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**President: Mr. Edvard HAMBRO (Norway).**

**AGENDA ITEM 55**

**Youth, its education in the respect for human rights and fundamental freedoms, its problems and needs, and its participation in national development: report of the Secretary-General**

**REPORT OF THE THIRD COMMITTEE (A/8149 and Corr.1 and 3)**

1. The PRESIDENT: In connexion with this item two amendments to the draft resolution recommended by the Third Committee have been submitted and circulated in documents A/L.609/Rev.1 and A/L.610.
2. Mrs. GUNAWARDANA (Belgium), Rapporteur of the Third Committee (*interpretation from French*): I have the honour to submit to the General Assembly the report of the Third Committee on agenda item 55 [A/8149 and Corr.1 and 3] and to submit for its approval the draft resolution, contained in paragraph 73 of the report, which it is requested to be so good as to adopt on this subject.
3. The high priority that the Third Committee has conferred on the study of this question and the large number of meetings devoted to it are sufficient to prove the importance which we attach to it. As Rapporteur, I have had some difficulties in reconciling the need to be accurate, in compliance with the decisions of the General Assembly, and my own desire to reflect as completely as possible the substance of the debates in the Third Committee. Thus at times I have been obliged to sacrifice elegance of style and to adopt standard wording which is more objective but less colourful.
4. As the General Assembly will observe in the part of the report open for discussion, the principal idea

which prevailed, and which can be inferred from the work of the World Youth Assembly<sup>1</sup> and of the Belgrade Seminar,<sup>2</sup> is that of an image of the young which inspires confidence in the future. Indeed, youth, being fully aware of its responsibilities, far from renouncing the United Nations principles, has endorsed them, with a faith in accord with their idealism. Their dynamism is not content with words alone, but, on the contrary, is directed towards action. It follows that as has so often been stressed, it is necessary to associate the young with national development, to have them participate effectively in building a better world where human rights and fundamental freedoms will be fully respected. In this connexion, many representatives have recalled in a positive manner the ways and means to ensure the full participation of youth in development. The report which is submitted to the General Assembly brings these to light as completely as possible.

5. It is these same ideas, among others, which constitute the subject of the draft resolution that concludes the report. If the General Assembly is good enough to follow the recommendation made to it, the text is to be disseminated broadly and not limited to States Members. I would have wished that it had been possible for me to present the draft resolutions, the debates which arose from them, the amendments which were included and those which the Committee rejected, in a manner more accessible to readers who are unfamiliar with United Nations work. Nevertheless, to have been able to do so, it would have been necessary to abandon traditional working methods, and I did not think I had the right to do so on my own initiative.

6. Thus, in chapter III of the report, the Assembly will find the draft resolutions and amendments in the order in which they were discussed.

7. The text originally submitted by the delegation of Saudi Arabia in the form of a draft resolution was reworded by its author in the light of the discussions and is finally submitted as a working document for the Commission on Human Rights. This document is included *in extenso* in chapter III A of the report of the Third Committee. The debates on it have been summarized in paragraph 18 of the report.

8. As regards the twenty-five-Power draft resolution, which was the subject of lengthy debates, one can follow the successive changes introduced in it either by the sponsors themselves or by the inclusion of amendments, until its final stage, that is to say, up to the

<sup>1</sup> Held at Headquarters from 9 to 17 July 1970.

<sup>2</sup> Seminar on the role of youth in the promotion and protection of human rights, held at Belgrade from 2 to 12 June 1970.

text on which the General Assembly will have to pronounce itself.

9. In the preamble, the concern of youth is expressed in regard to human rights in general and the international circumstances which, in the present world, contribute to their limitation or perpetuate their violation.

10. The operative part generally takes into account the ideas stated in the general debate, the essential elements of which are included. Among other merits, it addresses itself to youth, to governments and to the international community in a constructive spirit, so that not only by means of parallel action, but also by joint effort, national development will be accelerated and respect for human rights will become a reality.

11. Those are the comments I wished to make on the document which, as Rapporteur, it is my duty to submit to the Assembly.

12. I shall have concluded when I have drawn the attention of the General Assembly to the recommendations made by the Third Committee on this agenda item, which appear in chapter V of the report. The Third Committee recommends that the General Assembly adopt the draft resolution in paragraph 73 of the report. Further, it requests the General Assembly to adopt the recommendations contained in paragraph 74.

13. The PRESIDENT: Unless I hear a proposal under rule 68 of the rules of procedure, interventions will be limited to explanations of vote, with the exception of statements by the delegations that have introduced amendments.

14. I call on the representative of Saudi Arabia on a point of order.

15. Mr. BAROODY (Saudi Arabia): I should like to thank our Rapporteur for giving quite a comprehensive report of the activities of the Third Committee with regard to the item of youth. Part of her report may have escaped my attention, because one of my colleagues was talking to me at a certain juncture and, out of courtesy, I did not want to tell him that I ought to be listening very carefully to the report of the Rapporteur. However, I listened to what she said regarding the document on youth, which originally was submitted as a draft resolution by my delegation—namely, that it would be referred to the Commission on Human Rights. A decision to that effect was rightly taken.

16. However, there was another decision. The Chairman of the Third Committee was kind enough to offer the solution, after consultation with the Secretariat, that the above-mentioned document would be circulated as such to all youth organizations and also to associations of scientists appearing on lists available to the Secretary-General. A decision was taken to that effect by the Committee. There was no objection. If I am not mistaken, the Rapporteur made no reference to that point. However, as I said, I was distracted for a moment and I am not sure whether the Rapporteur

mentioned the distribution of the document in question to the youth organizations as well as to the association of scientists, the distribution which was approved without objection by the Committee. I would appreciate it if the Rapporteur would indicate whether she did indeed refer to this matter.

17. The PRESIDENT (*interpretation from French*): Does the Rapporteur wish to reply to the representative of Saudi Arabia?

18. Mrs. GUNAWARDANA (Belgium), Rapporteur of the Third Committee (*interpretation from French*): I would venture to draw the attention of the representative of Saudi Arabia to the two recommendations which the Third Committee has addressed to the General Assembly. I believe that this is how I can give him the desired reply.

19. The Third Committee recommends on the one hand that the General Assembly transmit, through the Economic and Social Council, document A/C.3/L.1766/Rev.3 to the Commission on Human Rights for it to be examined at its next session, when it is considering the item on youth. That is one of the decisions which the representative of Saudi Arabia referred to.

20. The Third Committee also recommends the General Assembly to transmit its report on agenda item 55 to the youth organizations which were invited to the World Youth Assembly as well as to certain scientific associations appearing on lists with the United Nations Secretariat.

21. The PRESIDENT: I would advise the representative of Saudi Arabia that this point is dealt with in the notes for the President and will be mentioned at the end of the meeting. Does he wish to speak?

22. Mr. BAROODY (Saudi Arabia): I am satisfied by the statement that has just been made by my colleague the Rapporteur of the Third Committee. However, I should like to have some clarification from the Secretariat. The report will have to go through the Economic and Social Council, to be referred ultimately to the Human Rights Commission. Since that is the procedure, will the document on youth submitted by my delegation be delayed until the report goes through that process? It was my understanding that that document would go forthwith, after ratification of the report by the plenary Assembly, to the youth organizations and the associations of scientists. I am saying that because procedurally there may be a delay which is unnecessary. In other words, the report, as the representative of Belgium, the Rapporteur, rightly mentioned, will be referred to the Human Rights Commission in the usual manner, through the Economic and Social Council. However, it was my understanding—and I should like to be corrected if this is not the case—that the document on youth submitted by my delegation would, as soon as this body had ratified the report, be sent by the Secretary-General to those organizations regardless of whether it was submitted to the Human Rights Commission for discussion.

23. I should therefore like to know whether there would be any objection, after ratification of the report by this body, to the Secretary-General's sending the document in question forthwith to the youth organizations and to the associations of scientists.

24. The PRESIDENT: I shall ask the Under-Secretary-General to reply to that question.

25. Mr. STAVROPOULOS (Under-Secretary-General for General Assembly Affairs): The Assembly has before it two recommendations of the Third Committee: the first is that document A/C.3/L.1766/Rev.3 should be transmitted, through the Economic and Social Council, to the Commission on Human Rights. Once the Assembly has adopted that recommendation, it will be carried out in that way. The second recommendation is to transmit the report to the youth organizations which were invited to the World Youth Assembly. Upon adoption of the report, that will be done forthwith.

26. The PRESIDENT: I shall now call on the representatives of Canada and the United Kingdom to present their amendment.

27. Miss LAPOINTE (Canada) (*interpretation from French*): The delegation of Canada wishes to state briefly the reasons that led it to submit an amendment [A/L.609/Rev.1] to operative paragraph 10 of the draft resolution of the Third Committee [A/8149 and Corr.1 and 3, para 73]. As members of the Assembly have been able to observe, it consists of inserting after the word "possible" the words: "in conformity with the principles of the Charter of the United Nations". The end of the paragraph would then read:

" . . . and should support those peoples in every way possible in conformity with the principles of the Charter of the United Nations, in their efforts to attain independence in accordance with the inalienable right of self-determination;"

28. Our delegation believes that any action inspired or encouraged by the General Assembly must be carried out in accordance with the principles of the Charter of the United Nations—that is logic itself. While the next paragraph, paragraph 11, calls on Governments to respond to the aspirations of youth and to take further effective measures in accordance with the principles of the Charter, then with all the more reason we, who represent Governments, must make sure that the efforts of youth to put an end to colonial and racist domination, which it is our duty to encourage, should be done in accordance with the principles of the Charter.

29. Although our amendment is a modest one, we deem it to be important and my delegation hopes that it will receive solid support.

30. In conclusion, my delegation would like to draw the attention of representatives to a mistake in punctuation which has appeared in the English and French versions of the amendment in the French text, the

comma after the word "peuple" should be deleted. In the English text, the comma after the word "possible" should be omitted. We shall be happy to make any corrections that may be needed in the Spanish and Russian texts of the amendment.

31. Mr. JAMIESON (United Kingdom): I believe it may help to explain my reasons for sponsoring this amendment if I explain briefly our attitude towards the draft resolution as a whole. The draft resolution recommended by the Third Committee is, to put it mildly, not a good draft resolution. Indeed, it is in many ways an example of the time-wasting type of exercise which earns this Assembly very little good repute. It is unlikely to achieve any improvement in the situation noted in the fourth preambular paragraph, namely, "that the present slow progress in the realization of the principles and objectives of the Charter . . . [gives] rise to restlessness among youth". It is unlikely to make youth any less restless. It is not a draft resolution directed to the problems of youth. It is instead a resolution much of which is concerned not with youth but with international political issues of doubtful relevance or of no direct relevance at all.

32. It seems to my delegation that we are in danger of giving to the youth of the world the impression that we do not really care about youth's problems and are interested only in using the item about youth to bring up once again political questions which are to be discussed or have been discussed under other items on the Assembly's agenda.

33. The draft resolution is long, it is propagandistic, it is unbalanced. It is full of condemnation of certain forms of injustice, but silent about other forms of political tyranny and oppression. Indeed, youth itself, in the report of the World Youth Assembly,<sup>3</sup> has done much better than we have in this respect. Above all, it must be criticized because it is a draft resolution without practical effect. It does not mean a thing.

34. However, I suppose that if we were to object to a resolution about youth we could be regarded as being akin to a preacher who does not preach against sin and who votes against virtue. And because acceptance of the draft resolution does not mean a thing and implies, in the view of my delegation, no legal or moral commitment, we will not make a fuss about it. I would only say that we maintain the reservations made by my delegation during the course of the debate in the Third Committee.

35. There is, however, one change which we must urge on the Assembly. It is very simply to insist that any action by the youth of the world under operative paragraph 10 of the draft resolution should be fairly and squarely in accordance with the Charter. That is the purpose of the amendment introduced by the delegation of Canada and co-sponsored by my own delegation. If we are sincere in our references to the Charter in the second, fourth and fifth preambular paragraphs, it surely follows that we should be doing ourselves and the generation of youth a serious

<sup>3</sup> See *World Youth Assembly*, document 56/WYA/P/10.

disservice and should ourselves be violating the principles to which we are dedicated if we gave them any encouragement whatsoever to believe that we condoned any action which was not in accordance with the Charter. Certainly, my delegation would not in any case interpret operative paragraph 10 as condoning the use of force or any methods not in accordance with the Charter, and we think that this should be made clear, as, indeed has been done in operative paragraph 11, by adopting the amendment we have proposed.

36. The PRESIDENT: There seems to be a slight misunderstanding here. The President stated that unless he heard a proposal under rule 68 of our rules of procedure there would be no discussion of this report. I made an exception for the delegation which wanted to introduce amendments. I hope that the intervention of the representative of the United Kingdom does not mean that we will have to reopen the whole debate.

*[The president continued in French.]*

37. I now give the floor to the representative of Tunisia who wishes to present an amendment.

38. Mrs. CHATER (Tunisia) (*interpretation from French*): The delegation of Tunisia has the honour to introduce an amendment [A/L.610] to the draft resolution of the Third Committee [A/8149 and Corr.1 and 3, para. 73]. As representatives will have noted, it concerns paragraph 15 of the draft resolution. We should like to insert after the words "national development" the words "as well as their role in the promotion and protection of human rights". The concluding portion of the paragraph would then read:

"and their participation in national development, as well as their role in the promotion and protection of human rights, and to co-operate closely, as appropriate, with youth organizations."

