the decision to be taken by the General Assembly.

107. The PRESIDENT: The President would like to state that, in anticipation of such a question, a legal opinion has in fact been prepared by the Legal Counsel⁵ and will be ready for distribution in a few minutes

⁵ Subsequently circulated as document A/8160.

so that the representatives will have ample time to study it before the vote is taken.

108. Mr. BOYÉ (Senegal) (*interpretation from French*): In submitting an amendment to the draft resolution that the Credential Committee has submitted to our Assembly for adoption, we felt that we should not miss a single opportunity to remind the Government of South Africa of its duties towards the United Nations. We have used all means of pressure, but the present leaders of Pretoria have turned a deaf ear. We addressed ourselves to the great Powers, who told us that unceasingly they had tried to advise Pretoria, but Vorster, the one-time agent of a pro-nazi party, and his gang refused to listen to the great Powers. Therefore, I feel now that the great Powers, regardless of what legal advice may be given here, should take up the challenge hurled at them and act in a concrete fashion.

109. We ourselves have declared that we would reject any type of slogan or invective. In the Lusaka Manifesto we advocated dialogue. Our Heads of States turned to Powers friendly to south Africa, but the authorities in South Africa contend that they can negotiate on any matter except their official policy of *apartheid*.

110. Therefore, it is now up to us to seize any opportunity to force the international community to understand that the present leaders of South Africa represent only a meagre minority of whites. The Government there does not represent the immense majority of the black and Asian population that is being herded into ghettos which the present Government has termed Bantustans.

111. The best children of that part of Africa have been executed or imprisoned for life. The late Chief Albert Luthuli, a winner of the Nobel Peace Prize, was imprisoned for a number of years in a cell without light. When he emerged from there and the brutal light burned his eyes, he lost his sight. We were told that he was killed at a train crossing, but at that time the General Assembly did not seek legal counsel.

112. The great leader Robert Sobulewe was imprisoned for many years in a tiny cell and was never allowed to receive visitors. When the South African Parliament adopted the famous "Sobulewe clause" he was confined to home arrest and almost lost his power of speech. Again at that time, this Assembly did not seek legal counsel.

113. The great leader Nelson Mandela is in prison for life on Robben Island in shameful conditions. There again, the General Assembly did not ask for legal counsel.

114. The entire world knows that South Africa is the country that imposes the most capital punishments each year, and yet, on these matters too, the General Assembly does not ask for legal counsel.

115. A recent law, No. 19 of 1970, which modified the legislation on the Bantus, granted to the Govern-

ment of South Africa practically unlimited powers to prohibit certain employment to African workers, powers that go far beyond those it already possessed under the law of 1956, on conciliation in industry, as amended in 1959.

116. All these facts, regardless of the legal counsel that may be given to us, must lead us to say that the representatives of South Africa at present in the General Assembly do not in any way represent the millions of Africans who are suffering there. The true voice of the actual Republic of South Africa says:

"When the whites came here, all they carried with them was the Bible, and we had our lands; now, they have confiscated our lands and they have given us their Bible. But that Bible recommends that when we are slapped on one cheek we should turn the other cheek."

At that time, too, certain delegations might have asked for legal counsel.

117. But we are strong in our position and ready to meet any juridical arguments. We would merely say that we do not have the right to negotiate the freedom of these millions of inhabitants. All they want is the restoration of their dignity and that the true name of their country before the whites arrived be restored to them. We, as the international community based on the principles of peace, freedom and dignity, can and must hear the true and authentic voice of the people of the Republic of Azania.

118. Mr. GHASUS (Afghanistan): In connexion with the first report of the Credentials Committee the delegation of Afghanistan wishes to reserve, as it has done on previous occasions, its position with regard to China's credentials. The Government of Afghanistan recognizes as the only legitimate Government of China the Government of the People's Republic of China. Therefore, in this respect the only credentials acceptable to us as lawful and valid are those issued by the People's Republic of China. We consider representatives appointed by that Government as the only lawful representatives of China. In our view, all other claims pertaining to the matter are null and void.

119. Mr. DIACONESCU (Romania) (*interpretation from French*): The underlying theme of the statements made during this anniversary session of the General Assembly has been the unanimous recognition that it is necessary to enhance the role and the effectiveness of the United Nations in preserving international peace and security, as well as the need for promoting international co-operation among all States. It is widely recognized today that in order to achieve this end an essential prerequisite is for all States strictly to respect the principles and norms forming the very foundation of the United Nations.

