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Chairman: Mr. Mihai MAGHERU (Romania).

Tribute to the memory of His Holiness Pope Pius XII

1. The CHAIRMAN invited the Committee to observe one minute's silence as a tribute to the memory of His Holiness Pope Pius XII.

The Committee rose and stood in silence.

AGENDA ITEM 67

Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa (A/3872)

2. Mr. JANTUAH (Ghana) said that since racialism was a threat to the very foundations of international peace and security, no Member of the United Nations should be allowed to prevent discussion of the question on the pretext that it was a matter of domestic jurisdiction within the meaning of Article 2 (7) of the Charter.

3. Under the Charter, the Union of South Africa had pledged itself to take action in co-operation with the United Nations to promote human rights and fundamental freedoms. The manner in which it had kept that pledge was well known. Contending that its manner of dealing with race relations fell within its domestic jurisdiction, it had pursued and intensified its policy of apartheid, flouting the authority of the United Nations and disregarding the resolutions of the General Assembly when they conflicted with its national policies.

4. The policy of apartheid, as conceived and pursued by the Union Government, was an affront to the conscience of the civilized world and a slight to the non-white peoples, which comprised two-thirds of the world's population. It was not only a threat to peace and security on the continent of Africa, but had repercussions on race relations everywhere. It should therefore be halted while there was still time for the United Nations to work for a solution to that vital problem by peaceful and just means. His Government, which with all the Asian and African States was a party to the Bandung declaration concerning equality of races and nations great and small, called upon the Union of South Africa to stand by its obligations under Article 56 of the Charter and to co-operate in the common effort towards achievement of the purposes set forth in Article 55.

5. He recalled the resolution on racial discrimination and segregation passed by the Conference of Independent African States at Accra in April 1958, condemning the practice as evil and inhuman, and stressing the dangers to Africa from its growing influence. The resolution noted with abhorrence a statement by the head of the South African Government that he would pursue a more relentless policy against the coloured people; appealed to religious bodies and spiritual leaders to support all efforts towards the eradication of racial discrimination; and called upon the Members of the United Nations to take action to eradicate a degrading form of injustice.

6. He went on to quote reports and statements concerning the dangers of the racial situation in the Union of South Africa, including an article in the Saturday Review of 20 April 1957 and a statement made by the Bishop of Johannesburg to the Diocesan Synod on 27 October 1957. In particular, he recalled a world-wide protest, launched on Human Rights Day, 10 December 1957, and signed by 125 persons of international repute. The protest made six points: South Africa had denied to many of its leading citizens the right to leave the country; four fifths of its citizens were denied the right to participate in the Government; people of different colour were forbidden to worship together; freedom of speech was denied to non-white leaders; South Africa repressed human freedom and should grant democratic equality to all non-whites; South Africa should honour its obligations under the United Nations Declaration of Human Rights. In view of the source of that statement, he wondered whether anyone could continue to doubt that the question of race conflict in South Africa had become such a threat to the peace as to constitute a matter of international concern.

7. The apartheid policy was applied to all branches of activity in the Union of South Africa. The Committee on Forced Labour of the International Labour Organisation, in a report published in 1957, expressed its conviction that there existed in the Union a legislative system applied only to the indigenous population and designed to maintain an insuperable barrier between them and the inhabitants of European origin. It found that the indirect effect of that legislation was to channel the bulk of the indigenous inhabitants into agricultural and manual work and thus to create a permanent source of abundant and cheap labour, a force whose members were obliged to live under the strict supervision and control of the authorities. The Committee felt that in that indirect sense a system of forced labour of significance to the national economy appeared to exist in the Union. It had subsequently found that the allegations made with regard to the use of penal labour for work in industry and agriculture were substantiated by the legislation in force in the Union.

8. With regard to public health, disinterested observers had expressed the view that medical care in

the Union varied greatly, being notably deficient in the rural communities and among the indigenous population. The tuberculosis rate in the larger urban centres in South Africa was among the highest in the world, and the expectation of life was twenty years less for a non-white inhabitant than for a white resident.

9. The effect of the application of the apartheid policy to education was well known to the Committee. The head of the University of Cape Town had charged that the purpose of the Bantu Education Act was to establish and perpetuate an inferior status in relation to the European.

10. The same principle of inequality was applied in the economic field. It appeared that while the total wages of the relatively small white working force had risen from 19 per cent in 1931 to 29 per cent in 1953 in relation to the value of gold production, the wages of the African working force had declined from 16 per cent to 12.5 per cent during the same period. The African workers were not free to form and join trade unions of their choosing. In that connexion, the International Confederation of Free Trade Unions had appealed to the Government of the Union of South Africa to reverse its policies and recognize full human and civil rights for all the peoples and races of South Africa. A United States trade union had referred to the apartheid policy as "democracy's greatest embarrassment".

11. Segregation was also applied to sports. According to the Africa Bureau, mixed teams were prohibited and the spectators were always segregated by race, with the cheapest and worst seats allocated to Africans.

12. The delegation of Ghana did not intend to present an indictment of South Africa but would urge the authorities of that country to reflect upon their policy and its effect on both South Africa and the world at large. Throughout Africa the common man was becoming increasingly aware of his rights and responsibilities and any modern civilization that failed to satisfy the needs of the common man and his aspiration to peace, liberty and justice, would be destroyed by the ultimate power that lay in his hands.