39. The insertion of this phrase seems to us to complete this draft resolution. It is a provision which takes into account the recommendations of the Belgrade Seminar on the role of youth in the promotion and protection of human rights in June 1970. It is also in keeping with the action and the programmes of the United Nations under relevant resolutions adopted in this field. Therefore, the Tunisian delegation would be very happy if this amendment were adopted by the Assembly.

40. The PRESIDENT: I take it that the plenary is now ready to proceed to a vote. In that case, I will call upon representatives who wish to explain their votes before the vote.

41. Mr. LISITSKY (Byelorussian Soviet Socialist Republic) (*translated from Russian*): Evidently there has been some misunderstanding. The Byelorussian delegation put its name down not to speak in explanation of vote, but in order to submit a sub-amendment to the amendment proposed by Canada and the United

Kingdom. This is the way the Secretariat noted down our request, too.

42. The draft resolution on youth which is now before the General Assembly was approved in the Third Committee by the overwhelming majority of representatives. Only four delegations abstained in the vote; and this, obviously, speaks in favour of the resolution. In our opinion, this is a very useful document. The resolution will undoubtedly help in solving the most important problems of youth, and we feel that this is very much to the credit of the Committee, which has worked persistently at many meetings to draft this document which we all wanted. The resolution does not set youth apart from the urgent problems of the modern world, and youth itself has something to gain from this resolution.

43. Of course, I am not saying that it is ideal. There is nothing ideal in the world. But I repeat that, in our opinion, it is a very positive document. For all these reasons, therefore, the delegation of the Byelorussian SSR considers that the General Assembly of the United Nations has every reason to approve this resolution as it stands, without making any changes or additions.

44. However, an amendment has been submitted in document A/L.609/Rev.1 by the delegations of Canada and the United Kingdom. We feel that this amendment in its present form requires an important addition so that it will be stronger and so that operative paragraph 10 will be strengthened. Operative paragraph 10 was adopted in the Third Committee on the proposal of our delegation. Therefore, as its sponsors, we should like to maintain its unambiguous nature and precise content.

45. While the delegation of the Byelorussian SSR does not object in principle to the amendment contained in document A/L.609/Rev.1 it wishes—in order to eliminate the possibility of an ambiguous or narrow interpretation of operative paragraph 10—to propose formally that a reference to the instruments adopted by United Nations organs concerning the legitimacy of the struggle of the peoples for their freedom and independence should be inserted in the amendment submitted by Canada and the United Kingdom.

46. With the addition we are proposing [A/L.611], the amendment would read as follows:

"and should support those people in every way possible; in conformity with the principles of the Charter of the United Nations and the decisions of United Nations organs recognizing the legitimacy of the struggle of the peoples for their freedom and independence, in their efforts to attain independence in accordance with the inalienable right of self-determination"

47. This is the formal proposal of the Byelorussian SSR.

48. The PRESIDENT: I shall now call on the remaining representatives who wish to explain their votes.

49. Mr. AKRAM (Pakistan): My delegation would briefly like to explain its vote on the draft resolution contained in the Third Committee's report and on the amendments and the sub-amendment which have been put forward during this meeting of the plenary Assembly.

50. My delegation was a sponsor of the draft resolution contained in the Third Committee's report and therefore we would whole-heartedly support the draft resolution as it is contained in that report if it comes to the vote.

51. As far as the amendment of the Tunisian delegate is concerned, we are prepared to support that amendment also. The amendment which was put forward by the delegation of Canada and the United Kingdom we believe to be implicit in paragraph 10 of the draft resolution as contained in the Third Committee's report; we also believe that the words "purposes and principles of the Charter" are implicit in that paragraph. However, if certain delegations fear that we are sanctioning something illegal in that paragraph, then my delegation would have no objection to supporting the amendment put forward by Canada and the United Kingdom if it were reworded to take account of the proposal just made by the delegation of the Byelorussian Soviet Socialist Republic.

52. We believe that though all our actions are governed by the purposes and principles of the Charter, these principles have been elaborated upon and developed by the resolutions of the United Nations, and we would therefore like to see a reference to those resolutions if we are to refer specifically to the purposes and principles of the Charter.

53. Mr. ALVARADO (Venezuela) (*interpretation from Spanish*): My delegation would like to explain its position with regard to the draft resolution submitted today by the Third Committee for consideration by the plenary in connexion with agenda item 55 entitled "Youth, its education in the respect for human rights and fundamental freedoms, its problems and needs, and its participation in national development".

54. Despite the clarity and accuracy of this title, a clarity and accuracy which obviously draw the boundaries of the item, regrettably, in the draft resolution which is now before us political factors are included covering situations and subjects which are or were being studied in forums other than the Third Committee. Guided by the criterion that these factors are alien to the item, my delegation has reservations in regard to the third and ninth preambular paragraphs of the draft resolution recommended by the Third Committee. We voted against the first and we abstained on the second when the voting took place in the Third Committee. We also have reservations in regard to the fifth preambular paragraph and operative paragraphs 9 and 10 since referring to "wars of aggression" and "alien domination" in the fifth preambular paragraph, to "unjust wars" in paragraph 9 and to colonial "racist or alien" domination and "military occupation" in paragraph 10, the Third Committee

embarked on a highly political field, the consideration of which falls to other forums. We wish to reiterate our position at this time.

55. On the other hand we consider that the World Youth Assembly, which was held on the occasion of the twenty-fifth anniversary of the United Nations, did not fulfil the objectives that were sought when it was decided by the General Assembly to convene the World Youth Assembly [*see resolution 2499 (XXIV)*]. Neither its methods nor its procedures were in accord with the atmosphere which welcomed it, nor did its procedures accord with the most elementary right of free speech and the right to differ, which should prevail at every international conference. Accordingly we have very serious reservations about the results of the World Youth Assembly. These are in turn reflected in our reservations in regard to the tenth and eleventh preambular paragraphs, on which we abstained when they were voted on in the Committee. In this regard I should like to stress our complete support for operative paragraph 4, which guarantees that in the event of another world youth Assembly being held, there will be complete respect for freedom of speech and rules of procedure will be adopted in advance which will ensure fair treatment for all participants.

56. What I have said on operative paragraph 4, as well as on the inclusion of other paragraphs which we consider to be fundamental and in accord with the boundaries of the item—such as the sixth, seventh and eighth preambular paragraphs and operative paragraphs 7 and 12, prompts us to support the draft resolution as a whole despite the reservations we have mentioned. We shall accordingly vote in favour of it.

57. The PRESIDENT: There are still some representatives who want to explain their vote. Perhaps they will not take it amiss if I remind them that we are now hearing explanations of vote alone and that there should not be another general debate.

58. Mrs. BULTRIKOVA (Union of Soviet Socialist Republics) (*translated from Russian*): During the discussion in the Third Committee on the draft resolution on the question of youth, the Soviet delegation explained its position on operative paragraph 13 of this resolution and also on a number of other questions.

59. Now my delegation, believing that the resolution is a useful and beneficial document, is prepared on the whole to support it. However, I must stress that my delegation is maintaining its position on operative paragraph 13, as expressed during the debate in the Third Committee.

60. In addition, the delegation of the Soviet Union is prepared to support the proposals made by the delegation of Tunisia, and we are also willing to support the amendment proposed by the delegations of Canada and the United Kingdom with the sub-amendment of the Byelorussian delegation; and I stress this, only with the sub-amendment of the Byelorussian delegation. On the whole, the delegation of the Soviet Union supports this draft resolution and considers it worthwhile and useful.

61. Mr. GOUAMBA (People's Republic of the Congo) (*interpretation from French*): The representative of the Byelorussian Soviet Socialist Republic has just introduced a sub-amendment to document A/L.609/Rev.1, submitted by the representative of Canada.

62. Speaking on behalf of my delegation and on behalf of several other Asian and African delegations with which consultations have been held, I wish to support the sub-amendment introduced by the representative of the Byelorussian SSR.

63. As regards the amendment submitted by Tunisia, we are prepared to support it in its entirety.

64. The PRESIDENT: We have now heard all the representatives who asked to explain their votes before the voting.

65. It appears that the Byelorussian sub-amendment has been submitted only in Russian. The Secretariat is now in the process of having the text translated into at least one of the other official languages.

66. In order to save time, I would suggest that, if there is no objection, we should proceed to vote on the Tunisian amendment to paragraph 15 of the draft resolution.

67. As I hear no objection, I now put to the vote the Tunisian amendment [A/L.610] to paragraph 15. It proposes, after the words "national development", the insertion of the words "as well as their role in the promotion and protection of human rights".

*The amendment was adopted by 109 votes to none.*

68. If I hear no objection, I shall take it that paragraph 15 as amended is adopted by the Assembly.

*Paragraph 15 as amended was adopted.*

69. I shall now ask the Under-Secretary-General to read out the Byelorussian sub-amendment [A/L.611] to the amendment submitted by the delegations of Canada and the United Kingdom in document A/L.609/Rev.1 to paragraph 10 of the draft resolution.

70. Mr. STAVROPOULOS (Under-Secretary-General for General Assembly Affairs): The Byelorussian sub-amendment would insert after the words "in conformity with the principles of the Charter of the United Nations" the following words: "and the decisions of United Nations organs recognizing the legitimacy of the struggle of the peoples for their freedom and independence".

71. The PRESIDENT: If I hear no objection, I shall now put to the vote the sub-amendment submitted by the Byelorussian SSR [A/L.611], as read out by the Under-Secretary-General.

*The sub-amendment was adopted by 78 votes to 14, with 14 abstentions.*

72. I shall now put to the vote the Canadian and United Kingdom amendment [A/L.609/Rev.1], as amended by the Byelorussian SSR sub-amendment.

*The amendment, as amended, was adopted by 91 votes to 6, with 10 abstentions.*

73. I shall now put to the vote paragraph 10 as a whole, as amended.

*Paragraph 10, as amended, was adopted by 89 votes to 6, with 16 abstentions.*

74. I shall now put to the vote the draft resolution recommended by the Third Committee in paragraph 73 of its report [A/8149 and Corr.1 and 3] as a whole, as amended.

*The draft resolution as a whole, as amended, was adopted by 110 votes to none, with 3 abstentions [resolution 2633 (XXV)].*

75. May I now invite the attention of the General Assembly to paragraph 74 of document A/8149 and Corr.1 and 3, which contains further recommendations by the Third Committee.

76. If I hear no objection, I shall take it that it is the wish of the Assembly to adopt the Committee's recommendations in paragraph 74.

*It was so decided.*

77. I now call on the representative of Sweden, who has expressed the wish to speak in explanation of vote after the voting.

78. Mr. BENGTON (Sweden): Speaking on behalf of the delegations of Denmark, Finland, Iceland and Norway, and of my own, I should like very briefly to explain our vote on the recommendation submitted by the Third Committee in document A/8149 and Corr.1 and 3. The Nordic delegations would have liked to vote in favour of the amendment contained in document A/L.609/Rev.1, which we feel was designed to improve the paragraph. However, we feel that paragraph 10, as amended, is outside the scope of a resolution on youth, and we therefore abstained in the vote on it.

79. The same objection is, in our view, valid for some of the other paragraphs, but in view of the importance of the subject we were able to give our support to the draft resolution as a whole.

80. Finally, the fact that we did not object to paragraph 74 of the report before us is in no way to be interpreted as approval of the suggestions contained in document A/C.3/L.1766/Rev.3.

### AGENDA ITEM 3

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

##### (b) Report of the Credentials Committee

81. Mr. PEJIĆ (Yugoslavia): The question of the racist policy of the Government of South Africa,

namely, the question of *apartheid*, has been under consideration since the inception of our Organization. For twenty-five years the United Nations has endeavoured to uphold for all peoples in South Africa the basic human and political rights in accordance with the principle of self-determination and human equality enshrined in the Charter of our Organization.

82. The United Nations has undertaken a series of actions and adopted numerous recommendations with a view to influencing the Government of South Africa to abandon its inhuman policies of *apartheid* and to recognize the right of the African population and other non-white communities to participate freely and on an equal basis in the political and economic life of the country. The General Assembly and the Security Council, through various resolutions, have expressed the view that only if the dangerous policies of *apartheid* are eradicated can there be peace in southern Africa.

83. In attempting to achieve these objectives, the United Nations has used all possible procedures and channels within the framework of the Organization to contribute to the solution of the problem of *apartheid*, which, in the opinion of the majority of Member States, constitutes a crime against humanity.

84. This has included, in the early stages, the establishment of a good-offices commission and the United Nations Commission on the Racial Situation in South Africa. Through the Secretary-General, direct consultations with the Government of South Africa were attempted. In addition, Member States which maintain diplomatic relations with the régime in Pretoria have reported on their bilateral dialogues, but have not been able to show any positive results in their efforts to persuade the Government of South Africa to abandon its policies of *apartheid*.

85. After the failure of these attempts to resolve the situation by bilateral discussions, negotiations and consultations with South Africa, the General Assembly, in various resolutions adopted over the past ten years, requested Member States to take various diplomatic and economic measures against South Africa. It called for the disengagement of States maintaining diplomatic, consular, political, military and economic relations with South Africa, believing that this would influence South Africa to change its policies. Unfortunately, there has been no progress towards achieving these objectives, because a number of States, the main trading partners of South Africa, which have economic and political interests in South Africa, have declined to co-operate in giving effect to those resolutions.

