

# GENERAL ASSEMBLY

TWENTY-SEVENTH SESSION

Official Records

MEETING



Wednesday, 18 October 1972,  
at 3.20 p.m.

NEW YORK

Chairman: Mr. Hady TOURÉ (Guinea).

## AGENDA ITEM 38

The policies of *apartheid* of the Government of South Africa (*continued*) (A/8666 and Corr.1, A/8670, A/8689, A/8703, paras. 501-519):

- (a) Reports of the Special Committee on *Apartheid* (A/8722 and Add.1, A/8770);
- (b) Reports of the Secretary-General (A/8822)

### GENERAL DEBATE (*continued*)

1. Mr. OGBU (Nigeria) said that his election as Chairman of the Special Committee on *Apartheid*, for which he wished to express his gratitude, was a recognition of his own belief in the United Nations Charter and an appreciation of the policy of his Government, which stood for justice and peaceful relations and opposed the immoral conduct of South Africa and its supporters. Like most people who believed in equality and fair play, he felt frustrated and saddened by the fact that the South African Government was continuing to intensify its evil policy of *apartheid*.

2. Despite the efforts of the United Nations, the South African Government was continuing to intensify its policy of *apartheid* and was even "exporting" it to neighbouring countries such as Namibia, Southern Rhodesia, Mozambique and Angola. All kinds of people in South Africa, ranging from religious leaders to students of every colour and creed, were crying out against the cruel, repressive measures of the Pretoria régime. An entire cross-section of the population continued to suffer murder, torture, imprisonment and banishment, and poison gas was used indiscriminately against helpless and unarmed citizens. Whereas in other countries demonstrations by students were generally regarded as an effort to bring about justifiable social change, students in South Africa were charged under oppressive anti-riot laws.

3. No civilized nation could condone such provisions as the South African Terrorism Act, which provided that no court of law could pronounce upon the validity of any action taken under that Act, order the release of any person detained under its provisions, or even allow access to such a person. It was a common right in many societies to make peaceful protests against unjust laws. In South Africa, however, any protest whatsoever against any law, however unjust, was a criminal act. Many civilians, including prominent trade

union and church leaders, were being arrested under the Terrorism Act and tortured and detained under such harsh conditions that several of them had died.

4. In contrast to the common understanding of democracy, the law in South Africa not only banned non-white political parties but also branded their members as terrorists. Under the laws of South Africa—unlike those of most countries—many people had been tried several times for the same offence. Even intellectuals were unable to develop their intellectual qualities because the exercise of that natural right would constitute a crime.

5. Under the Suppression of Communism Act, the definition of communism had been made broad enough to embrace any opposition or even criticism of *apartheid*. Skilfully made to resemble a security measure, the Act had been amended over 80 times. Even those who tacitly opposed *apartheid* were harassed, restricted or exiled. Indeed, the Act had established a new class of people in South Africa, vaguely known as "statutory communists". Thus, the Government invented repressive definitions of ideologies, and applied them to the people it chose to condemn.

6. The notorious Bantustan scheme, a manifestation of calculated fascism and an affront to the very basis of society, was no more than the creation of racial states within a State. Not only did it cause the racial fragmentation of a whole country, but it also dispossessed racial groups of their land and natural rights. Furthermore, the Bantustans were carefully concentrated close to industries owned by whites, to serve as pools of slave labour. Under the scheme, families were forcibly separated and men grouped together in labour camps and forbidden to move even within their own communities without an identification card.

7. Three types of police force and a huge army with sophisticated weapons were required to uphold South Africa's unjust laws. Yet, while whites were encouraged to carry and use sophisticated firearms, it was a crime for a non-white to carry even a pocket knife.

