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Chairman: Mr. Mihail HASEGANU (Romania).

AGENDA ITEM 30

The policies of apartheid of the Government of the Republic of South Africa: reports of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and replies by Member States under General Assembly resolution 1761 (XVII) (A/5497 and Add.1, A/SPC/80, A/SPC/81, A/SPC/82, A/SPC/L.95, A/SPC/L.96) (continued)

1. The CHAIRMAN said that the meeting had been put forward by one day at the express request of the African and Asian States because of the urgency of the measures to be taken by the United Nations in regard to the trials which were about to be held in South Africa.

2. The Committee had before it a draft resolution submitted by fifty-five delegations (A/SPC/L.96). Under rule 121 of the rules of procedure of the General Assembly, "as a general rule, no proposal shall be discussed or put to the vote at any meeting . . . unless copies of it have been circulated to all delegations not later than the day preceding the meeting". But in view of the request for interruption of the general debate and the great urgency of the question the members of the Committee might wish to waive rule 121 in the present instance.

3. Mr. DIALLO Telli (Guinea), speaking on behalf of the fifty-five African and Asian delegations which had submitted draft resolution A/SPC/L.96, drew the Committee's attention to the serious events which were taking place in the Republic of South Africa.

4. The South African Government was proposing to carry out a mass trial of South African political leaders opposed to the policy of apartheid, on false charges of sabotage. Apparently eleven persons were to be tried, including men like Nelson Mandela, Walter Sisulu and Govan Mbeki, well-known leaders of the African

National Congress, and Ahmed Kathrada, President of the Transvaal Indian Congress. The accused persons belonged to various ethnic groups.

5. The Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa had already pointed out in the last of its reports to the General Assembly (A/5497) that according to the South African Minister for Justice, 165 persons held in custody would be charged with sabotage and similar activities and an investigation was going on in respect of eighty-five others. Recalling the comments he had made at the 379th meeting in regard to the 1963 Sabotage Act, officially known as the General Law Amendment Act, he said that the Special Committee had reproduced the main provisions of the Act in paragraph 51 of its first interim report (A/5497/Add.1, annex III).

6. The South African Government's decision to carry out a mass trial was a direct challenge to the United Nations and was in flagrant contradiction with the Security Council resolution of 7 August 1963,^{1/} which in paragraph 2 expressly called upon the Government of South Africa "to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid". Not only had the South African Government failed to set them free; it had continued to make arrests under the same arbitrary legislation, and the number of political prisoners in custody amounted to scores of thousands. More than 300 persons had been thrown into prison without trial, under the General Law Amendment Act, which world public opinion had denounced as a Nazi law setting up a police State.

7. The Government of the Republic of South Africa had already violated dozens of resolutions of the General Assembly and the Security Council. But the United Nations must take up the challenge, especially after the adoption of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963. Only a few days after the former resolution was adopted, the South African Government had sentenced Nelson Mandela, a democrat and a well-known patriot, to five years' imprisonment, and Walter Sisulu to six years' imprisonment. A few days after the Security Council resolution was adopted, South Africa had intensified its repressive measures; and now it was proposing to carry out mass trials in which, needless to say, the accused persons would have no guarantee of fair treatment. Incidentally, the Special Committee, in its three successive reports, had given details of the severe laws of repression and of the inhuman measures taken against all who opposed apartheid.

8. The purpose of the repressive measures was not merely to silence all claims to racial equality presented by the non-Whites, but also to block any effort

^{1/} See Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963, document S/5386.

on the part of the South African Whites to apply the fundamental principles of the United Nations Charter in South Africa. By creating an atmosphere of fear and insecurity, the South African Government hoped to muster the support of all the white people in the country. As the Special Committee had pointed out, the severe repressive measures were making any possibility of a peaceful settlement more and more remote, increasing hostility among the various racial groups and precipitating a violent conflict which would cause hardship to all the inhabitants in the country, Whites or non-Whites, and would undoubtedly have repercussions on peace in Africa and throughout the world.