86. In the opinion of the Yugoslav delegation, it is of particular importance that the Security Council has also been seized of the problem of *apartheid* and has dealt with it. Following the Sharpeville massacre, the Security Council declared [*resolution 134 (1960)*] that the situation in South Africa had led to international friction and if continued might endanger international peace and security. In 1963 it expressed its conviction that the situation was seriously disturbing international peace and security and instituted an arms embargo

against South Africa [*resolution 181 (1963)*], which was strengthened this year [*resolution 282 (1970)*]. In 1964 it further endorsed [*resolution 191 (1964)*] the main conclusions of the group of experts to the effect that the situation existing in South Africa constitutes a threat to international peace and security and that appropriate measures, within the relevant Chapter of the Charter, should be considered. On the basis of these resolutions, it is not difficult to come to the conclusion that South Africa has been subjected to both preventive and enforcement action by the Security Council. This view was upheld by many delegations in the debate in the Special Political Committee this year.

87. In spite of all the attempts made so far by the United Nations and the almost unanimous condemnation of the entire international community, the Government of South Africa has persistently refused to co-operate with our Organization and continues to violate the basic principles of the Charter. Furthermore, the Pretoria régime continues to execute and expand the system of *apartheid*, raising it to the level of an official State policy. It persists in adopting and applying legislation which, in essence, is inspired by the concept of nazism. Moreover, that Government is systematically subjecting the vast majority of the population to brutal and oppressive measures, such as deportation, arrest, torture and dislocation. The majority of the African population is deprived of the basic political rights and freedoms.

88. All this justifies the argument that the present Government in South Africa does not and cannot represent 15 million of African and other non-white communities. It cannot speak on their behalf because, by its actions, it has deprived itself of that right.

89. For this reason, the Yugoslav delegation is in agreement with the amendment contained in document A/L.608/Rév.1 and Add.1 submitted by ten African States.

90. Since we are discussing the first report of the Credentials Committee [*A/8142*], our delegation would like to record its reservation concerning the credentials of the representatives of the Chiang Kai-shek clique, who do not represent the Chinese people in this Organization. My delegation is sponsoring another draft resolution which deals with the substance of the matter on this most important question which is to be discussed soon.

91. We would also like to record our reservation concerning the credentials of the present régime in Cambodia. My Government recognizes only the Government headed by Prince Norodom Sihanouk.

92. Mr. MBEKEANI (Malawi): Mr. President, this is the first time that my delegation has spoken since your election to the distinguished position of President of the twenty-fifth session of the General Assembly. My delegation would, therefore, like to take this opportunity in joining all those who have already congratulated you on the assumption of the Presidency of this Assembly.

93. Like many others who spoke yesterday, I wish also to pay tribute to the late General Charles de Gaulle. His lifetime achievements will stand high amongst those of the greatest men of our time. The loss that France has suffered in the death of that great man and statesman is a great loss to the whole world. May the French delegation convey my delegation's condolences to the bereaved family.

94. Now, coming to the item under consideration, my delegation is puzzled by the aims of the amendment of the ten countries to the draft resolution contained in the first report of the Credentials Committee. When I came here this morning I thought that my voice would be the lone voice in this Assembly. But I am gratified that there are a number of people who think the way we think.

95. I have not been impressed at all by the arguments and reasons that were advanced by the sponsors of this amendment to the findings and conclusions of the Credentials Committee. Indeed, it is not my intention to bore this august Assembly with counter-arguments on the arguments which my delegation considers misguided, empty, hollow and without a speck of legal foundation. Suffice to say that most of those who have spoken in favour of the amendment have avoided tackling the root-cause of *apartheid*. It is the elimination of that root-cause that this Assembly should profitably spend its energy on. My delegation has harked in the past, is now, and will continue, harking on this point.

96. I am not tired of pointing out again and again that my delegation sincerely appreciates and shares the indignation other distinguished delegations have on the continued practice of the policies of *apartheid*. We also appreciate the fact that all those who are against the policies of *apartheid*, including my own delegation, are currently working hard to find ways and means of peacefully persuading the authorities in South Africa to see reason in the world's indignation against the policies of *apartheid*.

97. But my delegation is not convinced that even the present proposals contained in document A/L.608/Rev.1 and Add.1 are the correct and effective way of bringing about that change in South Africa, or for that matter on any self-respecting sovereign Member State of this Assembly whose policies might be unpalatable to the majority of the Members of this Assembly. On the contrary, such a proposal, if carried out, might likely produce a negative result.

98. If I may briefly state the facts, as we see them, regarding the acceptability or otherwise of a delegation's credentials, they are these. The country being represented by a delegation has to be a Member State of the United Nations, and the credentials of the delegation must have been issued by appropriate constitutional authorities of that State. The policies of Member States are not, and cannot be, at issue in respect of credentials. To question and challenge the credentials of a Member State on the grounds that have been advanced by the sponsors and supporters of this draft resolution is nothing less than a calculated violation

of the content and spirit of the Charter. It is also a blatant intrusion upon the sovereignty of a Member State and, we regard it the duty, indeed the obligation of every Member State to uphold the principle of the right to sovereignty of States. My delegation seriously regrets the introduction in this Assembly of double standards.

99. This house is master of its own destiny. If the rules are silent on the subject matter now under discussion, why do we not clear our own house and then take the action we want to take honourably—why the rush and why should we court ridicule by acting illegally?

100. The present move is obviously very dramatic, and in the view of its promoters and supporters perhaps very much in keeping with the festivities, dedication and rededication connected with the United Nations twenty-fifth anniversary celebrations. But what will that dramatic move achieve and, really, what is the aim, the motive, behind that drama? Are the sponsors making us believe that that dramatic move will increase effective pressure on the South African authorities for them to change their mind on *apartheid*? If we here think or believe that *apartheid* can be eliminated by ever-stronger words expressed on paper, however resolutely, 10,000 miles away from the scene of the evil, we are, in my delegation's view, gravely deluding ourselves. This is a point on which I need not elaborate because I have already done so at previous occasions on this rostrum and also in the Special Political Committee. If the purpose of the move is to force a suspension of South Africa, it is only honourable to specifically and openly state that intention. But if that is so, it is a sad move for such a move will be one which might mean our complete abandoning of our black brothers of South Africa, because such a suspension will deprive this Assembly of its last means of contact with the authorities in South Africa. And that would be a great error. We all remember what happened when the British Commonwealth decided to force South Africa out of that organization at the insistence of its Afro-Asian members. South Africa, of course, resigned but did it change its policies or did the forced resignation help our black and Asian countrymen in South Africa? Nothing happened then, and nothing has happened since despite the swelling number of resolutions adopted by this Assembly year after year.

101. I want to repeat that my delegation appreciates the fact that we are all aiming at peacefully ending the policy of *apartheid* in South Africa. But my Government cannot agree with the methods repeatedly proposed here for achieving that objective, including the present proposal. We in Malawi believe that the solution might lie in contact and dialogue; contact and dialogue with the authorities in South Africa. Talks only among ourselves that exclude the South African authorities will continue to be ineffective however much we try or how loud we become. It is our belief that isolation of South Africa will achieve the reverse of what we all here desire.

102. Lastly, I have been asked by some friendly delegations why Malawi should not just stay away and



keep silent if it does not agree with what the others are saying? My answer to this is that my delegation likes to stand up and be counted and I stand here to be counted—to be counted on whatever side of the issue we are supporting or we are objecting to.

103. We shall therefore vote against the amendment contained in document A/L.608/Rev.1 and Add.1 and support the report of the Credentials Committee as a whole.

104. Sir Colin CROWE (United Kingdom): As has been made clear on many occasions in the past, it is the view of the United Kingdom that the consideration of credentials is a technical and legal matter. The sole question is whether or not credentials are accepted as documents in order. In the present case, the report of the Credentials Committee shows clearly that the Committee found to be in order all the credentials mentioned in the Secretary-General's memorandum as having been issued in accordance with rule 27 of the rules of procedure, including the credentials of the representatives of South Africa.

105. My delegation has heard no good reason why, if the matter is viewed on the basis which I have described, and which we believe to be the correct one, the approval of the General Assembly should now be withheld from any of the credentials approved by the Credentials Committee.

106. As regards the amendment proposed in document A/L.608/Rev.1 and Add.1, its effect appears to us to be that the General Assembly would except the credentials of representatives of South Africa from its general approval of the Credentials Committee's report, thus leaving the question of the status of those credentials in suspense.

107. As I have explained, we see no good reason why the Assembly should not decide forthwith to approve those credentials. This is all the more so since no relevant factor has changed since the Assembly approved the South African credentials last year. We shall therefore vote against the amendment.

108. Mr. SEN (India): The delegation of India will support the amendment moved by a number of African and Asian States. In doing this, we are conscious of the many questions which are agitating the minds of many in the Assembly. It is not, however, the technical nature of the document, the letters of credence, which has been challenged; it is essentially a political disapproval of what the South African Government has done to violate the Charter and its continued adherence and encouragement to *apartheid* on the plea of domestic jurisdiction, a plea which has been repeatedly rejected by the Assembly and the Security Council.

109. In addition, South Africa continues to be in possession of South West Africa, which is to be administered by the United Nations. Our Organization has been frustrated in its work by the action and attitude of the Government of South Africa. Further, the Government of South Africa is helping in all—I repeat,

all—possible ways the illegal régime of Southern Rhodesia, which both the United Nations and the administering Power have sworn to bring down.

110. I could continue the list of South Africa's misdeeds, but I think I have said enough to indicate that the only contribution South Africa has made is to pay its yearly assessment to the United Nations budget so that it can use this forum with only one intention in mind: to oppose the Charter and the decisions of this Organization.

111. If South Africa is unable to meet the obligations of the Charter—and obviously it cannot—the normal course should have been for it to leave the United Nations. But it has no intention of doing so and we are facing the problem of what to do with it. It has to be realized that the United Nations has repeatedly urged the Member States to break off diplomatic and other relations with South Africa. India was the first to do so, but apart from such individual actions, is it not ridiculous that the Organization which asks its Members to dissociate themselves from a particular Member, would yet continue to give full rights and privileges to that Member?

112. The question, therefore, is how we should bring our displeasure home to South Africa. Under the Charter, a decision for suspension or expulsion could be recommended by and through the Security Council, and in the course of time we would expect that Council to examine this problem in all its aspects, even though we are aware that any majority, or even a nearly unanimous, decision of the Council can be vetoed by any Permanent Member which wishes to support South Africa for whatever reasons, but which can always take care to declare in public that it is against *apartheid*.

113. We have simply one objective in supporting the proposed amendment: to record our conviction, in unmistakable terms, that we consider that the South African Government has long ceased to be capable of fulfilling the obligations of the Charter and that it also has no wish to do so.

114. We know that the proposed amendment, as also the suggested draft resolution, can raise a number of technical and legal issues. However, given the political situation as it is, we are prepared to face them. It is also possible to argue that another kind of resolution would have reduced, if not eliminated, some of these legal and technical consequences.

115. Now, we have been favoured with a legal opinion [A/8160] which itself refers to several past instances. I do not recall if any opinion was given on those occasions, and, if it was, what that opinion was. However, one fact is clear: unless the Assembly is obliged to vote automatically in favour of the Credentials Committee's report, it has two options open; one, to oppose it, which the legal opinion says would be against the Charter as it would mean suspension, and the other course is to abstain or withhold approval. That is what has been proposed and is obviously the democratic right of the Assembly which cannot be denied or refused.

116. But all this is rather irrelevant to our present purpose, which is to emphasize that we strongly disapprove of South Africa and all it does and stands for. We do not construe our support for the amendment in any other sense. We shall ask for a roll-call vote so that we can determine clearly and accurately who is in favour of this simple issue and who is not.

117. Sir Laurence McINTYRE (Australia): The motives of the sponsors in introducing the amendment are fully understood. They do not like the policies of the South African Government, particularly the policy of *apartheid*. Neither do we. My delegation has made it clear on numerous occasions that the Australian Government strongly disapproves of *apartheid*, and I take this opportunity to reaffirm that disapproval. But challenging the credentials of the South African delegation against the findings of the Credentials Committee is not the right way to express disapproval of the behaviour of the Government of South Africa.

118. In scrutinizing and reporting on the credentials of Member States of the United Nations, the Credentials Committee is bound to confine itself to the criteria set out in rule 27 of the rules of procedure, which provides that "The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs" of the State concerned. It is not the job of the Credentials Committee to pass judgement on the legality of governments or upon their policies. Nor by our votes in regard to the credentials issue by Member States would we wish to imply that we agree with the policies of all those States. In the present case, my delegation, being satisfied as to the application of rule 27 of the rules of procedure, and without prejudice to my Government's position on other issues, considers that the requirements of rule 27 have been fulfilled in the case of South Africa's credentials this year.

119. For that reason, my delegation will vote against the amendment proposed by ten States in document A/L.608/Rev.1 and Add.1 and in favour of the recommendation contained in document A/8142 that the first report of the Credentials Committee be approved.

120. I suggest that if the General Assembly should allow the growth of the practice of challenging the credentials of delegations, not on procedural, legal and constitutional grounds, but on the ground that those credentials are issued by governments which, in the view of certain Members, are not truly representative of their States, it would be opening a Pandora's box that it could come to regret in future years.