120. It is in the genuine interest of States in ensuring that the United Nations plays a more active and effective role in settling the great problems of humanity and that is why I should like to make certain remarks

regarding the representation of China in this world Organization.

121. As is well known, China was one of the founding Members of the United Nations and is one of the five permanent members of the Security Council. There is not the shadow of a doubt that China should be represented in the United Nations by the real Government of the country, by the Government which is authorized to speak on behalf of the Chinese people, and to exercise the responsibilities which the Charter places on China particularly as a permanent member of the Security Council. There is not the slightest doubt that that Government is that of the People's Republic of China, which for more than two decades has been leading the great Chinese people on the path of progress and social emancipation.

122. To allege, as does the first report of the Credentials Committee which we now have before us, that the emissaries of Chiang Kai-shek, who improperly and illegally continue to occupy the seat of China, actually represent China is to lack the most elementary sense of realism to an extent bordering on the absurd—not to speak of the immensely prejudicial effect this abnormal situation has on the prestige and effectiveness of the United Nations.

123. The refusal to recognize the real facts with regard to China and not to allow this country, which is both a nuclear and a space Power, to be represented at the United Nations in a valid and adequate way can only profoundly damage the ability of the Organization to accomplish the mission which is given it by the Charter.

124. The credentials presented by those who have arrogated to themselves the mission of representing China do not emanate from the Government of the People's Republic of China, which is the only legitimate Government of China. These credentials are therefore fictitious and should have been declared null and void by the Credentials Committee.

125. With regard to the credentials presented by those representatives who occupy the seat of Cambodia, my delegation cannot recognize them because they do not emanate from the legitimate Government of that country, which is the royal Government of national union.

126. For the reasons which I have just outlined the Romanian delegation will be obliged to abstain in the vote on the report presented by the Credentials Committee.

127. Mr. BAROODY (Saudi Arabia): What we sorely need in this debate is a little more clear thinking, not befogged by our outrage at the fact that human rights are being trodden under foot not only in the African continent but, in varying degrees, all over the world. We should engage in a little more self-examination. Is every Member State in the United Nations living up to the high principles and lofty purposes of the Charter? On the national level, are States living up

to the provisions of their Constitutions? I ask those two questions in the spirit of self-determination.

128. The representatives of the People's Republic of the Congo and Somalia, and others, spoke with deep emotion—and, I hasten to say, a healthy and vehement emotion—about *apartheid* and the denial of the right of self-determination to the people of South West Africa by the Union of South Africa.

129. I said the people of South West Africa—alias Namibia—because the United Nations acted wrongly when it adopted a resolution [2145 (XXI)] a couple of years ago to terminate the Mandate over South West Africa, a former German colony which was allocated to the United Kingdom by the Treaty of Versailles.

130. By a majority vote in this Assembly, and against my repeated personal warnings, the Mandate over that Territory was terminated and South West Africa was given the name of Namibia. That was a wrong move because it gave South Africa the freedom to act as it saw fit without necessarily being bound by the terms of the Mandate to prepare the people of Namibia for self-rule and ultimate freedom. Incidentally, the United Kingdom had no right whatsoever to transfer the Mandate to the Union of South Africa. What had been done could not then be undone by the United Nations—but I dare say it can be undone if reason prevails.

131. *Apartheid*, an abhorrent form of racial discrimination, stems from the fear and the deep phobia in the hearts of the whites in the Union of South Africa and Southern Rhodesia. These whites are afraid they will be dissolved like a grain of salt in a hot glass of water. They are afraid that their skin will lose its pallid colour. This fear is real, and this is why they have been acting irrationally—not to save their skins, because they are strong, they are a fortress; but, ironically, to save the colour of their skins. It should be said that those whites go to the beaches and get their skins pigmented, and they buy lotions to deepen the colour of their skins.

132. It is the duty of the United Nations, in its collectivity, to dispel this fear and this phobia and not to fight it by various methods which are abortive. We should not, in this Assembly, sit as judges of who should be a Member of the United Nations or who is worthy or unworthy of being a Member. No State Member of this Organization is perfect. I challenge anyone to say that his State is perfect.

133. We all can read the proposed amendment to the draft resolution in the report of the Credentials Committee. Its purpose is ultimately to expel South Africa from membership of this Organization—neither less nor more. I submit that that is the wrong strategy. For, believe me, if we start expelling Members there will be no Members left in the United Nations. I would start with the big Powers; they would be the first to be expelled from this Organization. What business have they in Viet-Nam? What business have they in the Middle East? What business have they to intrude in States in Europe and elsewhere? Why pick on that

fellow from South Africa sitting silently there? Can we pick on him when we know that those States, whether by lack of action or by collusion, will not expel the Republic of South Africa? We come here and make fools of ourselves by initiating steps which will lead to nothing.