9. Africa had lost eminent leaders like Patrice Lumumba, Prince Rwagasore and Sylvanus Olympio, who had fought to consolidate independence in their countries. But the African States were firmly resolved to protect their leaders against colonialist and racist policies from whatever quarter, as they had declared at the Summit Conference of Independent African States, held at Addis Ababa, 22-25 May 1963. The leaders whose lives were now in danger had fought constantly to establish the principles laid down in the Charter and to create a society in which all, Whites and non-Whites alike, could enjoy freedom and a better way of life. He paid a tribute to their courage and that of the many Whites who were being charged along with them. He also saluted the memory of the many patriots who had died in prison after suffering ill-treatment which called for investigation by the United Nations.

10. Those Governments which still maintained relations with South Africa argued that persuasion was the best method of turning the South African Government away from its disgraceful policy. But thus far, persuasion had achieved nothing, and they must now prove conclusively that the methods they advocated were effective. It was with a view to assisting all the representatives of Member States in their efforts to induce the South African Government to abandon the arbitrary trials now under way and to set free immediately and unconditionally all persons held in custody because they opposed the apartheid policy that fifty-five African and Asian delegations were asking the Committee to give urgent consideration to draft resolution A/SPC/L.96. It represented a very moderate stand which reflected the concern of its sponsors as well as their firm determination to put an end to the serious situation prevailing in South Africa. He hoped that the Committee would adopt the text unanimously and submit it by a summary procedure to the General Assembly on the following day.

11. Mr. CHAKRAVARTY (India) associated himself with the statement made by the representative of Guinea and seconded the draft resolution. As Mr. Oliver Tambo, Deputy President of the African National Congress, had stated (379th meeting), the trials which were being conducted in South Africa had no parallel in South African history, and if the Government were to be allowed to have its way, it would seal the doom of that country and entrench the feelings of bitterness which years of sustained persecution had already engendered among the African people. Hence there was an atmosphere of urgency in the present deliberations.

12. The United Nations must make every effort to prevent the monstrous trial by which men and women of all racial groups were being tried on trumped-up charges under the iniquitous Sabotage Act to which he had referred as long ago as October 1962 (335th meet-

ing). Under that draconian Act, persons of the eminence of Mr. Nelson Mandela, Mr. Walter Sisulu, Mr. Ahmed Kathrada were now being tried. More than 5,000 political prisoners were already languishing in South African gaols. Not only were they not being released, but South Africa had ignored the Security Council resolution of 7 August 1963. Such trials were not normal in peace time in any country; indeed, the laws under which the trials were being held were, to say the least, unusual in a society which claimed to be based on peace and brotherhood. The Government of the Republic of South Africa maintained that the policy of apartheid was calculated to improve the lot of the indigenous population. It had even been hinted that but for interference from people who were not indigenous—a term which of course included people of Asian origin—there would be no objection to the implementation of the policies of apartheid. It was an insult to the indigenous peoples of the Republic of South Africa to say that they themselves had no consciousness of the gross distortion of human relations that apartheid sought to perpetuate.

13. The General Assembly and the Security Council had made it clear that the policies of apartheid were a threat to peace and security in the Republic of South Africa. There was no better evidence of that than the laws under which the trials were now being held. Each day that passed without those laws being repealed increased the likelihood of a conflict which might well engulf the entire continent of Africa.

14. Obviously it was impossible to stand calmly by and watch that grim tragedy. The least that could be done was to call upon the Government of the Republic of South Africa immediately and unconditionally to release those fighters for the freedom of all races who had taken up arms against oppression in its worst form. The United Nations must exert all the influence it had over the South African Government to induce it to comply with the provisions of the joint draft resolution, which was soberly worded and should be adopted immediately so that the plenary Assembly could consider it at the earliest opportunity.

15. Mr. GEBRE-EGZY (Ethiopia) said that the fifty-five delegations had intended to submit draft resolution A/SPC/L.96 direct to the General Assembly but, as a matter of courtesy, had brought it before the Committee first.

16. Eleven leaders, most of them prominent and patriotic individuals, were to go on trial in South Africa. It was not an ordinary trial but one in which the defendants faced life imprisonment or even the death penalty under the notorious Sabotage Act; thus, the matter was an urgent one. He therefore proposed that the Committee should close the debate forthwith, put the draft resolution to the vote and submit it to the General Assembly by the following day at the latest.