121. Mr. LIU (China): My delegation will vote for the approval of the report of the Credentials Committee.

122. As regards the credentials of my delegation, the Committee has found them to be in order and entirely in accord with the applicable rules of procedure. Whatever reservations some delegations may choose to make do not in any way detract from their validity. This is no time to enter into the question of Chinese

representation. Any attempt to do so is obviously out of order. It is regrettable that some delegations should have taken advantage of the occasion to cast slanderous insinuations against my Government.

123. As for the proposed amendment before us, inasmuch as the matter has been disposed of in the Committee and inasmuch as it goes beyond the question of credentials, my delegation will not be able to support it, irrespective of my delegation's unalterable opposition to the policy and practice of *apartheid* in South Africa.

124. Mr. ALARCON (Cuba) (*interpretation from Spanish*): My delegation wishes to place on record its reservations with regard to the first report submitted by the Credentials Committee.

125. There are several reasons why my delegation has reservations. One of them has been stated at every session of the General Assembly and it refers to the representation of China. We shall not now enter into an analysis of the reasons for our reservation with regard to the presence of the Taiwan régime in the post which corresponds to the legitimate Government of China, since we have already done so in detail on other occasions. Tomorrow the General Assembly will start consideration of the item referring to the lawful rights of the People's Republic of China, so I simply wish to reaffirm that as far as my Government is concerned, the only legitimate Government which is entitled to represent the State of China in this Organization and outside of it is the Government of the People's Republic of China.

126. My delegation also wishes to place on record its reservations with regard to the representation of Cambodia. We have already referred to this question in the course of the general debate of this session [*1858th meeting*]. In our opinion, the absence of the only legitimate Government of Cambodia in this Assembly, under the Presidency of Prince Norodom Sihanouk, is proof of illegal and arbitrary conduct, which has excluded that Government from the work of this Organization, to which Cambodia has been faithful since the time it achieved independence. The Lon Nol régime is a creation of the North American Central Intelligence Agency, a sub-product of North American aggression in Indo-China and an instrument of the imperialist policy against the Khmer people and against all the peoples of South-East Asia. For my Government, the only legitimate representative of that country is the Royal Government of National Unity of Cambodia which represents the legitimate interests of the Cambodian people, their will to independence and peace and which, furthermore, controls almost the entire Cambodian territory.

127. As regards the amendment made by several African delegations in connexion with the credentials of the South African régime, my delegation wishes to mention once again our categorical repudiation of the policy of *apartheid*, which we deem to be a crime against mankind and which is repugnant to the conscience of peoples. For these reasons, and in solidarity

with the African States, we are prepared to support this amendment.

128. Nevertheless, we wish to make it quite clear that even in the event that the amendment is adopted, we would not be in a position to vote in favour of the draft resolution recommended by the Credentials Committee because of the reservations I stated earlier.

129. Mr. IDZUMBUIR (Democratic Republic of the Congo) (*interpretation from French*): When the proposal of Somalia and Nigeria was submitted to the Assembly on 23 October last [1882nd meeting], it was done for reasons which were explained at length in the course of that debate and which can be found in the record of the meeting. The proposal was to ask the Credentials Committee, taking account of rules 28 and 29 of the rules of procedure, to submit an urgent report on the credentials of the South African delegation on the basis of the reasons explained by the authors of the proposal.

130. The proposal requested the Credentials Committee to consider the question in terms of the reasons that were invoked, which were none other than *apartheid* and the systematic violation of the United Nations resolutions and decisions. What did the Credentials Committee do? It quite simply and merely ignored the reasons invoked in the proposal of Somalia and Nigeria and decided, in a manner which to say the least is curious, that the credentials of that South African delegation are valid, without justifying its attitude with regard to the substance invoked in the motion. The Credentials Committee might have felt that it could not itself pronounce on the substance of the motion which would be easy to understand, but the Committee could have then so stated, to justify that attitude and then refer the matter back as such to the General Assembly for debate. The Credentials Committee did not do so. This is quite clear as may be seen from paragraph 11 of the report.

131. What choice was left to the authors of the proposal and those who had supported it? There was no other choice but to ask the General Assembly itself to examine the credentials of the South African delegation in terms of the reasons advanced in support of the proposal made on 23 October last. That is the purport of the amendment proposed to the draft resolution contained in paragraph 19 of the report.

132. The authors of the amendment merely wish to indicate that the Credentials Committee has not examined the proposal, that the General Assembly has the right to examine it, and, naturally, to reject the conclusion of the Credentials Committee with regard to the credentials of the South African delegation.

133. Some have alleged that the proposal of 23 October would confuse the question of credentials with that of the representative character of delegations. They even go so far as to affirm that if one were to analyse the representative character of certain governments, several of these represented here might find their representative character being seriously

challenged. That may be true. But what is not true is that the Governments concerned would not challenge the allegation, as in the case of South Africa, or would themselves bring irrefutable proof of the fact that they are not representative.

134. The Government of South Africa itself affirms that it is but the issue of the white masters of South Africa, that the black African majority has no voice there so that in fact the Government depends, above all, on the rights of the white minority in South Africa. That is the real meaning of the philosophy of *apartheid*. That is the official philosophy of the policy of the Government of South Africa, and it is in the light of that specific element, the non-representative character of the Government of South Africa officially recognized by it, that the sponsors of the amendment invite the General Assembly itself to decide on the credentials of the delegation of South Africa which is present here.

135. In brief, this is the exact context of our debate. The document submitted by the Legal Counsel [A/8160] ignores, and rightly so, that aspect of the question which is essentially political.

136. Mr. ALATTAR (Yemen) (*interpretation from French*): So far as item 3 of the agenda is concerned, my delegation does not consider it to be a mere matter of procedure. It is rather a matter of accepting the credentials of States. We therefore cannot accept all the credentials which the Credentials Committee has presented to us, and we have substantial reservations.

137. How could we accept that the so-called Nationalist China represents the great Chinese people? In our opinion, only the Government of People's China represents the Chinese people.

138. The same applies to Cambodia. The régime which was set up in that country thanks to bayonets and intelligence services certainly cannot claim to represent the Cambodian people. Only the Government of Sihanouk could issue the credentials for the representatives of Cambodia.

139. With regard to Israel, what right does the Zionist régime set up in Palestine have to speak in the name of the inhabitants of that country? The General Assembly during several sessions, especially during the twenty-fourth session, has recognized the inalienable right of the Palestinian people.

140. Finally, how could this Assembly accept the credentials of the Fascist régime of South Africa whilst that racist Government kills, rapes, arrests and tortures the true inhabitants of South Africa? How could we accept the viewpoint of the Credentials Committee which accepts the credentials of the *apartheid* Government?

141. No, the *apartheid* policy, which has been condemned once and for all by many resolutions of the Assembly, cannot be glorified here by the representative of South Africa: that is why we do not accept the so-called legal interpretation which, under the guise of dealing with procedure, would have us admit a politi-

cal fact contrary to our political position. South Africa ignores and wishes to continue to ignore resolutions of the United Nations. Therefore, it is for this Assembly to give its reply.

142. My delegation will therefore support the amendment of our brothers of Africa and, because of the reservations I have just mentioned, we shall abstain on the whole of the draft resolution presented by the Credentials Committee.

143. Mr. BOYE (Senegal) (*interpretation from French*): Before commenting on document A/8160, presented to us this morning, I should like to express at the outset my admiration and friendship for the Legal Counsel.

144. That being so, I should like to say that we do not doubt that the credentials come either from the Head of State or the Head of Government or from the Minister for Foreign Affairs of a Member State of the United Nations, that they are presented to the Secretary-General and specify the persons entitled to represent that Member State at a session of the General Assembly. This, more or less, corresponds to the terms of rule 27 of the rules of procedure which, so far as I am concerned, is wrong in using the word "credentials".

145. But what we contest is the legitimacy of the power of the South African clique which signed these credentials. We say that the so-called Government of South Africa does not represent the millions of Africans and Asians which form the vast majority of the population of South Africa.

146. Rule 28 in no way precludes the Credentials Committee from dealing with the substance and the form of credentials. I think no one will say that legally the Credentials Committee is not entitled to see whether the credentials of a representative really come from a legal Government. Rule 28 does not define the limits of the competence of the Credentials Committee, even less those of the General Assembly, which has sovereign power over its own procedure. Rule 28 merely states that the Committee shall "examine—and I insist on this word—the credentials of representatives". Rule 28 does not say that such consideration must only deal with the form of credentials. Why, then, try to impose a restrictive interpretation on the words of rule 28? This is not a matter of penal jurisdiction. We know that if the law is silent it is up to the legislative body to fill the gap. We know that, as my distinguished professor of law used to say, facts are always ahead of the law. He called it the revolt of facts against law.

147. One of the main reasons for what is referred to as the inefficiency of the United Nations is precisely the fact that some Member States refuse to give to the wording of the Charter and the rules of procedure an interpretation that would be in keeping with the developments of our day.

148. The end of rule 29 of the rules of procedure states that the General Assembly takes a decision on

the report of the Committee. The Committee has now proposed a draft resolution to the General Assembly. Some countries, including my own, think it necessary to amend this draft. They affirm that the credentials of the representatives of the alleged Government of South Africa stem from people who do not represent democratically the overwhelming majority of the people of South Africa.

149. What would happen if the General Assembly adopted our amendment—in other words, if the Assembly decided not to accept the credentials of the present representatives of the alleged Government of South Africa? One thing only: those representatives would not any longer be able to take part in debates and votes in the General Assembly and its Committees during this session.

150. We do not ask today for the suspension of South Africa. We know well the procedure which should be followed in such a case. It may be that one day we shall ask for the application of Article 5 of the Charter, but then it will be up to the members of the Security Council to assume their responsibilities and to say whether they want to encourage South Africa in its pursuance of this odious policy.

151. Today we challenge the legitimacy of the credentials of those who sent a South African delegation to the twenty-fifth session of the General Assembly. We consider that legally the situation is quite clear and we would merely ask all representatives to assume their responsibilities. Those who suffer in South Africa, who have been suffering for years, are not interested in legal quibbling. The problem which they face is a political one and we are in duty bound to support these fighters for freedom by all the means at our disposal here and elsewhere.

152. What results have been achieved until today by those who think that we did not use the right method to persuade the so-called Government of South Africa to adopt a different policy? It must be said that it is not sufficient to make platonic statements against the policy of *apartheid*. The freedom-fighters who die there ask for concrete action. We ask you today to act, and we give you the opportunity of doing so in a concrete way against the leaders of South Africa.

153. Mr. SIMUCHIMBA (Zambia): I rise to speak on behalf of the people of Zambia and on behalf of justice and freedom for all.

154. It is very surprising indeed to find that even learned people in one breath condemn *apartheid* and in another condone *apartheid*. They make it work through economic and political support. Now, if you have not lived under *apartheid* you have no right whatsoever to condone *apartheid*. It is very surprising to hear even a black African brother, who knows that his brothers and sisters are under electric shock torture, saying arrogantly in a public place like this that *apartheid* is something which must go on peacefully without being challenged. That is shocking. That is why I have risen to speak. We must put the record

of this international Assembly so that when it is read everywhere it will be known that this is the voice of Zambia and the Zambian people.

155. You are just playing. It is people that are involved here, human lives are involved in this issue. It is not a question of money; it is not a question of the airports they are building in the country; it is a question of people, human lives. I may wear a suit produced by South African money, but what about the people of South Africa, the blacks in South Africa?

156. Some of you gentlemen may have seen a film this afternoon depicting life in South Africa, telling us a story about what goes on in South Africa. You have been speaking for the last twenty-five years. We must go on speaking. We say "Hallelujah" to *apartheid* because we are getting benefits from South Africa. It is very unpleasant. How can humanity sink so low? You are talking about technicalities. There is no legal technicality here. There are papers, I know that. What is involved here is human life in South Africa, not a piece of paper—it is the people, 15 million people in South Africa—it is not that piece of paper which you have.

157. You even forget history. We wrote this paper ourselves. Rule 27 is what we are talking about. We wrote it ourselves. But what is involved is 15 million people. You are playing. Let us look at the facts: In 1910 Great Britain sold our brothers in South Africa; they gave self-government to a few people. In 1923 the British Government sold the blacks in Southern Rhodesia. During the sixteenth century a lot of blacks were imported into America.

158. Then when we ask here that South Africa should be condemned, we are told "Oh no, it is all right; *apartheid* is good". We should be ashamed of ourselves. If we want to prove how bad *apartheid* is, let me subject you to an electric shock. Let not money be a hindrance. I am sorry, Mr. President, that I must express my emotions in this way. This is a subject which touches everybody's soul. Some of you look upon *apartheid* as a myth. It is not a myth; it is a reality.

159. If you are found guilty of trespassing upon a European area, of walking in a European area, in South Africa they subject you first of all to an electric shock so that you will speak. If you want to be saved and say "I am not a freedom-fighter", then they leave you. That is what goes on in South Africa. Is it right for a white man, or even for a black man, who loves the truth to stand here and use this platform to make arrogant statements? Money? No, we would rather live in poverty.

160. So we have every right to challenge the report of the Credentials Committee. That Committee is part and parcel of the General Assembly. We can challenge it here and we are challenging it here. South Africa, because of the continuation of its violations of General Assembly resolutions to which it is a party, must be punished somehow. There are 3 million people against

15 million. We say plainly that this is because the 15 million are black. That is why some of these white countries support South Africa. When a plane carrying white people is hijacked we hear about it on television and we meet in the Security Council, and those people are released. But when we come here and talk about the fundamental issues of peace and justice they say, "We are not going to vote for this resolution because legally there is nothing to answer."