8. In *The New York Times* of 14 October 1972, the Reverend David Russell, a white Anglican priest, had been reported as being on the point of collapse after having tried to live for only six months on R5 a month—one rand being the equivalent of \$1.25 in United States currency—which was the monthly pension given to 10,000 displaced black people in the resettlement camp of Dimbaza. He had pointed out that the Dimbaza pension was no act of generosity, since the Afri-

cans were refugees in their own land. At the same time, the super-Fascist State of South Africa was allowed free access to sophisticated weapons by several States which described themselves as peace-loving, and which even encouraged their commercial concerns to construct sophisticated defence systems for South Africa. Countries like the United Kingdom, France and the United States of America saw no harm in helping South Africa to build weapons of destruction under the guise of defence for South Africa. Yet South Africa was surrounded by countries that were economically under-developed and militarily weak, while countries directly opposed to South Africa were militarily relatively weak. Against what, then, was South Africa trying to defend itself? It was well known that weapons for defence could also be used for offence. Since South Africa faced no apparent threat from any major Power, it must be assumed that certain Western countries were preparing South Africa for complete domination of Africa. Perhaps it was with that aim in view that NATO was said to be considering South Africa for full membership.

9. The situation was clearly a threat to international peace and security. Defying the arms embargo, some Western countries sold arms to South Africa under the pretence of safeguarding the Cape route for international use. Since those who did so were countries belonging to one ideological group, it must be assumed that the move was a combined calculated effort by one group of States against another. The outcry against the dehumanization of human beings in South Africa constituted a further threat to international peace, though the policy-makers in the international sphere seemed to regard that potential danger as of no concern to themselves. Yet, not only was the world becoming increasingly interdependent; it was also expressing increasing concern over injustice. That trend had led the former Secretary-General to observe the emergence of a new allegiance to humanity, as opposed to parochial allegiance to local authorities.

10. In paragraph 200 of the report of the Special Committee on *Apartheid* (A/8722), it was stated that some business concerns argued that increased investment in South Africa would result in a general increase in prosperity which would have the effect of weakening *apartheid*. His delegation concurred with the reasoning of the Special Committee in refuting that argument. Other arguments that had compared the situation of the non-whites in South Africa with that of the blacks in the United States were false and based on complete ignorance of the Fascist nature of the South African régime, yet they were used to excuse the exploitation of the non-whites in South Africa. According to that argument, prosperity for South Africa would extend to the non-whites, enabling them to establish their own educational and industrial institutions, so that they became educationally and economically strong enough to force the régime to relax its policy. Although that had largely happened in the United States of America, it was wrong to imagine that the same example could apply in a Fascist State based on the domination of the non-white population. His delegation did not

accept the argument used by the whites in South Africa that the gain of the non-white was the loss of the white, and vice versa.

11. Those who adhered to that argument did so only to justify their collaboration with the South African régime. Western countries saw nothing immoral in increasing their trade and political and cultural relations with South Africa. Some Western countries refused to be impressed by United Nations efforts to exclude South Africa from sports activities, in the mistaken belief that such efforts had only political motivation. In that connexion, he deplored the recent invitation extended by New Zealand to South Africa to send a rugby football team to New Zealand. On the other hand, his delegation welcomed the decision of the Government of Argentina not to admit South African sportsmen in its country for the purpose of participating in the Davis Cup lawn tennis tournament. It was to be hoped that other Latin American countries intending to participate would follow that example.

12. While the United Nations continued to seek the implementation of its resolutions by Member States, it was time to seek new initiatives and methods aimed at bringing down the Pretoria régime. First, the publicity given to the evils of *apartheid* had been most inadequate owing to obstruction by those States possessing the most sophisticated media for dissemination of information. The erosion of confidence in international policy-making had caused the ordinary man—who was eager to be informed on international affairs and was readily critical of injustice—to waiver in his faith in the United Nations. The public must be involved in and made the centre of efforts to fight injustice. The Committee must therefore give greater consideration to the best methods for wider and more effective dissemination of information on *apartheid*, racism and racial discrimination. In doing so, it should seek maximum assistance from the international press. The Office of Public Information of the Secretariat should also make efforts to step up its work on *apartheid*. Above all, the United Nations should co-operate more closely with all the non-governmental organizations concerned.