17. Mr. NIELSEN (Norway) said that he appreciated the Ethiopian representative's reasons for requesting closure of the debate as well as the concern felt by the African and Asian Member States which had submitted the draft resolution; he took it that they wished to see the resolution adopted unanimously as an expression of world-wide public opinion. However, the last preambular paragraph caused his delegation some difficulty. The paragraph contained language taken from Chapter VII of the Charter, which dealt with the most serious situations that could arise in the international community. For his part, he did not feel that a trial which had not yet begun could dangerously increase the threat to international peace and security. He therefore

appealed to the sponsors to adopt one of three following courses: to end the paragraph after the words "South Africa"; to replace the last part of the paragraph with the words "thereby further aggravating the international situation"; or to agree to a separate vote on the words "thereby dangerously increasing the threat to international peace and security".

18. His delegation hoped that representatives would appreciate that its aim was to help bring about the swift and unanimous adoption of the draft resolution.

19. Mr. DIALLO Telli (Guinea) said that he could not remain indifferent to a suggestion made by a representative of the Scandinavian countries, which had expressed a desire to join with the African-Asian countries in seeking a satisfactory solution to the problem posed by the policy of apartheid. However, he urged the Norwegian representative not to introduce any procedural motions and, in particular, not to press for a separate vote. In order to cater to the Norwegian delegation's concern and misgivings, he proposed that the words of Security Council resolution of 7 August 1963, for which Norway had voted, should be employed, so that the end of the last preambular paragraph would be amended to read: "thereby further disturbing international peace and security".

20. Every word in the draft resolution had been carefully weighed; the fifty-five sponsors had spent long hours working out a balanced and, at the same time, extremely moderate text. Hence, it would be most regrettable if a single opposing vote was cast on so eminently humanitarian an issue, and he urged the Committee to agree to the request of the representative of Ethiopia and take an immediate vote.

21. The CHAIRMAN read out rule 118 of the rules of procedure and called for statements by representatives who were opposed to the closure of the debate.

22. Mr. NIELSEN (Norway) said that he was opposed to the closure of the debate since he would like an opportunity to reply to the generous offer made by the representative of Guinea.

23. Mr. HALL LLOREDA (Guatemala) said that he was also opposed to the closure of the debate because he would like to set forth his Government's position. Guatemala whole-heartedly endorsed the fifty-five-Power draft resolution and, for reasons of procedure and wording, would not like to see it amended.

24. Mr. DIALLO Telli (Guinea) said it was his impression that the Ethiopian representative had merely made a suggestion.

25. Mr. GEBRE-EGZY (Ethiopia) explained that he had made a formal motion of closure which should be put to the vote immediately.

26. Mr. DIALLO Telli (Guinea), speaking on a point of order, moved the suspension of the meeting.

The motion was adopted by 81 votes to 1, with 1 abstention.

The meeting was suspended at 4 p.m. and resumed at 4.15 p.m.

27. Mr. CHAKRAVARTY (India) read out the wording on which the fifty-five Powers had agreed for the last preambular paragraph: "Considering that such a trial will inevitably lead to a further deterioration in the already explosive situation in South Africa, thereby further disturbing international peace and security". It was his impression that the Norwegian delegation could accept that wording.

28. Mr. NIELSEN (Norway) confirmed that that was so. In voting on the resolution, his delegation would take the position—just as it had when the Security Council had adopted its resolution of 7 August 1963—that the matter under consideration did not fall under Chapter VII of the Charter.

29. Mr. GEBRE-EGZY (Ethiopia) felt that it was time for the Committee to act on his procedural motion; he proposed that, if the members of the Committee agreed, the latter should forgo taking a vote on the motion and proceed directly to a vote on the draft resolution.

30. Mr. DIALLO Telli (Guinea), speaking on a point of order, supported the proposal made by the Ethiopian representative for an immediate vote on the draft resolution.

31. Mr. PLIMPTON (United States of America), speaking on a point of order, said that, although the members of the Committee had had little time for consultation, many delegations appeared to share his own delegation's belief that it would be best to follow the normal procedure provided for in rule 121 of the rules of procedure. He wished to point out that his present observations had nothing to do with the substance of the draft resolution and that, in appealing to the Committee to observe orderly procedure, he was concerned solely with safeguarding the reputation of the Special Political Committee and the United Nations.