161. But, brothers, yesterday you asked us to support a resolution. These same people have investments in South Africa. For example, Great Britain has a 75 per cent investment in South Africa. This time they want to sell out to South Africa, to guard the main trade routes. Which trade routes? We have never seen any communism in South Africa; it is not there. There is no communism in the Indian Ocean area; it is not there.

162. We who live next to South Africa have our international airspace violated one and a half times every day. They have the audacity even to come into our country; that is a fact which some of you know but pretend not to. If it is a question of economics, if you are worried about the balance sheets of your trade, do not betray yourselves. We shall have to account for what is being done in South Africa. Let us not be a party to this.

163. In Zambia we have 72,000 Afrikaners who have come there from South Africa. Those 72,000 whites have come from South Africa to work in our copper mines. Since we obtained independence we have never raised a finger against any of them. They have all this money in their pockets. We say, "You can stay there as long as you behave yourselves." They go to South Africa for one week and they come back before the week expires because they are living in Zambia under normal and humane conditions—72,000 of them. If the whites of South Africa do not like *apartheid* I do not know how an African could appreciate *apartheid*. This is unbelievable.

164. Let us go into the reasons why we shall support the amendment. This is a social problem. It involves deep principles. Therefore I will not base my argument on cheap legality.

165. This same South Africa has been violating the Charter since 1945. It continues to do so. When is it going to stop? I ask those who think that peaceful means will make South Africa stop; when is it going to stop? We know very well that South Africa is now stepping up the application of *apartheid*. They say that we are talking too much and they must therefore step up the application of *apartheid*.

166. Now, what means can we use? The same big Powers that sustain South Africa do not support us here. So there is no other way except to ask that South Africa be expelled from this Assembly—and then it can continue carrying out its policy. We cannot be asked to support South Africa when we know it is wrong.

167. Let us now turn to Rhodesia. South Africa has already invaded Southern Rhodesia, which Britain says is its colony. The troops are there in Southern Rhodesia. They are taking over. And Great Britain comes here and says, "We are not going to support this resolution because of a technicality". But South Africa has invaded Rhodesia, which is part and parcel of Great Britain. Those are the facts.

168. Let us look at Portugal. Portugal is a very poor country. You find that most of the money that is in Portuguese Africa comes from South Africa. They are now sinking their money into this Cabora-Bassa dam. The aim is not merely electricity; the aim is minority rule. And those countries that are sinking their money into that venture are only wasting their time. History is going to take its course. We know that from the time of the Greeks up to the present time, empires have gone and they are going. This is a fact. Yesterday it was Great Britain. It is no longer great. Today it is America that is great. But it is not going to be America all the time. Perhaps some small country will invent a devastating nuclear weapon and will become the master of the whole of this area. So let us not clown. This is a serious moment, when we must express our views. Some people here want to clown. They think that this is an issue about which one can be a clown.

169. South Africa has now taken another course. It is now manipulating small Powers. Some of them are represented here. It is pouring a lot of money into those small Powers for mischief, and certainly to frustrate their independence. South Africa is building airports here and there, wooing these small countries in an attempt to make them lose their independence. That is what South Africa is doing, with the support of the big Powers.

170. Some talk of these things that are going on in southern Africa as if they were a dream. But it is not a dream. South Africa is snatching one small country after another. If it continues to do this, where shall we end up? Tomorrow we shall be talking about another Middle Eastern situation. We are now talking about the Arab-Israeli confrontation. What will happen tomorrow? You arm South Africa and South Africa sends those arms elsewhere, and then there is fighting.

171. We in Zambia are not racists. I have said that we still have 72,000 Europeans there from South Africa. They are working there very happily and most of them are very good people. They are living like human beings. If those brothers from South Africa would realize that it does not pay to discriminate, that they are as good as anybody else, we would say "Hallelujah" because they would be following the right course.

172. We go into the cafeteria here and find that the food which the South Africans are eating is the same food as that of other people. And we begin to wonder what type of people are these? They are hungry and we are hungry. What is the difference? So I think the time has come when we have to speak our mind. We in Zambia are going to support the amendment whole-

heartedly, and any lesson is not, in fact, a lesson for South Africa; we are only playing.

173. On behalf of the Zambian people I say that we are going to support the draft resolution because it is justified.

174. Mr. ALVARADO (Venezuela) (*interpretation from Spanish*): In connexion with the item under debate, regarding the first report of the Credentials Committee on the credentials of representatives to this session of the General Assembly and the amendment proposed in document A/L.608/Rev.1 and Add.1 to the draft resolution contained in paragraph 19 of that report, my delegation would like to make the following remarks.

175. First, in accordance with rules 27 and 28 of the rules of procedure, all the Credentials Committee has to do as its very name indicates, is to examine the credentials for the purpose of ascertaining whether they have been properly issued or, as rule 27 says, whether they have been issued "either by the Head of the State or Government or by the Minister for Foreign Affairs". The Credentials Committee is not authorized to enter into any considerations of the legitimacy of Governments.

176. Secondly, in accordance with what is stated in paragraph 4 of the Committee's report, with the exception of those of eighteen States, all the other credentials are in order. Among those are the credentials of the representatives of the South African Government. As a consequence, there are no procedural reasons to reject those credentials, and we should not forget that those are the only reasons which are applicable to credentials issued to representatives to the General Assembly.

177. On the other hand, as regards the amendment itself, the following remarks would be in order.

178. First of all, it is neither logical nor reasonable to reject credentials which in no way differ from those which have been accepted in recent years. Nor has there been any change which would lead to such a rejection.

179. Secondly, were the amendment to be adopted, we would thus establish a grave precedent, because not only would it imply that the Credentials Committee is authorized to pronounce itself on the legitimacy of Governments but it would also mean that a majority in the Assembly which at any given time might be circumstantial, could ignore certain Governments, with all the serious consequences which such a procedure would ultimately entail for the Organization.

180. Thirdly, if what is desired is to remove South Africa from our Organization, the Charter provides two procedures: suspension and expulsion. But one should not seek that objective by way of procedures which are not in accord with the rules of procedure which govern us and which would set precedents which could have serious and grave consequences.

181. For the above reasons my delegation, in expressing its support for the report of the Credentials Committee, will vote against the amendment proposed, were we to be placed in so unpleasant a position. But it is our hope that a vote on the amendment will not be pressed. If what we say might be useful to achieve this, we appeal to the authors of the amendment not to press for a vote. In so doing we are untarnished by suspicion, because it is well known that Venezuela has no relations of any kind with South Africa.

182. Mr. ENGO (Cameroon): My delegation listened with considerable distress to the voice of a great champion of freedom. We heard that voice proclaim this morning that silence is the best answer to injustice and oppression. We heard that voice employ its characteristic eloquence to rebuke a simple attempt to demonstrate the indignation of the international community concerning the deprivation of fundamental human rights as well as fundamental legal rights in the geographic area we call South Africa.

183. The representative of Saudi Arabia—and he was followed by others later—this morning treated this Assembly to a lecture on realism. I have considerable respect for his person and his usual display of wisdom and tact as well as his views and philosophies, with which I generally, but not necessarily at all times, agree. Yet I regret that our views on this very vital issue are such poles apart that it would be a misdemeanor for me not to comment on what he had to say.

184. The distinguished Ambassador concentrated his remarks on the issue of the expulsion of South Africa from this august body. I am afraid that this very distinguished and, to borrow his own expression, illustrious Ambassador did not appear to limit his remarks to the issue before this Assembly. The amendment to the draft resolution does not say that the General Assembly should pass judgement on whether or not South Africa should be expelled. As I said this morning, the Assembly has been invited by the Credentials Committee to admit a group of individuals purporting to represent the peoples of the State of South Africa while it remains clear that they in fact do not. I went on to express the opinion that: "States, not Governments, are Members of the United Nations" [*1900th meeting, para. 18*]. States, not Governments have membership seats at the United Nations. A seat has been duly reserved for the State of South Africa at the United Nations, and we do not, at least at this stage, challenge the establishment of that seat in the General Assembly.

185. The challenge, submitted by two of our sister African States, Somalia and Nigeria, which is entrenched in the amendments now before the General Assembly, is to the credentials of a group of individuals, which were submitted to the Secretary-General. The argument has been raised by some speakers, especially by the representative of the United States of America—I am glad he has turned to listen to me now—that rule 27 of the rules of procedure is all that need be satisfied.

186. The representative of the United States went on to state that the fact that the credentials had been submitted through the Secretary-General in accordance with rule 27, plus the fact that the Credentials Committee had given a decision, virtually closed the case. With the greatest of esteem and respect, I regret my inability to subscribe to those conclusions. Rule 27 is concerned with questions of pure formality. It deals with how credentials may be duly submitted. Rule 28 deals with the establishment and functions of the Credentials Committee. Its only functions are: (a) to examine credentials submitted which have satisfied procedures and formalities proscribed in rule 27, and (b) to report without delay to the General Assembly. I shall again, with due respect, submit that its report is in the form of a recommendation, and not a decision binding on this Assembly. I believe that rule 29 supports this contention. It implies that the General Assembly has in fact to give its decision before the matter may be closed. The conclusions of the representative of the United States do not appear, to put it very mildly, to be in tune with the procedural, as well as the substantive, juridical truth in this case. It is for the General Assembly, in my submission, to determine the acceptance or rejection of the credentials of any representative.

187. I have read with considerable interest the statement of the Legal Counsel [*A/8160*], submitted to the President of the General Assembly at his request. While I congratulate him on the effort I must observe, with the greatest regret, that his statement appears to have missed the train here in assessing its value for our discussion. This is probably not entirely due to his approach to the problem. It may be that his attention was drawn to the wrong aspect of the problem. The emphasis is not entirely helpful in that document. In fact, it appears somewhat misleading, and this is no reflection whatever on the integrity of the Legal Counsel, for whom I have the greatest respect.

188. The fundamental question, in our view, is not the nature of the formalities set up in rule 27. The Legal Counsel recognized that the rules of procedure of the General Assembly do not contain "a definition of credentials". We are not persuaded by speculations and conjectures on this matter. I believe that the rules were properly drafted not to question the supreme authority of the General Assembly to reach just and equitable decisions, having regard to all the circumstances before it. Nothing in the Legal Counsel's statement alters this position.

189. The situation before the General Assembly concerns a decision on the acceptance of the credentials submitted by a group of individuals now occupying the seat reserved for South Africa. This Assembly cannot afford to be threatened by so-called far-reaching consequences. The time is now for this world body to take fearless decisions. The threat of a wave of challenges to credentials is a weak one. If we had thought of threats, the Organization would never have had the courage to condemn any State's action, either here or in the Security Council. The greatness of any generation is measured by the degree of its rejection

of the evils of its age. The only true conclusion to every treasured great ideal is positive action geared towards its realization.

190. The choice is, on the one hand, to reject in its entirety the ugly face of racial discrimination and deprivation of human and legal rights in all their manifestations, thus ensuring lasting peace in the future; or, on the other hand, to shy away and allow ourselves to be debauched by fear and complacency and not to take any effective steps to arrest the growing and worsening conditions under which the greatest blood-bath in history may yet shock us in the future. That is the choice that we must make.

191. The measures recommended by this Organization for the solution of the problem in southern Africa have been frustrated in a way known to all of us here. That has strengthened the faith of the white minority in the worth of its infernal cause. An appeal to vote against the amendment is an appeal to vote for appeasement, an endorsement of illegality and political immorality. We have in our hands a situation in which a vast majority of people, belonging, all of them, to one race, have been refused in their homeland, where they were planted by God himself, the exercise of their legal and inherent right of self-determination, and this by a minority of migrants.

192. In conclusion, I wish to say that I spoke this morning and that nothing that has been said since has altered the views of my delegation.

193. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): We did not think that the item on our agenda would have given rise to long hours of eloquent and impassioned debate. But it seems that from procedure we have passed on to politics. We regret that, not that we are loath to talk about political problems, but we like to do so in the proper forum.

194. If we had remained within the ambit of the agenda item, we would merely have stated, with respect to the report submitted to us, that its paragraph 9 did not satisfy us, because the Committee accepted the credentials presented by the Republic of China, and everybody knows that as far as we are concerned, we can recognize only the credentials of the People's Republic of China. That is the reason for which we shall abstain, as we did last year, from voting on the whole of the draft resolution.

195. But there is an amendment of the African countries. We are always—and our Foreign Minister said so—very much aware of the voice of Africa. And especially when I find myself in disagreement with some of my friends, I wonder about it and that is why I deem it necessary to speak very frankly and directly on this problem.

196. We do not think that our legitimate condemnation of racial discrimination has anything to do with the procedure for verifying credentials. We understand full well the objectives of the sponsors of the amendment. We understand their impatience; we understand

their irritation—we even share it, because we think that the problem of *apartheid* is not a problem which concerns only Africa, but is one which concerns the whole of the United Nations and the whole of mankind. But we think that this is not what we ought to talk about now.

197. To begin with, we consider that it is not by a tortuous procedural road that one can approach this question. If people wish to contest the presence of South Africa among us, as stated a few minutes ago by the representative of Venezuela in especially felicitous terms, if a suspension or expulsion is contemplated, let us face the problem squarely, but where it should be faced. We shall confront our arguments, we shall then see whether such a measure would be appropriate at a time when a movement for the universality of the Organization is acquiring added momentum and when we try to convince that state that it is misguided. But this is not the point of our debate today and we do not wish to go into the substance of this matter.