13. The United Nations efforts to reach world public opinion, especially in Western countries, had so far not been very successful. In chapter VII of the introduction (A/8701/Add.1) to his report on the work of the Organization the Secretary-General had stated that the current impasse was due not only to the failure of Governments to implement United Nations resolutions, but also to the failure of the international community to concert its efforts and mobilize its resources.

14. In the face of South Africa's massive propaganda campaign, a high degree of co-ordination was evidently essential. In his statement to the Committee at the 809th meeting Mr. Farah of Somalia had given a lucid account of the diffusion of efforts in that field. His concrete suggestions for a re-organization of methods needed careful study.

15. The duplication of effort was most evident in

relation to the current proposal to draw up a convention on the suppression and punishment of the crime of *apartheid* (see A/8768). In itself, that document did not promise to eliminate *apartheid*—which could not be put down by means of international law alone—but it represented a positive move for containing *apartheid* outside the jurisdiction of those peace-loving nations that would eventually ratify or accede to the convention. The provision that allowed national courts to try and punish the international crime of *apartheid* would be a great step forward in curtailing the freedom of movement in all countries which the South African *apartheid* criminals now enjoyed without let or hindrance.

16. In view of the need to centralize efforts in the fight against *apartheid*, consideration of that draft convention should be transferred to the Special Political Committee. It was, however, also of interest to the Third and Fourth Committees. His delegation therefore strongly recommended that the Chairman of the Special Political Committee should make arrangements to consult with the Chairman of the Third Committee with a view to the joint discussion of the convention by the two Committees. It also hoped that the recommendations of the Special Committee on *Apartheid* would be put into the form of resolutions.

17. His delegation also felt very strongly that those Governments which, in the matter of *apartheid*, used the excuse that they had no jurisdiction over the activities of individuals and institutions within their borders, were directly contravening the Charter of the United Nations. As Member States they were morally and legally bound by its provisions. To accept such an excuse and to extend that argument throughout the world would be tantamount to condoning international anarchy: if organizations and individuals were free to do what they chose, there was no basis for law and order. If Member States failed to fulfil what was required of them by the Charter—to which his country was fully committed—their very credentials should be open to question.

18. The CHAIRMAN, referring to the proposal of the representative of Nigeria for joint consideration by the Special Political Committee and the Third Committee of the draft convention on the suppression and punishment of the crime of *apartheid*, said that he was in consultation with the Third Committee and with other delegations concerned on that matter.

19. Mr. GUNASINGHAM (Sri Lanka) said that the comprehensive report of the Special Committee on *Apartheid* was proof of that Committee's industry and dedication. The question of *apartheid* raised many other issues of the greatest consequence to the international community. By inflaming interracial relations and sowing dissent and distrust among nations, *apartheid* posed an obvious threat to international peace and security. South Africa was gathering ominous strength as a military power in an explosive part of the world. *Apartheid* reflected the division of the world into rich and poor nations. So long as *apartheid* thrived, the conditions for economic, social, political and cultural

change would not be propitious, and so long as international change was impeded, *apartheid* would thrive. It was that interrelationship which made it necessary to keep *apartheid* continuously under review as a central issue.

20. The outline of the situation as portrayed in the Special Committee's report contained both negative and positive elements. Unfortunately, the negative elements predominated. The most sinister of those was not the reports of mounting political repression—since that trend contained a positive element in the rising tide of revolt—but rather the build-up of arms in South Africa, both imported and manufactured in that country. The countries that supplied such arms were greatly to blame: if they were sincere in their disapproval of *apartheid*, the last thing they should do was to improve South Africa's military power. Such action increased South Africa's desire for military solutions and inhibited any prospect of a dialogue between the Government and the people, for which the representative of Ghana had pleaded eloquently at the 813th meeting.