32. Mr. QUAISON-SACKEY (Ghana), speaking on a point of order, said that he wished in turn to direct an appeal to the United States representative. In his opinion, extraordinary situations called for extraordinary measures. Moreover, rule 121 appeared to have been drafted in a highly flexible manner, for it contained the words "As a general rule...". The sponsors had taken measures to acquaint a large number of delegations with the draft resolution the night before and their intentions had been known for the past twenty-four hours; he therefore appealed to the United States representative not to insist on the rigid application of rule 121.

33. Mr. HASSAN (Mauritania), recalling that the Chairman had read out the whole of rule 121 at the beginning of the meeting, expressed the opinion that the rule gave the Chairman the authority to permit discussion of a matter which had been brought to the delegation's attention the same day. It also appeared that, by not objecting, the Committee had tacitly accepted the interpretation offered by the Chairman, who had thought that the Committee might wish to waive rule 121 in the present instance, since it was one of extreme urgency in which human lives were threatened.

34. He wished to join the Ethiopian representative in formally requesting closure of the debate and the application of rule 118.

35. Mr. CHAPDELAIN (Canada) said that he was opposed to the closure of the debate for the same reasons as the United States representative. He felt that if the Committee followed rule 121 the Powers which had submitted the draft resolution would more easily obtain the kind of vote they sought. His delegation was opposed to closure as a matter of principle because the draft resolution had not been brought to its attention until noon of that day. As far as the substance was concerned, however, Canada had always been forthright in condemning the policy of apartheid followed by the Government of the Republic of South Africa.

36. Mr. DIALLO Telli (Guinea), speaking on a point of order, said that in his view the proposal was not admissible. The mere fact that the debate had begun was proof that, in the absence of any opposition to the emergency proceeding, there had been a ruling by the Chairman. A ruling made by the Chairman could be challenged by any delegation and could be overruled by a two-thirds majority.

37. He drew the Canadian representative's attention to the fact that the United States representative had not proposed the closure of the debate but had made an appeal. He, in his turn, urged the Canadian representative not to insist on the legal technicalities of the question while people were dying in prison; he also appealed to the representative of the United States to allow the Committee to proceed immediately to vote on the draft resolution.

38. The CHAIRMAN asked, pursuant to rule 118, whether a second representative was opposed to the closure of the debate.

39. Mr. BENITES (Ecuador) pointed out that the very concept of a point of order was clearly defined in rule 114 of the rules of procedure. Representatives had spoken on a number of points of order on which the Chairman had not ruled. In order to avoid a vote on the closure of the debate, he proposed that the Chairman should ask the Committee whether, in its view, the question could be considered urgent; if the answer was affirmative, the Committee could regard the case as an exception and proceed immediately to the vote.

40. The CHAIRMAN invited the members of the Committee to vote on the motion for the closure of the debate.

The motion was adopted by 72 votes to 4, with 19 abstentions.

41. Mr. PLIMPTON (United States of America), speaking on a point of order, explained, first of all, that his delegation had abstained on the proposal because it had no objection to the closure of the debate. It still thought, however, that the question whether there was to be an immediate vote or whether the general procedure under rule 121 of the rules of procedure should be followed had not yet been decided. He did not think that the Committee was dealing with one of the situations referred to in the last sentence of rule 121, which was concerned with amendments and procedural motions. The issue before the Committee was whether the general rule should be followed, which would mean that the vote would be postponed until the following meeting, or whether an exception was to be made. In that regard, the position of the United States was that the general rule should be followed unless there was an extraordinary emergency. He did not think that an emergency existed in the case of the trial under discussion, since it had been put off for several weeks.

42. Mr. PAZHWAQ (Afghanistan) wished to know from the delegation that had proposed the closure of the debate whether its purpose had been to proceed immediately to the vote if the Committee voted in favour of closure.

43. Mr. HASSAN (Mauritania) replied that his intention had been that the Committee should proceed to vote on the draft resolution once the closure had been voted.

44. Mr. BINDZI (Cameroon), recalling the provisions of rule 129 of the rules of procedure, said that the

United States representative seemed to wish the Committee to proceed in reverse in calling for an examination on the meaning of rule 121. Yet the rule was clear: it gave the Chairman full authority to waive the general rule.