198. The only debate for us is to know whether the delegation of South Africa represents in good and proper form the Government of Pretoria. Is there anybody here who can deny it? If we refuse to validate the regular credentials given by a Government to its delegation on the pretext that the policy of that Government injures us, shocks us, where shall we end? The road is open and all arbitrary decisions will be possible. We would subvert the very foundations of our Organization. Let us not talk about the present in order not to injure anybody's feelings, but let us think of the past twenty-five years. Does anyone think that our Assembly would have as many Members, and would so many delegations be seated here today if we took as a criterion for the approval of credentials, even the Universal Declaration of Human Rights or, even less, the régime, the political philosophy and the methods of any given Government?

199. In fact, one does not fight injustice by infringing upon rules which we ourselves approved. The more we reprove the policy of the Pretoria Government, the more we must be faithful to the Charter and show the example as far as respecting the rule of law is concerned.

200. What we are asked to do is not to verify the credentials of the delegation, but rather to verify the power of Pretoria. Obviously this is something that is not within our purview and which is completely outside the Charter and our rules of procedure.

201. Whether this is to the liking of some or not, the reputation of the Legal Counsel in legal matters is above any reproach. We think that in their own interests, the sponsors of the amendment would be wise to withdraw it and to wage their fight on another level, because such a decision would be extremely serious for the future of our Organization.

202. If this amendment were maintained, we would vote against it since our first duty is to defend our Organization and not to compromise the means of



action which it gives us, among other things to fight against *apartheid* and racial discrimination.

203. Mr. MONDJO (People's Republic of the Congo) (*interpretation from French*): Mr. President, after the appeal which you launched this morning [1900th meeting], I come here with a heavy heart because I have to speak once again in this debate—it is my duty.

204. We were not at all surprised to see the parade of certain speakers whom we would gladly describe as "speakers who wish to create diversion". However, we did listen with intense interest, because we do not claim to be the fountain of all knowledge of the law and we wish to benefit from every opportunity offered in these debates, which are held at such a lofty level, to improve ourselves. We are, it is true, internationally young; and, above all, since we are told smugly, repeatedly, that, unlike the "25-year fossils" we have not had the opportunity to participate in the elaboration nor the codification of the international cannons which govern us today.

205. Nevertheless, we have noted with satisfaction that, among the speakers who have tried, either to teach us and make us say the law of peoples, or to bathe us in the quietness of an international morality within the measure of their illusions, none of those creators of mysteries so resolutely in favour of the oblique approach, have succeeded in persuading us that there are two *apartheids*. Everybody, as though to absolve his conscience, condemns *apartheid*—we would henceforth say: condemns *apartheid* with his lips. Today, like an oracle, people come here to ask us to suffer the presence of the South African racists, as though they had provided the proof that they would forever renounce their odious and criminal practice. It is, in fact, an attempt to try to reconcile what is irreconcilable. Let them renounce their apostleship of hypocrisy, when, coming before us they preach the gospel and at the same time encourage the racists in Pretoria to improve their means of oppression of the African peoples!

206. We humbly recognize that it is possible that our Governments do not always follow exactly all the criteria which have been revealed to us this morning—criteria, which if not observed would disbar us from claiming to represent the people. All these discoveries, no doubt enrich public domestic and international law. But there are some things which should not be brought together: between the régimes which we represent here, and the disgraced, rejected régime of *apartheid*, there is a dividing line which some speakers have unfortunately sped over too lightly.

207. If that odious policy of *apartheid*, instead of cutting down unarmed and abused African peoples, were to be applied somewhere in Europe or North America with the same vigour against the whites, we do not doubt that they would invoke the sacrosanct principles of Christianity; they would not hesitate to exert their utmost efforts to request our solidarity, that solidarity of the African group which has often been requested hypocritically by the very ones who today profane it.

208. We Africans, because we are too pure perhaps, have always responded to appeals for justice, equality, peace, whenever they have been threatened in other parts of the world. But when it comes to the fundamental interests of Africa, everyone looks for a moral or legal alibi, one and all take the mantle of hypocrisy.

209. The eminent representative of the Republic of Senegal, in his serene eloquence of a jurist trained in the usages and practices of the palace of justice, has recalled that all attempts by our Governments for a peaceful settlement of the drama of southern Africa, even including urgent appeals addressed to authorities whose guardian arms cover up the crimes of Pretoria, have invariably ended in failure, which is always received with a knowing smile and haughty scorn. So you see that Africans are not completely taken in by these caricatures of smiles which scarcely disguise their ill will.

210. I said this morning on behalf of the African Group that the problem of *apartheid* constitutes a fundamental problem for Africa. The colonialist and racist régime of Pretoria, in its blind hatred towards African emancipation, is a constant threat to our young independent States.

211. It is not possible for a conscientious African to feel independent while 15 million of his brothers, before the very eyes of the international community, receive brutal and criminal treatment in southern Africa. To gloss over the emotional discharge which may result from the observation of these facts, is neither more nor less than to prove one's trickery and hypocrisy.

212. This debate is simply political. Any excess of one-way legal niceties can but convince us of the evil intentions of our enemies. The enemies of Africa who think that they should aggravate the unnatural, exploited condition of our continent.

213. We refuse to be racist. If no conciliation is possible with Pretoria, it is because having learnt the painful lessons of nazism which created millions upon millions of innocent victims, we know that any compromise with racists is the surest means to encourage racism and its sequel of crimes of mourning the dead. Africa wants peace.

214. Africa wants to live in peace. To fight against *apartheid* is, in our opinion, to work bravely for peace.

215. Mr. BEAULNE (Canada) (*interpretation from French*): I should like to emphasize once again—and there is no hypocrisy in this—that Canada is strongly opposed to the racial policy of South Africa. This opposition is expressed in several ways. The most recent measure, in this connexion, is the one which the Secretary of State for External Affairs communicated to the House of Commons of Canada on 2 November 1970 regarding the export of weapons and spare parts.

216. Nevertheless, it remains true that the Government of South Africa does hold power and authority

in that country. The United Nations has recognized this fact on several occasions by addressing numerous recommendations and appeals to that government.

217. As has already been said by the representatives of France, Venezuela and other speakers who preceded me, it is not fitting to take up the problem of *apartheid* under the guise of a procedural debate.

218. It is obvious that the Credentials Committee, by virtue of section IV of the rules of procedure of the General Assembly, has as its sole function to ascertain whether the credentials have been issued as required by rule 27; that is to say, by the Head of State or Government or by the Minister for Foreign Affairs of the State in question.

219. Therefore, the Credentials Committee has no authority to pronounce itself on the legal foundation of the powers exercised by Governments of States Members or of States who wish to become Members of the United Nations. It would be a serious mistake were it to try to do so. On the other hand, could I invite my colleagues to think over the consequences that might result for the United Nations were we to deviate from the rules of procedure and establish as a condition for the recognition of credentials the opinion of the majority of Members regarding the degree of democracy practiced in the country in question.

220. In these circumstances, the delegation of Canada considers that the amendment cannot be considered except under rule 27 of the rules of procedure. Whether the Government of South Africa represents the majority of the South African people, or whether it respects political freedoms and human rights, these questions are not relevant when it comes to considering the report of the Credentials Committee.

221. That is why the delegation of Canada, which has demonstrated by deeds that it abhors *apartheid*, cannot support the amendment proposed.

222. Mr. AKWEI (Ghana): It is amazing and distressing that so much passion and so much intellectual agility should be mobilized by delegations, for which we have had the greatest respect and affection, in the cause of the perpetuation of an evil within this Organization. My delegation supports unequivocally, and indeed we are one of the sponsors, the amendment proposed to the report of the Credentials Committee.

223. The amendment has as its objective the approval of the report of the Credentials Committee, with the exception of the credentials of the representatives of the so-called Government of South Africa. We consider that this amendment is properly founded, is consistent with the rules of procedure of the General Assembly, and is in the true interests of this Organization. The Assembly must at one stage or another make up its mind whether it is going to disregard the past performance of immobility, connivance at and condoning of the policy of *apartheid*, which has attracted the universal condemnation of all civilized humanity, or whether, in this new decade of the United Nations,

it is going to take a specific commitment to help the world rid itself of this obnoxious doctrine and policy.

224. When we find that the deployment and employment of the intellect in defence of this policy reaches even to the highest quarters of certain offices, we can only express our dismay and disappointment.

225. I have been looking at the legal opinion submitted by the Under-Secretary-General for Legal Affairs [A/8160] and I must say that perhaps we could have gotten a better opinion. I do not say this out of any disrespect for the Under-Secretary-General, but I believe he would be the first to agree with me that there are as many lawyers as there are legal opinions. That is why we have courts of law. That is why we have judges. That is why each individual lawyer can put forward his legal opinion and submit his opinion to the test of a judge or a tribunal. When decisions are taken, for instance, in the United States Supreme Court, we find that the judges are divided. We do not say that because of this difference of opinion, one supreme Court Judge is better than another. We respect their judgement, as indeed we do the legal opinions of many other judges, constituting many other courts, who have been called on by constitutional instruments to determine the legal issues involved in a particular case.

226. To say that I disagree with the legal opinion or some of the opinions given in this paper by the Under-Secretary-General, I hope will not be interpreted to mean that we have no respect for his standing. But with all due respect, with respect to paragraph 2, for example, of the paper submitted by the Under-Secretary-General for Legal Affairs, we find that there are certain ingredients attributed to the definition of credentials. I think that the Under-Secretary-General left out one important ingredient. I would include a fourth ingredient: that the credentials are to be pronounced upon by the General Assembly. I agree with the three ingredients, but the vital determining factor in the definition has been left out, which is that after all these three ingredients have been examined, this General Assembly must pronounce itself upon the credentials.

227. That is precisely what we are doing, and to say, as did the representative, I believe, of Venezuela, that because we have lived with a certain inaction, in the past on the part of the General Assembly for so many years, we should continue to live with that inaction, is, I think, a grave disservice to this Organization. It may be that in the past people were not aware or perhaps it was not only just because they were not aware, but they were aware of the impotence in pushing the matter further. But there is no divine fear that what happened yesterday should continue to happen today. If today the African delegations are united in saying that there must be a halt to the continuity and perpetuation of this evil policy of *apartheid*, it is for the General Assembly to give the African delegations a hearing and not to promote such arguments as "you have lived with this thing before and therefore you cannot disturb the *status quo* and the peace of the

Assembly". No. We have come here to enlist the support of the international community, the conscience of mankind, in putting an end to something—which we all agree is horrible and inhuman. Therefore, the argument that we have lived with this before should really not be used by anybody at all, and we have been rather saddened by the position taken by one of our dear colleagues and friends whose voice has always been raised on behalf of the freedom and independence of so many of the newly emerging States in the world.

228. He talked about the universality of the United Nations; this is a principle that we all accept, those of us who are dedicated to the purposes and principles of the Charter. We have consistently held the view that the United Nations, to be effective, must really be universal. But we have never said that this must be an Organization based on the universality of membership of criminal countries and nations. It is a universality which should be based on the willingness on behalf of the Charter, and the ability of Member States to carry out their obligations under the Charter. Therefore, we cannot agree that on the basis of the principle of universality of membership of the United Nations, we are to give blanket permission to any and every country, especially those which are committed against the purposes and principles of the Charter, and particularly with regard to those Member States which have been granted the privilege of belonging to the Organization and which have consistently repudiated the principles and purposes of the United Nations. Therefore, the argument based on universality of membership of this Organization is really not very convincing.

229. We have been told also that no Government is without fault. Of course we agree to that and I am sure that no delegation here can say that its Government is without fault. But the difference between every Government represented here and the Government of the Republic of South Africa, so-called, is that they do not admit that they are at fault. They are convinced that there is nothing for them to change. That is the difference between them and us. We are prepared to take constructive measures day in, day out, year in, year out, to correct whatever defects we have in our respective countries. We have not said that we have been given some divine right to perpetuate a certain policy within our national boundaries that is inconsistent with the purposes and principles of the Charter. That is the difference between the South African Government and all the other delegations in this Organization. Therefore, the argument that no Government is without fault is also not convincing.

230. We have been lectured by a number of delegations on questions of procedure, and here I should like to say that the United Nations does not exist *in vacuo*. It does not exist on legal niceties, it does not exist on procedural quibbling. It exists on the commitment of each Member State represented here to carry out the obligations flowing from the Charter. We have been told in this legal document that, unlike the acceptance of credentials in bilateral relations, the

question of the recognition of a Government of a Member State is not involved. Who said so? Of course we know who said so. But the fact that this has been stated as an *ex parte* unilateral declaration of principle does not make it true. If there is no question of recognition of a Government, of a Member State involved in the question of credentials, how is it that we have been debating year in and year out the case of the representation of China? Why is it that the United States for a long time used the same arguments which are now being used by the African delegations to keep out the Government of Hungary? Are we being told that all we are required to do in examining the report of the Credentials Committee is to find out whether a piece of paper has been signed by somebody, recognized by somebody as the Foreign Minister or the President or the Prime Minister of a country and then let it go at that? You recognize the Foreign Minister of South Africa, Mr. Muller, or somebody like that.

231. You may recognize Mr. Vorster. We do not, my Government does not. And I am told that I should accept the credentials of a representative signed by these persons just like that, as a matter of procedure.