134. I have the duty as an old member of the United Nations to be frank with my brothers from Africa, Asia, Europe and Latin America who have been acting in this Organization by group solidarity—not on the “justicity” of a problem but on the basis of “My country right or wrong; my group right or wrong, I will vote with it”. We have only to observe what has been going on here especially since the early 1950s and only to look at the names of the sponsors of various resolutions. It is done by groups—although once in a while a member of a group strays to another group on items that are not of great import, in order to show that it is independent; it just joins another group. I submit that this is wrong and that it will bring the United Nations to a state whence deterioration will become more evident and we shall be destroyed, as the League of Nations was destroyed, from inside, not from outside—by our own membership.

135. The ultimate strategy is to expel the Republic of South Africa. I shall not mention the State—everyone knows which one it is—that was established artificially by the United Nations in our midst in the Middle East. We never, individually or collectively, submitted a resolution calling for its expulsion although it was condemned twenty-two or more times by the Security Council and many times by the General Assembly. We fight for our rights as Member States individually and collectively, but we should not try to think that we are exclusively right because no one is always right and exclusively right or always wrong and exclusively wrong.

136. I remind—not you, Mr. President, because you have been here since the beginning—but those who cite the Charter chapter and verse and who time and again refer to the Universal Declaration of Human Rights, which is an improvement in certain respects on the Charter itself. In bold letters the Charter of the United Nations says, “We, the peoples of the United Nations determine”. It says “the peoples”. Have we taken a referendum of our peoples about what they think or are we acting on the basis of our governments? Are all the Governments of the States Members of the United Nations representative of their peoples? Are there any dictators in certain countries which are Members of the United Nations?

137. As one who worked on elaborating the principle of self-determination into a right enshrined in the International Covenants on Human Rights, I must bring to the attention of my colleagues that self-determination does not encompass only freedom to escape from a foreign yoke, but involves also internal self-determination. How many Governments of States which are Members of this Organization represent their people and their aspirations? By that yardstick we should expel them if they are not representative of

the people of their countries. The people deserve the government they get and we all hope that where there is tyranny the people will rise and crush the tyrant, as has happened time and again, not only in our era but throughout history. Therefore, the yardstick is not only that of external self-determination but that of internal self-determination. I challenge anyone here to tell me that internal self-determination is being enjoyed in many a State Member of this Organization. Let us be explicit and not run in circles about certain matters, resorting to semantics and logic that has false premises.

138. I come to the Universal Declaration of Human Rights. I had the honour, with colleagues, of participating in the elaboration of that Declaration in the Palais de Chaillot in 1948. We commemorated the twentieth anniversary of that noble Declaration in this Assembly Hall. It says: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family . . .” mark the words, “all members of the human family”. The Charter says: “We, the peoples of the United Nations”, but this Declaration goes further and says, “the . . . inalienable rights of all members of the human family”. I submit that even the one who does wrong, the criminal, has rights. Yet we come here and dabble in strategy and tactics that will lead us nowhere but may set precedents which would be dangerous and subvert the foundations of our Organization and the principles of the Universal Declaration of Human Rights and the Charter.

139. Voting by group solidarity is wrong. Voting on the ground that “I will vote with my group irrespective of the consequences” should be inadmissible. It is high time that it was declared inadmissible, not by any rule or law, but by self-restraint.

140. And now I come to human rights. Self-determination is the corner-stone of the two Covenants on human rights, and it was my honour and my privilege to have worked for eighteen years with colleagues in the elaboration of these Covenants. If you turn to the two Covenants on human rights you will find that the first article deals with the right to self-determination. And what are the rights about? Economic rights, social rights and political rights. Now, let us do some soul-searching here in the United Nations. Let us take first the economic rights. Are the peoples of many Member States enjoying economic rights? Here in this host country there are people clamouring for an equal share of its wealth and affluence. Therefore, should we have deputations come here and tell us: “We are not enjoying equal economic rights and, therefore, you should expel the host country”—or Saudi Arabia, or Zambia, or Norway, or France. There are always people who have a claim that they are not enjoying equal economic rights, and the Covenants speak of economic rights. Therefore, those people—and they go into the millions, hundreds of millions—might come and say: “My human rights are being violated and, therefore, something should be done about it.” That is why I said there is no State that is perfect.