45. He did not understand how, at a time when a court—and the composition of its members was no secret—was about to put human beings on trial for their lives, the Committee could busy itself with such quibbling. He refused to believe that certain delegations, in particular the United States delegation, had not been informed of the substance of the draft resolution. In fact, as had been explained by the representative of Ethiopia, the African-Asian countries had intended to take the matter to the General Assembly but, out of courtesy and in order to avoid offending anyone's feelings, they had elected to proceed through the Special Political Committee, even though in their view the question under discussion was extremely urgent. One might wonder, in view of procedural quibbles that had been brought up, whether all countries genuinely wished to avoid the loss of human lives and to prevent a trial which would be based on a notorious set of laws from being held. He again asked that rule 129 should be respected and that the voting should not be interrupted.

46. The CHAIRMAN again read out rule 121 of the rules of procedure. He recalled that the Committee had begun the debate and had voted in favour of the closure of that debate. He felt that the Committee could now vote on the draft resolution.

47. Mr. DIALLO Telli (Guinea), raising a point of procedure, emphasized the exceptional urgency of the situation. The words "as a general rule" in rule 121 meant that exceptions might be made to the rule that no proposal could be discussed or put to the vote unless copies of it had been circulated to all delegations not later than the day preceding the meeting. Moreover, the draft resolution was an interim document, since the question of the policies of apartheid of the Government of the Republic of South Africa remained on the agenda. The Committee was dealing with a matter of life and death, and his delegation addressed a final appeal to the United States representative and the other representatives to recognize that the sponsors of the draft resolution had actually chosen the longer way round. They had unanimously decided to submit their proposal in plenary session, and they could still do so, since enough precedents existed. It was out of respect for the Special Political Committee that the sponsors had wished to submit their proposal to it. In view of its humanitarian nature, it was important that the proposal should be adopted unanimously, and his delegation called on all delegations to disregard any legal or political questions in the circumstances.

48. Mr. GEBRE-EGZY (Ethiopia), raising a question of procedure, recalled that at the outset of the debate he had made a proposal and that, for reasons unknown to him, that proposal had been left in suspense. On the resumption of the meeting, another representative had made a proposal. The two proposals concerned had been quite concrete, the object being to close the debate and proceed forthwith to the vote. Either the Chairman disagreed and would allow representatives to speak, in which case the above-mentioned proposals became meaningless; or the words "shall be immediately put to the vote" had some meaning, in which case the Chairman must put the motion to the vote. He asked the Chairman to uphold the right of his delegation and

that of Mauritania, and indeed, the right of the Committee as a whole and proceed to a vote.

49. The CHAIRMAN called upon the United States representative, asking him, when he spoke, to remain within the framework of the point of order.

50. Mr. PLIMPTON (United States of America) said that, in view of the appeal made to him, he would be very pleased to withdraw his objections to a vote. His only concern had been to ensure that the debate proceeded in an orderly manner and to protect the general reputation of the United Nations in that respect.

The Chairman put draft resolution A/SPC/L.96, as revised to the vote.

A vote was taken by roll-call.

Italy, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Arab Republic, Union of Soviet Socialist Republics, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Algeria, Argentina, Austria, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Ethiopia, Finland, Gabon, Ghana, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel.

Against: Portugal.

Abstaining: Netherlands, New Zealand, Panama, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada, France.

Draft resolution A/SPC/L.96, as revised, was adopted by 87 votes to 1, with 9 abstentions.

51. Mr. JACKLING (United Kingdom) said that his delegation understood the humanitarian motives which had prompted the sponsors of the draft resolution. Nevertheless, it would have preferred to have had time to study all aspects of the matter and to obtain more information on it. In view of the short notice given, his delegation had not felt qualified to decide on its substance. Moreover, the draft resolution had dealt not only with the trial of political prisoners, but with wider matters. For all those reasons his delegation had felt bound to abstain, and it reserved its position until the matter came before the Assembly.

52. Mr. CORREA DA COSTA (Brazil) said he was sorry that he had not been able to state his delegation's reasons for supporting the draft resolution. He welcomed the adoption of that text.