232. We cannot agree in the Ghana delegation to this opinion by the Under-Secretary-General. The question of the recognition of the Government of South Africa is involved, whether we like it or not, directly or indirectly, with the question of the consideration of the report of the Credentials Committee. And the history of the issue of representation within the United Nations here is enough confirmation of this viewpoint.

233. Now we have also been told that if the General Assembly were to act in such a way that certain privileges which are now being enjoyed by the South African delegation were not enjoyed, then the General Assembly would have acted in contradiction to the rules of procedure. But in this, again, there is no legal and no constitutional foundation. This is just the mere expression of one man's opinion. We do not have to take that opinion. We have our own opinions, we have lawyers in our delegations, and we have lawyers in our countries who have different legal opinions.

234. The General Assembly, unless it is required to immobilize itself, must pronounce itself, and to say that at a certain time in the past the General Assembly decided to take no decision—which is really a very amusing phrase—is to say that the General Assembly decided not to decide. But today we say that the General Assembly must take a decision.

235. Can the General Assembly take this decision within its rules of procedure? Of course, it can. The General Assembly is the master of its own house and it can take a decision. Is it that the decision that would be likely to accrue or arise from this exercise would not be to the liking of some? But that is immaterial and irrelevant to the issue.

236. In paragraph 6 of this document an attempt has been made—which is rather confusing—to stampede the General Assembly into a certain posture so that

it would refuse to take a certain decision. We have been told that if a certain decision has to be taken, that is, the suspension of a Member State from the Organization, then certain procedures have to be gone through. But we are not here to promote the suspension of a Member State.

237. We are pronouncing on the acceptability of the credentials of the representatives of South Africa. How many among us here today can say that these gentlemen represent the people of South Africa? They do not represent the people of South Africa; they do not represent anybody except a clique, and they know it. Why are they so silent? Their friends are talking for them.

238. The question of the suspension of a Member State has not arisen. The question of the exclusion or expulsion of a Member State has not arisen. We know what processes we have to go through when we consider those issues. We know that we have to go through the Security Council. What, then, is required of the General Assembly by the amendment which is being proposed by the African delegations? It is very simple. The General Assembly is being required to pronounce itself on the unacceptability of the credentials of the representatives of South Africa.

239. If it so happens that in taking this decision certain results follow which are similar to the results which would follow from the exercise of suspending or expelling South Africa from the Organization, that is a different matter. It is not inconsistent with the rules of procedure and, indeed, this may be a different exercise entirely from what would have resulted from expulsion or suspension of South Africa by the Security Council. This General Assembly is only for this session. If we were to take a decision not to recognize the credentials of the South African representatives, of course we would hope that they would have decency enough not to embarrass the General Assembly and take the proper action. It would be for them to take themselves out.

240. We would not have initiated any expulsion or any suspension. It would be for them to take the consequential action which would honour and respect the decision taken by the General Assembly. Therefore, the General Assembly would be acting completely in accordance with its rules of procedure.

241. It is not a question of suspension that is required here, and if the consequential action was taken by the South African delegation it might last only for a day or so while they had better counsels at home to guide their actions. Perhaps they can change, but this is one of the few means we have to force them to change.

242. Why are we depriving ourselves of this constitutional right to force them to change what we have often condemned as a crime against the conscience of mankind? This action of voluntary withdrawal from the activities of this session, or even for a day or two from the activities of the General Assembly, would be quite different from the action which would follow from Security Council action to suspend or expel the representatives of South Africa.

243. That may be more permanent unless of course they were wise enough to go back and change their policy, but if the withdrawal were consequential on a refusal to accept the credentials of the South African representatives, this would be only temporary. Therefore, this would be action which would be completely different from the action which is envisaged under paragraph 6 of the legal opinion which has been given by the Under-Secretary-General for Legal Affairs.

244. I do not say that the legal opinion which we have been given is specifically designed to pressure the General Assembly into a certain course of action, but this is the impression that one gets when one reads this document, and I hope that such an appearance will not be given again.

245. The question at issue is not merely a procedural one, and I should like to emphasize this very firmly to our friends, the representatives of Canada and France. We know their position on this matter, as well as that of many other delegations who have spoken here on the purely legal and procedural aspects. We are not hemmed in by the legal niceties and procedural quibbles of the moment.

246. This new decade of the United Nations demands of us a new approach to the question of *apartheid*, and if the General Assembly cannot rise to the moral level of attacking this evil policy today, then it will be a sad beginning for the next twenty-five years of the General Assembly.

247. The PRESIDENT: I should like to seek the opinion of the General Assembly on how to proceed tonight. There are still four representatives who wish to speak in the debate, and there are, so far as I can see, one and a half rights of reply. There are nine delegations that wish to explain their votes before the vote and ten delegations that wish to explain their votes after the vote. It would seem to the President that the wisest procedure would be to listen tonight to the four representatives on the list of speakers in the debate and to the delegation or delegations which have asked to exercise their right of reply, and then to close the list of speakers in the general debate. We could then start the voting procedure tomorrow morning by first calling upon the nine speakers who want to explain their vote before the vote and afterwards to call on the ten speakers who wish to explain their vote after the vote. If representatives will permit me to do so I will now first hear the four speakers and the rights of reply, and then ask the opinion of the General Assembly.

248. Before I call on the next speaker, I should like to make just one more remark. I think that the last speaker made some remarks about the opinion given here by the Legal Counsel which, in the minds of some representatives, might seem to indicate that he thought that the legal adviser had tried to exercise a certain pressure. I should like to say to this that the Legal Counsel was asked by the President to give an objective legal opinion about a certain legal matter. This was also requested by one of the representatives in our meeting yesterday, and the legal adviser has not only

the right but also the duty to give such an opinion. I hope the last speaker did not mean in any way to indicate that the distinguished Under Secretary-General had not given that opinion according to his conscience and to his best legal ability. I take it that no such slur was cast upon him, but I just wanted to make this statement to be quite sure.

249. Mr. OGBU (Nigeria): My delegation has been impressed, having listened very carefully to all those who have contributed to the debate today, by some speakers who have come up to the rostrum to state, restate or reiterate their opposition to the policy of *apartheid*. My delegation would be more impressed if these enemies of *apartheid*—and my delegation is one—would stand up and be counted.

250. Reference has been made to the rules of procedure. If I may, at this stage, I would refer to the illustrious Ambassador of Saudi Arabia who always refers to the fact that the law was made for man and by man, and not man for the law. The urgent request made by the Ambassador of Somalia [1882nd meeting], which I had the honour of supporting on 23 October, was quite clear. The task that was given to the Credentials Committee was that they should examine as a matter of urgency the credentials of the people sitting in the seat of South Africa who purport to represent South Africa. The report which we have received from the Credentials Committee has given a global picture of the credentials that have been submitted as of a certain date in October. This was not our request. Without intending to cast any aspersions on the Credentials Committee—I believe its error was genuine—it has, in my opinion, left out the main assignment that it was given. That is why this distinguished Assembly has been thrown into some confusion.

251. My delegation has been concerned that, as a result of a simple assignment given to the Credentials Committee, we are now having to listen to representatives who have the right to express opinions on other credentials. This was not the proposal that my friend and colleague, the Ambassador of Somalia, and I had put to the Credentials Committee. However, my delegation has been equally disappointed and amazed at some of the contributions, particularly those coming from some Western Powers. It is unfortunate that some Western countries, which stand for a system different from communism, oppose communism because the majority of the people have no freedom to express their views or opinions. But, at least we know that they all vote whenever elections of new representatives fall due. Can we say the same of South Africa? I am not on this rostrum advocating one system of political theory against another. My Head of State has said, "We do not believe in communism or capitalism; we believe in Nigerianism".

252. What is the conclusion that the Western Powers here want drawn by those of us who have the right to claim that we belong to the third world? Is it that the Western Powers support South Africa? Is that because of the fact that those oppressed in South Africa are black or coloured? Or is it that they merely wish

to protect their economic interest? Or is it both these things?

253. I say again, as I have had the opportunity to say in the Special Political Committee, that any money that the Western Powers receive or earn by supporting South Africa is blood money—it is money that they make out of the suffering of and out of the blood shed by brothers and sisters in South Africa.

254. I was a little disappointed by the contribution made by the Ambassador of France, for whom I have the greatest respect, for only yesterday [1899th meeting] tributes were paid from this rostrum to a world hero, a soldier and a statesman whose body has not yet been laid to rest, who was responsible for a large number of representatives being present here by virtue of his position and his stand against imperialism and for the equality of men; who single-handed was responsible for granting independence to a number of sister African countries represented here today. Many said, "General de Gaulle is not dead". Can we really believe those words, or have we seen from the contribution today by the Ambassador of France that General de Gaulle is really dead? I would shudder at the thought that the Ambassador of France would get up on this rostrum and vote against a draft resolution which in fact is advocating equality and freedom for my brothers and sisters in South Africa. Are those brothers and sisters of ours in South Africa worse than those who have been granted independence? What are we asking for other than the mere right, the inalienable right of the people in South Africa, the blacks and the Coloureds in South Africa, to be entitled to enjoy the basic fundamental human rights? We in Nigeria believe that those Africans in South Africa are just as good as we are in Nigeria. That is why we will not stop fighting for their cause.

255. We have heard enough debate on this issue. I was going to propose, with due deference to the rights of representatives, that the debate be closed in accordance with rule 77 of the rules of procedure, but because of your intervention, Mr. President, I will not make that proposal.

256. It is very interesting that even those who reject Peking are always anxious to defend or condone South Africa and its interests in the United Nations. I have not forgotten that a little over two years ago, when there was a move as a result of the resolution adopted in New Delhi by the United Nations Conference on Trade and Development, to suspend South Africa from its activities; without South Africa raising a voice in this forum, its supporters and its allies came up here and eloquently defended it and ensured the defeat of that resolution.

257. I shall not be surprised to find if we continue this debate—as I have had occasion to say here before—that many capitals will be buzzing, some arms will be twisted and attempts made to give wrong impressions. Again, as I said this morning, we should proceed with caution, we should go slowly because the interests of the United Nations are paramount. But

I say that in the new era of the United Nations, having gone softly and gently for the past twenty-five years, we must stand up and be counted when particular issues are involved. The supporters of South Africa and those who would resist the admission of Peking and yet proclaim universality from this rostrum—how can they explain these things? Some of us who come from the third world will demand better explanations on some of these issues than mere reference to the rules of procedure. Are the supporters and champions of *apartheid* saying that the 15 million blacks are less important than the political policies followed by Peking, or what has made them resist so much the admission of Peking to the United Nations?

258. I ask again: is the attitude that of non-concern to the extent that they will merely express it from this rostrum and do nothing about it because those who suffer in South Africa are black? To my delegation some of these actions and statements appear really dishonourable and, I regret to say, even simple. Where are the Christian consciences, where is the political consciousness? Where is the determination to fight injustice and inhumanity? If the United Nations is unable to deal with the question of Namibia because of South Africa's obstinacy, why should South Africa remain a Member of this Organization? The future of the United Nations is at stake. Is it willing to seize the bull by the horns, or will it just play the old game of the ostrich and hide its face in the sand?

259. We, the sponsors of the amendment, as has often been repeated from this rostrum, are not asking for the suspension of South Africa. We too can read the Articles of the Charter and the rules of procedure. This is really a test case, and we shall want all friends of *apartheid* to stand up and be counted, but I should like to give warning that—on the basis of what we consider the report of the Credentials Committee to be vis-à-vis the request that was made to it—if our amendment is not accepted my delegation, and I presume most of the other sponsors of the amendment, will vote against the report.

260. The PRESIDENT: I understand that the representative of Nigeria would have wanted to make a formal proposal to close the debate if I had not already mentioned that I wanted to propose closing it after we have heard the speakers whose names have been inscribed. We shall come back to that later. There are now eleven representatives who want to explain their vote before the vote is taken and fourteen to explain it after the vote. There are still three speakers on the list and I shall call on them.

261. Mr. BAROODY (Saudi Arabia): I thought I would be remiss in my duty if I did not take the floor again to clarify certain points and dispel misunderstandings that perhaps my statement this morning may have elicited.

262. I listened very carefully to my African brothers, European brothers, Asian brothers and Latin American brothers, and I must say that many of us have been beating about the bush. The amendment with which

we are presented seems very simple, but I warn the Assembly again that it has serious implications that may affect the structure of the United Nations, that may bring down the United Nations.

263. I challenge any one of those who have been here since 1947, when we began our work at Lake Success, until this day to state that I have swerved from my stand on self-determination or the question of discrimination or religious intolerance. My record is clear in the archives of the United Nations. We are confronted with a most serious demand by none other than my African brothers for whose liberty and freedom I laboured in this very United Nations by elaborating the principle of self-determination into a precise right. Seven years I spent doing that with my colleagues. I stand to be corrected at any time by any of my new African brothers if I am swerving from the path that would lead to the ultimate liberation and freedom of the people of South West Africa, or from continuing my fight against discrimination in all its forms, including *apartheid*.

264. But what is the intent behind the amendment proposed by my brother from Cameroon and other brothers who submitted it as an amendment to the proposal contained in the report of the Credentials Committee? I shall not be a hypocrite. Once and for all the intention is to set machinery in motion eventually to expel a Member State from among us. It so happens that today it is the Republic of South Africa; tomorrow it will be another State. On what grounds do they want to expel the Republic of South Africa? You have a case, our brothers from Africa, because the Republic of South Africa proclaims and practises *apartheid*, and also on the ground that the Republic of South Africa has denied the right of self-determination of the people of South West Africa, christened Namibia by the United Nations three years or so ago.