141. We come to social rights—social human rights. Let us examine ourselves a little. Are all the people

in our respective States enjoying the same social rights? Of course, the people in the Union of South Africa are a flagrant example of the disregard of those social rights. The blacks—because, as I said, of fear and phobias—are segregated. This is wrong. This is abominable. But if we want to take the law of relativity, is there not prejudice amongst whites? Are there not white families that will not give their daughters in marriage to other white families? Whom are we fooling here? We need some self-examination. Are social human rights being observed on the five continents? I submit that they are not. But there is an effort being made towards more equality, towards more justice.

142. And now we come to political rights. I gave a preview of what I said about internal self-determination. How many Member States here have a Government that takes matters into its hands? Even in perverted democracies people are sent to the battlefield to die like sheep in the name of democracy. Should we expel the States concerned? I submit that we cannot do that. We are here to gather the peoples of the world, and not to separate them. If we expel the Union of South Africa, or any country big or small, we would be considered responsible for the same action—I would not call it crime—of segregating them from us. As members of the same human family, we are against segregation. Are we a club here in the United Nations? It is high time we declared that we are not a club. And there is no one who is absolutely good and there is no one who is absolutely bad. Perfection is an attribute of the Creator of the universe, not of human beings. We set goals, and we try to reach those goals.

143. Many would like to see certain States expelled on ideological grounds, regardless of whether they are capitalist or communist, to name only two ideologies because there are many ideologies—they are proliferated during the post-war era. We hear the Soviet Union speak vehemently about imperialism and capitalism, and we hear the United States decry communism in all its aspects. But they have established coexistence. And as I mentioned time and again we see them dine and wine together, and sometimes there is collusion between them. The man in the street calls it hypocrisy. We call it accommodation. By whatever name, it is coexistence.

144. The report has to deal with legality and not with “justicity”. If sufficient Members of the United Nations want to debate “justicity”, let us have a debate on it, first, to define the norms of “justicity”. But regarding legality, I am glad we were furnished, just before I came to the rostrum, with a legal opinion by the Secretariat, I think, in document A/8160. In glancing through it I marked paragraph 2 (c), which says: “They”—referring to credentials—“are to be issued by the Head of State or Government, or by the Minister for Foreign Affairs.” That is all we have been concerned with in the General Assembly throughout the twenty-four years that we have been dealing with the report of the Credentials Committee. What has hap-

pened all of a sudden to pave the way for the expulsion of a State? Well, where is the right? According to the Charter, there are provisions for the expulsion of a State. But let there be a debate about “justicity” and the norms of “justicity” before we take steps that would cause us to regret because we could not retreat from a position we might take.

145. This amendment reminds me of what happened during the nineteenth session of the General Assembly when we did practically nothing. One State—a major Power—wrongly wanted to expel the Soviet Union or, rather, not expel it but prevent it from voting. And I do not have to recall here what happened. It is all in the records, and the United Nations almost dissolved. And, finally, none other than that big Power the United States saw the light, and they began to scramble to us, to come to us, the small Powers, to save face. And also the Soviet Union scrambled to the small Powers to save face. And we saved their faces. But if we take a rigid position that this country is not living up to the Charter and that country is not living up to the Declaration of Human Rights or to the Covenants—which have not yet been ratified, but which, I hope, one day will be—what would be the consequences? Debacle, disintegration, and no United Nations.

146. That is why I prevailed on my friends who submitted this amendment, and none other than my good friend from Somalia, to reconsider with his colleagues and to suspend the amendment in question until such time as many put their heads together to see whether it is worth while having a debate—not necessarily during this Assembly but perhaps during another Assembly—on the norms of “justicity” of the admission or non-admission of Member States, including the expulsion of those States that allegedly do not observe all the principles and purposes of the Charter.

147. The PRESIDENT: Before adjourning the meeting, I should like to make a request of members.

148. During the commemorative session I had occasion to thank representatives for their fine spirit of collaboration with the President in the attempt to use our meetings expeditiously. During the last few days it has not been possible to start the meetings until twenty minutes past the scheduled time because a quorum has not been present in the Assembly Hall. Less than five weeks of this session remain. If we are to have any hope of terminating the session by the date agreed upon by the Assembly, we must have all the collaboration possible, both in the plenary Assembly and in the Committees.

149. Therefore, I venture to make a strong appeal to representatives to try to be on time. I might perhaps add, as an afterthought, that to do so not only would be expeditious, but would also be a matter of simple courtesy to those members who are considerate enough to come on time.

The meeting rose at 1.05 p.m.