53. Mr. TINE (France) explained that his delegation had not been able to speak before the voting because the procedure followed for the draft resolution, although strictly speaking quite in order, had been somewhat hasty. His delegation could not support proposals, which amounted to interference in the domestic affairs of States. However, it was not insensitive to what had

been said regarding the persons who were to stand trial. If their case was considered out of the political context in which it had sometimes been presented, so that only the humanitarian aspect remained, it would be legitimate to wonder whether an intervention was not justified. However, in order to answer that question, it was necessary to be fully informed as to the facts, and his delegation could not claim to be so informed. Nevertheless, if a study of those facts led the Secretary-General, in due course, to the conclusion that an appeal, at a time and in terms that he considered appropriate, was necessary under the circumstances, the French delegation believed that he might proceed with such action. It would then leave matters to the wisdom of the Secretary-General.

54. Mr. PLIMPTON (United States of America) said that his country was irrevocably opposed, anywhere and at all times, to the repression of political freedom and to apartheid, political trials and all forms of injustice. His delegation therefore deeply regretted that it had been unable to vote for the draft resolution. For his delegation to have voted for the draft, two changes would have been necessary. First, operative paragraph 1 should have been worded as in previous similar cases so that it would have read: "Condemns the non-compliance of the Government of the Republic of South Africa with the repeated resolutions of the General Assembly"; secondly, paragraph 2 should have been drafted in accordance with paragraph 2 of the Security Council resolution of 7 August 1963, which called upon the South African Government to "liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid".

55. Mr. GEBRE-EGZY (Ethiopia) said that, since the matter forming the subject of the draft resolution just adopted was urgent, the text should be submitted to the plenary Assembly on the following morning.

56. Mr. DIALLO Telli (Guinea) recalled that he had made the same request on behalf of the fifty-five sponsors of the draft resolution.

57. The sponsors were very glad that none of the delegations which had abstained had done so for reasons of substance. In particular, they were gratified that the only reason for the United Kingdom delegation's abstention had been its view that it had been allowed too little time. The Guinean delegation was convinced that the United Kingdom delegation would make good use of the time between the adoption of the resolution by the Committee and the General Assembly meeting, in order to carry out the study which it regarded as indispensable, so that it would be able to vote in favour of the text in the plenary.

58. It could not but be gratifying to note that Portugal alone had sided with South Africa in the question before the Committee. That fact merely confirmed the existence of an unholy alliance between those who were determined to oppress the African peoples. As Portugal could not have been expected to vote in favour of the text, it could be said that the resolution had been adopted unanimously. The Guinean delegation hoped that all those who had been absent from the Committee would attend the plenary meeting of the General Assembly and vote in favour of the resolution.

59. Mr. CHAPDELAINE (Canada) said that his country had always condemned the South African Government's policies of apartheid. The Canadian delegation's earlier objections had been based on the need for keeping the Committee's proceedings dignified and calm.

While his delegation appreciated the humanitarian motives inspiring the sponsors of the draft resolution, it thought that the Committees and the General Assembly should take decisions only after mature consideration, giving to all delegations the necessary time in which to consult and to obtain the required instructions from their Governments. It was for those reasons that the Canadian delegation had been compelled to abstain.

60. Mr. MEIJER (Netherlands) explained that his delegation could have voted in favour of the resolution if the usual span of time had been granted to it. The victims of apartheid themselves would have benefited from a less hasty procedure. His Government was second to none in its concern for the political prisoners' fate.

61. Mr. EL-ZAYYAT (United Arab Republic) said that his delegation had voted for the closure of the debate and for the draft resolution itself because it had been convinced of the urgency of the matter. It hoped that, when the question was considered by the General Assembly in plenary meeting, the delegations which had abstained because they had thought that they had not been given enough time would be able to vote in favour of the text.

62. Mr. PATRICIO (Portugal) said that the draft resolution adopted by the Committee constituted interference in the internal affairs of a Member State, interference which was a violation of Article 2, paragraph 7, of the Charter.

63. In his statement at the 380th meeting, the Ghanaian representative had referred to the extradition by the Portuguese authorities of a certain Dennis V. Brutus. The Portuguese delegation wished to explain that when Mr. Brutus had entered Portuguese territory he had been carrying anti-Portuguese propaganda material which he clearly intended to distribute in the province of Mozambique. Mr. Brutus, as he himself had admitted, was a citizen of South Africa and not a British subject. He had attempted to enter Portuguese territory with a false passport. That was why he had been taken back to the country from which he had come, namely South Africa—a perfectly normal measure.