265. I must repeat that I am in full agreement with all my African and Asian brothers who decry the policies of South Africa and, in fairness, with those white brothers of Europe and Latin America who joined in condemning the policies of *apartheid*. I am in full agreement with them, and we should relentlessly continue either to bring South Africa and its supporters to their senses in conformity with the provisions of the Charter or to submit this question to the Security Council to debate it fully, to decide what should be done and forthwith to make recommendations to the General Assembly—not the question of *apartheid* but the question of the "justicity" of credentials, the "justicity" of membership in our Organization.

266. Another alternative is to incribe a new item on the agenda of the current session of the General Assembly, if our African brothers believe that urgency is of the essence, or on the agenda of the next session, if they think that this question can wait for another ten months or so because our current agenda is quite loaded.

267. I submit that this question should have a wider base; it should define the norms of juridical credentials

and spell out the imperatives for the expulsion of a Member State from the United Nations, whether it be the Union of South Africa or any other State for that matter.

268. If we do not follow such an orderly procedure to deal with this question I am afraid we will be setting a dangerous precedent for arbitrary decision as to what State is worthy to retain its membership in the United Nations and what State is unworthy and therefore should be expelled from our Organization. I submit that we would be acting foolishly, on the spur of an emotional constriction, with all due respect to the intelligence, the capacity and the acumen that have often been shown by our African brothers from this very rostrum.

269. I further submit that, unfortunately, I think we are making capital of what I consider to be strictly a legal formality, if not a procedural measure regarding the Credentials Committee's report.

270. Reservations are certainly admissible on the report of the Credentials Committee. In fact, reservations on the report have been made—and rightly so—by many States in connexion with the validity of membership of other States, particularly in relation to the admission of the People's Republic of China. That is nothing new. Why do my brothers from Africa not make a strong reservation instead of submitting an amendment, a string of a few words that may be dynamite without their knowledge that it could be so, and that could destroy the United Nations if we let it go unheeded.

271. But I know why my African brothers have been acting like this, because we Asians do act like them on many an occasion because of our frustrations. Reams of resolutions have been adopted on *apartheid* and the question of Southern Rhodesia and the self-determination of those peoples of Africa that are still under the foreign yoke.

272. I almost took the floor about this time yesterday in the Security Council. But after consultations with colleagues, representatives of various ideologies and political persuasions, I thought I would withhold the plan I had on the question of Southern Rhodesia until another day. But I shall give you an insight without going into the details of that plan. I once submitted a programme for the liberation of Southern Rhodesia, but it was greeted in a cavalier manner by my African and European friends, and it is buried in the archives of the United Nations.

273. By what right do 250,000 whites or their representatives dominate 4 million blacks in Rhodesia? By what yardstick of justice, leaving aside the principles of the Charter and the articles of the International Covenants on Human Rights, as well as the Universal Declaration of Human Rights? We do not need to refer to the Charter or to those international Covenants or to the Universal Declaration to find that it is inhuman and illogical that the representatives of approximately 250,000 whites should dominate the blacks against their

will, or against the will of a majority of them because I believe there are only fifteen members—black stooges—in the otherwise white Parliament of 250.

274. Instead of subverting academically, with dangerous implications, the membership of a Member State which happens today to be the Union of South Africa, why do my African brothers and my Asian and European brothers, for that matter, not allow a volunteer army to be constituted, officered by experts from wherever they may hail but mostly by United Kingdom experts, because they tell us it is still a colony; by American officers who are waging a war in the Far East, they went as advisers and emerged as an army of about half a million; by our Russian colleagues, the Soviet Union, who shake their shoulders in the northern part of Europe and Asia and the other Powers get vigilant; and by our France. We say our France because that man referred to today by none other than my Nigerian brother and friend was the arch-liberator in the quarter of a century after the Second World War.

275. Why do our African brothers, instead of trying to expel and subvert academically here the Union of South Africa, not begin to think in terms of an army of liberation, officered by the four great Powers? And something drastic could be done.

276. When I was young I was a fighter, and not an orator. When I could no longer fight, I became an orator. That is the way to liberate Namibia and Southern Rhodesia. It is not by posing as armchair generals as we do here in the United Nations. And I start with myself, so that this may not be considered as a slight to any one of my brothers. Far be it from me to cast aspersions on or to refer adversely to anyone. Therefore, my African brothers and those Asian brothers who have joined them through solidarity, the danger in the United Nations is to act through solidarity rather than by logic, practicability, reason and justice. Of course there is an injustice. But is that injustice the sole prerogative or monopoly of South Africa? As I said this morning, there are countries that are headed by dictators, where internal self-determination is not practised. Their representatives sit here squarely and nobody dares challenge them, and maybe rightly so, because it is up to the people of those countries to arise, and not only to chastise but to depose and crush the tyrants of their respective States. It is not for us to interfere in their domestic affairs.

277. Therefore, my dear brothers from Africa and your associates from Asia and perhaps from other continents, may I appeal to you to sleep on this question at least until tomorrow, as our President has suggested, and that we resume our statements, explanations of vote and rights of reply tomorrow. Let us suspend any action on this amendment now with a view to considering my suggestion either to submit the question to the Security Council, which would be the proper body to examine the question of admissibility and retention of membership—the Security Council could submit its report to the General Assembly for consideration and action, because, after all, we should not

abdicate all our responsibilities to the Security Council—or to inscribe this item on the agenda of the current session or, if it is not so urgent, on the agenda of the twenty-sixth session of the General Assembly. In the meantime, I ask them to suspend the amendment—I do not say to withdraw it—until we decide what would be the best course to follow.

278. Of course we are outraged. Everyone is outraged by *apartheid* and by the failure to grant self-determination. But remember, you may be on the docket of expulsion. No one is immune from expulsion, because if we take the yardstick of the Charter and our commitment to the letter of the Charter we shall find we are all unworthy, in absolute terms, to be Members of this Organization. And I challenge anyone to tell me that his State is perfect. The question of relativity, of course, is valid.

279. I appeal to you, my brothers, to suspend the amendment, as in 1966 [1431st meeting] I suspended a draft resolution aimed at accelerating the self-determination of South West Africa. But you turned your backs on me and listened to the representative of the United States, who gave you a lollipop by establishing a council. I told you what Clemenceau said in Versailles: "If you want to kill any item, constitute a committee and refer that item to the committee". That is what was done. I do not question the motives of the United States. Maybe it wanted to gain time to see what could be done, because it did not want to wage war on South Africa. Nor did the United Kingdom, in fairness to the United States, nor did the Soviet Union want a confrontation with the Western world over South Africa. I worked on that. I have done spade work on that problem for the last ten years. I am not talking off the top of my head. I told you that they were giving you a pacifier, a lollipop, in the Council. And you christened South West Africa—you gave it the name of Namibia, as if a declaration by me that I was the Emperor of China would make me Emperor of China. I have to be frank and outspoken with you. It is good that we laugh and have some humorous relief when the tension is high. Even Shakespeare resorted to it in three of his tragedies. The exception was Macbeth, where the act was so dastardly that it did not admit of any humorous relief.

280. I am talking to you seriously and in a serious vein. Suspend that amendment and follow an orderly procedure.

281. Before I conclude, I have a question to put. I do not want to embarrass our President, but after all he is the symbol of our collectivity, and nobody can say that he is not a jurist, that he is not a reasonable man, that he is not a fair gentleman who can look into matters objectively. Assuming that my brothers from Africa and my brothers in solidarity from Asia refuse to suspend the amendment, and assuming that the amendment receives a majority vote, what would be the implications? Would we forthwith declare as out of order everything that the representatives of South Africa stated in any committee because their credentials were improper or illegal? Would they be

still sitting as dummies at our side? What about the worth and dignity of the person, leaving aside the policies of the Government? I speak to the representative of South Africa whenever I see him and I tell him that the policies of his Government are wrong. But I greet him, as I greet any brother from Africa or from any other continent. After all, what about the worth and dignity of the human person?

282. Another question which I would like you to answer, Mr. President, and my brothers and sisters in this Assembly, is: would a majority vote in favour of the amendment possibly open the door to many of us challenging the retention of the seats of other States Members of this Organization? I can assure you that immediately there would be at least four or five demands, not amendments, for the ultimate expulsion of several States.

283. To cap it all some might think that the United Kingdom should be expelled for not having taken proper action militarily against Mr. Ian Smith, whereas it had taken action against Hitler. To many people of Asia, Hitler was no tyrant. He may have been a tyrant, but in so far as Asia and Africa were concerned he was no tyrant. However, in so far as Africans are concerned Ian Smith is a tyrant.

284. Our friends from the United Kingdom still consider Southern Rhodesia a colony. We can demand—either you wage war against Ian Smith or risk being expelled from the United Nations. I am giving the Assembly an example. Far be it for us to do so because with all due respect to all those who oppose the United Kingdom, I think the United Kingdom still bears the torch of civil liberties and human rights, if not sometimes in the policies of its Government, at least as far as its people are concerned. We cannot forget its Magna Carta. We cannot forget its Parliament. We cannot forget its judges who have been exemplary for the last fifty or sixty years when they pronounced their decisions on matters that sometimes were against the State—on its freedom of speech. We can look at other facets of the United Kingdom that are ennobling. If we want only to focus our eyes on the degrading policies of States, whether those of the United Kingdom or any other State, I submit that the test will be very hard and none of us will pass. Be worthy of being Members of this Organization.

285. The PRESIDENT: I have listened with very keen interest, as I always do, to my distinguished and dear friend from Saudi Arabia. He asked a question and said that he did not want to embarrass me. Of course, it does embarrass me. It is a very difficult question to answer now, but still, out of respect both for him and for the Assembly, I will try to give an answer. But I want to state in advance that that answer is not a ruling of the President. I do not think that the President has the power to make a ruling which will give a legally binding interpretation of a resolution of this kind. But if the time should come, as it undoubtedly must, later in the Assembly where I have to make a ruling on the basis of what has happened here today I believe that my opinion would be the following.



286. After listening very carefully to this extremely important and at times passionate debate, after having read and reread several times the text of the amendment proposed, and after having studied very carefully the opinion given by my learned friend here on the rostrum, I reach the conclusion that a vote in favour of the amendment would mean, on the part of this Assembly, a very strong condemnation of the policies pursued by the Government of South Africa. It would also constitute a warning to that Government as solemn as any such warning could be. But that, apart from that, the amendment as it is worded at present would not seem to me to mean that the South African delegation is unseated or cannot continue to sit in this Assembly; if adopted it will not affect the rights and privileges of membership of South Africa. That is my understanding.

287. The last representative who has asked to speak is the representative of Cambodia, and I call on him now. If the Assembly agrees I shall propose to postpone the vote until tomorrow.

288. Mr. THOUTCH VUTTHI (Cambodia) (*interpretation from French*): My déléation already had occasion during the session, and on several occasions, to explain the exact situation in my country and to refute the slanderous accusations against us. Our Minister for Foreign Affairs did so in his speech in the general debate on 30 September 1970 [1855th meeting]. I shall therefore not repeat those arguments in order not to tire the patience of the Assembly.

289. I merely regret that at the present stage of the work of the Assembly there should still be representatives who can come here to continue with this lamentable comedy whose instigator is well known to all of us. Is not our presence here the best proof of the legitimacy of our representation? If interference in the internal affairs of a third country becomes a principle of international law regulating relations among States, my delegation might be well-founded in questioning the representative character of the régimes of Albania, Syria, Yugoslavia, Cuba and Yemen and to express similar reservations concerning the delegations of Mauritania and Romania.

290. Taking account of these remarks, my delegation will vote in favour of the recommendation of the Credentials Committee [A/8142, para. 19].

291. The PRESIDENT: I give the floor to the representative of Mexico on a point of order.

292. Mr. CUEVAS CANCINO (Mexico) (*interpretation from Spanish*): We have listened to lengthy, passionate and brilliant statements on a point in the report of the Credentials Committee which is the most acute and serious challenge to our Organization. On behalf of the delegation of Mexico, I wish to assure the delegations of the African States that none of their words have fallen on deaf ears and we also wish to assure them that the end we pursue is one and the same. It could not be otherwise on the part of countries such as the Latin-American countries, which emerged out of a constructive, constant and fruitful mixing of the races, of which we are proud.

293. Precisely because we seek the same end, I should like to propose that our delegations, which constitute the vast majority of the General Assembly, should seek even now a joint formula whereby we can manifest our unity and thus speed up the end of the policy of *apartheid*. That is why, and on the basis of rule 76 of the rules of procedure, I formally propose that the debate on agenda item 3 (b) be postponed until Friday next.

294. I hope that this motion will be taken for what it is, as a gesture of friendship towards the delegation which proposed the amendments contained in document A/L.608/Rev.1 and Add.1 and as a final effort in the quest for a common formula to attain ends that are shared by all our delegations.

295. The PRESIDENT: A formal motion has been made by the representative of Mexico. Does any representative want to speak on that motion, or shall we take a vote on it straightaway?

296. Nobody has asked for the floor. The Assembly will now vote on the motion of Mexico to adjourn the consideration and vote on this matter until Friday.

*The motion was adopted by 57 votes to 4, with 27 abstentions.*

*The meeting rose at 7.10 p.m.*