13. Mr. MITRA (Philippines) observed that the item under discussion had been on the Committee's agenda for seven years in succession. While it was saddening to see that the appeals made by the General Assembly to the Union of South Africa had been ignored, it was encouraging to know that the conscience of mankind persevered in opposing the practice of racialism. It was hardly a coincidence that the two constantly recurring questions before the General Assembly, disarmament and the race conflict in South Africa, were directly related to the purposes of the United Nations as defined in the Charter. The two problems arose, respectively, out of the two great revolutions of the twentieth century, the technological revolution, which made the cessation of nuclear tests an urgent issue, and the nationalist movement, the origin of the race conflict which threatened the basis of society. Those members who were inclined to be pessimistic over the apparent inefficacy of the Committee's recommendations must use patience, good will and tolerance. Racialism would run its course in South Africa as it had done in other societies that had passed through similar stages. The increasing severity of South Africa's policy of racial discrimination was clearly prompted by fear on the part of a numerically inferior group.

14. Although apartheid was doomed to failure, there were none the less three good reasons why the United Nations should be concerned about the present situation in South Africa. First, because racialism was a profoundly human problem; secondly, because the time and the opportunity had come to urge a common-sense approach to the problem and to create a more humane basis for coexistence on equal terms of the white and non-white peoples of South Africa; and thirdly, because the practice of discrimination was not confined to South Africa, and the continued discussion of the question by the General Assembly was bound to have the wholesome effect of putting other countries on their guard and making them aware of public opinion. It had been suggested that it might be better to have a general item on racial discrimination on the agenda without specific reference to South Africa. But it should be pointed out that in other countries where there were outbreaks of racial discrimination it was specifically prohibited by the constitution or laws of the country and there was a constant effort to bring about a more enlightened attitude. The Union of South Africa was the only country that deliberately pursued a policy contrary to the spirit of the United Nations and supported it by all the government and legislative machinery at its disposal.

15. The Members of the United Nations were not necessarily all innocent of offence against the fundamental principles of the Organization, and in awareness of their own short-comings Members should approach the problem with humility and tolerance. The Philippine delegation was ready, as in the past, to pursue a course of moderation. But the forces of right and decency which did exist among the white population of South Africa needed to be encouraged. Thus any action taken by the Committee would show that public opinion was concerned to avert the disastrous social upheaval that was clearly being fomented by the South African Government. The ineluctable historical fact that racial segregation was ultimately self-defeating would aid the United Nations in its task, and it was to be hoped that that fact would be recognized in South Africa before it was too late.

16. Mr. SCILINGO (Argentina) first of all paid a tribute to the memory of His Holiness Pope Pius XII.

17. Recalling resolution 616 A (VII), which set forth the terms of reference for the discussions of subsequent years, he said that on the question of competence the General Assembly had consistently rejected the argument of domestic jurisdiction put forward by the Union of South Africa and had decided in favour of its own competence. The Assembly had in fact been so categorical in regard to its competence that it had not at any time felt obliged to seek an opinion from the International Court of Justice.

18. Just as the Assembly had no misgivings in regard to the question of competence, in the same way it had no doubts that its recommendations did not constitute intervention. He recalled in that connexion the first report of the Commission set up under resolution 616 A (VII) (A/2505 and Add.1),

19. In regard to Articles 55(c) and 56, which were directly linked with Article 1 (2) and (3) and Article 13 (1) (b), he noted that resolution 540 (VI), entitled "Observance of human rights", in recommending that States Members of the United Nations should intensify their efforts for the observance of human rights and

freedoms, started out from the principle that it was the responsibility of Members individually and collectively, to see that those rights and freedoms were enhanced throughout the world.

20. The recognition of fundamental freedoms and equal rights for all, regardless of race, colour, sex, language or religion, was one of the greatest achievements of modern times. It was the culmination of the historical process of gradually overcoming the false values which kept the members of the human family apart and making them all equal as human beings and in law. It was in that context that the principles set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights should be viewed. The obligations and responsibilities of Members of the United Nations should be viewed in the same context.

21. That achievement of equality of human rights was prevailing in all countries save the Union of South Africa, where discrimination and segregation were part of a definite and purposeful plan.

22. The discriminatory legislation adopted in the Union—which increased from year to year—might be the result of a complex of economic, social, psychological and political factors, and not the outcome of mere crude racialism, but its effects were the same. The problem facing the Union Government was undoubtedly a most difficult one, but it was not and could

not be solved by building a society divided by racial barriers.

23. All the countries making up the international community, regardless of their political or ideological systems, had spoken their minds on the South African racial policy or expressed a desire to see it changed. At the present session of the General Assembly—the seventh year of the discussion—new voices would be raised and those same desires and opinions would be expressed once again.

24. Argentina had no wish to interfere with the sovereign will of any Government. Nothing was further from its design than to try to intervene or interfere in the domestic affairs of another State. Nevertheless, when it recalled its own emergence into independent life 150 years ago, destroying the law of slavery and proclaiming that a man became free merely by setting foot on Argentine soil, and the provisions of the Argentine Constitution which declared racial differences non-existent, Argentina came to today's debate with renewed hope. Trusting in its loyal friendship with the Government of the Union of South Africa, it urged that Government to revise its policy and to base its legislation on the sacred and consecrated principles of equal rights and fundamental freedoms for all.

25. The Argentine delegation would support any proposal calculated to bring that about.

The meeting rose at 12.10 p.m.