64. Mr. André FORTHOMME (Belgium) said that his delegation fully understood the humanitarian motives of the resolution's sponsors. It also appreciated that there was an element of urgency in the matter. Belgium disapproved of political trials and all forms of repression and racial discrimination. The haste of the sponsors of the draft resolution had not, however, enabled his delegation to give sufficiently thorough consideration to the juridical and moral implications of the text before the Committee. The Belgian delegation wished to go into the matter in greater detail. It had some reservations concerning the juridical implications which the resolution might have for the future of the United Nations.

65. Mr. EASTMAN (Australia) reaffirmed the abhorrence felt by his Government for the policies of apartheid. In the case before the Committee, however, the Australian delegation's knowledge of the trials, of the charges laid and of the allegations on which they were based was limited, at that moment, to brief and unconfirmed press reports and to a number of statements made in the Committee itself. According to one of the press reports, the substantive trials would not commence until 29 October, i.e., in nineteen days' time.

66. His delegation had not had enough time in which to check the relevant facts or to study the specific

proposals made in the draft resolution. Accordingly, while the Australian delegation appreciated the feelings of the sponsors of the draft resolution concerning the situation, as they understood it to be, it had had to abstain.

67. Mr. HASSAN (Mauritania) associated himself with the request that the draft resolution adopted by the Committee should be brought before the General Assembly on the following morning.

68. The draft resolution did not relate only to the trials which should have begun on that day but had been postponed by the South African authorities. It also requested the South African Government to release the leaders of South African political organizations. Even if the trials were postponed, the hardships suffered by those leaders made the matter an urgent one.

69. Mr. DIALLO Telli (Guinea) said that he wished to make a clarification regarding the case of Mr. Brutus, which had been mentioned by the Portuguese representative. It emerged, from information brought to the knowledge of the Special Committee and reported in document A/AC.115/L.36, that Mr. Brutus had come from Basutoland, that he had been the bearer of a Rhodesian passport, that he had been crossing Mozambique, and that the colonial authorities in Mozambique had arrested him deliberately while he was on his way to a conference in Europe and had handed him over to the South African police. The person concerned had been imprisoned at Johannesburg; he had been seriously injured, and was at present being detained without any legal assistance. His case provided additional evidence of the constant collusion between the Portuguese colonialists and the South African racialists.

70. Mr. PATRICIO (Portugal) stated that his delegation rejected the Guinean representative's assertions and categorically reaffirmed what it had previously said.

71. The CHAIRMAN recalled that at the beginning of the meeting emphasis had been laid on the urgent character of the question before the Committee. It had been on that basis that the Committee had taken action and adopted draft resolution A/SPC/L.96. In the circumstances, he thought that the Committee's report on that specific point could be presented to the General Assembly in plenary meeting, on the following morning.

It was so decided.

Expression of sympathy with the Governments and peoples of Cuba, Haiti, Trinidad and Tobago, and Italy in connexion with the recent disasters

72. The CHAIRMAN, speaking on behalf of the Committee, expressed sympathy with the peoples of Trinidad and Tobago, Haiti and Cuba which had had been so hard hit by the recent hurricane and with the people of Italy in connexion with the previous day's disaster in that country.

73. Mr. JUARBE Y JUARBE (Cuba) said that he greatly appreciated the Chairman's words of solidarity with the Cuban people and the brother peoples of Trinidad and Tobago, Haiti and Italy. The tragedy which had struck Cuba was immense; loss of life had been high, and in the economic field a large part of the main crops, and thousands of homes, had been destroyed.

74. Mr. GASPARINI (Italy) thanked the Chairman for his expression of solidarity with the Italian people. He took the opportunity to convey his sincere sympathy to the delegations of Trinidad and Tobago, Cuba and Haiti.

75. Mr. DIALLO Telli (Guinea) associated himself with the words of sympathy which the Chairman had spoken on behalf of all the delegations.

76. Mr. ARCHIBALD (Trinidad and Tobago) thanked the Chairman and all the members of the Committee for their expression of sympathy in connexion with the hurricane which had hit his country. The approaches which his delegation had made to the Technical Assistance Board and the specialized agencies of the United Nations had given renewed hope for the future of Tobago —which had suffered most from the disaster.

The meeting rose at 5.35 p.m.