21. The military build-up was likely to have repercussions on neighbouring States and attract attention from the great Powers, with all the perilous possibilities that such a situation implied, leading to a combination of the most dangerous elements present in both Vietnam and the Middle East. Mr. Farah had pointed out in his statement at the 809th meeting that the internal situation in South Africa was becoming increasingly linked to strategic and military considerations of global significance; and the reactivation of the Simonstown Agreement with the United Kingdom, and the large and indiscriminate supply by France of sophisticated weapons or of licences to produce armaments, could be regarded as ominous, bearing in mind that the General Assembly in resolution 2775 A (XXVI) had declared that the arms embargo against South Africa made no distinction between arms for external defence and arms for internal repression.

22. He welcomed the statement by the representative of Denmark at the 813th meeting that South Africa was not part of the defence system of NATO and that his country would oppose the entry of South Africa into that Organization, if that were planned. But what was seriously in question was not South Africa's permanent involvement in NATO, but rather the fact that some of the most important members of NATO regarded South Africa as a watch-dog of freedom and supplied it with the military capability for the defence of the South Atlantic, the Indian Ocean and Africa as a whole. Such a cold-war attitude could lead to the compounding of colonial and racial issues into a great-Power conflict.

23. In 1971, at the British Commonwealth Prime Ministers' Conference in Singapore, his country had proposed that the Indian Ocean be declared a zone of peace. At that time, there were many reports in the world press of a "power-vacuum" in the Indian Ocean and of developments which threatened so-called "free-world" life lines. Although there was nowadays less

talk of such dangers, it was necessary to bear in mind the catastrophic change that would result if a great-Power conflict and colonial and racial issues began to interact.

24. There was, however, no prospect of a solution if only the dangers of a situation were apprehended. Hopes and aspirations were needed too. His delegation seriously believed that a solution which could safeguard the honour and the legitimate interests of both blacks and whites in South Africa could be found for the problem of *apartheid*. It was important to recognize realities and to seek conditions that would hasten change, broaden the basis of Government and incorporate deprived segments of the population in the political process.

25. Turning to certain specific aspects of the nature of the *apartheid* problem, he stressed first of all that the people who wielded power in South Africa were an ethnocentric European minority group in a predominately black country who were unable to free themselves from the grip of a receding colonial culture. They were no more likely to feel at home in modern Europe than in Africa. Moreover, their colonial culture was no longer in its classical period. It sometimes took a great deal of time for such a people to become accustomed to their new environment and to appreciate the possibilities it offered them.

26. A further aspect of the problem of *apartheid* was its relationship to the problems of international change. Most colonial and dependent territories, weak as they were, could be viewed as crowding the base of a triangle, the apex of which was occupied predominately by the former colonial Powers. That was a highly undemocratic system, where the power of decision was monopolized by a small segment of the world's population. That inherently unbalanced system provided the basis for inequitable policies like *apartheid*.

27. In addition, account had to be taken of the fact that time was running out in Africa. The masses of the African people no longer adopted an attitude of passive acquiescence. The dialogue between black and white in Africa had begun, and, like any significant dialogue involving dialectical change, it was bound to lead to conflict, confrontation and the possibility of violence.

28. In view of that situation, his delegation considered that the international community had taken what was basically the proper course. It should pursue and intensify its efforts to strengthen the international character of the world struggle against *apartheid*. At the same time every effort should be made to avoid internationalizing the conflict, owing to the grave risks involved. The struggle against *apartheid* was in the last analysis a problem of the South African people, both black and white, and the psychological bases of the *apartheid* system were already collapsing because of the mounting opposition of black and white South Africans. While dramatic results were not to be expected, new developments might lead to a solution

with unforeseen rapidity. The movement of additional States towards the apex of the world power structure reflected a growing trend towards the democratization of international relations, and the increasing pressure for change exerted by the peoples of the world could not be discounted. Indeed, the former colonial Powers were themselves subject to the universal laws of change. The combination of increasingly favourable external and internal trends was bringing new hope to the struggle. In that context, it was essential for the international community to redouble its effort to accelerate the pace of change. He appealed to those countries which exerted the greatest influence in South Africa to join in those efforts and to refrain from such activities as the supply of arms to South Africa.

29. Mr. CUEVAS (Guatemala) recalled his delegation's total condemnation of the policy of *apartheid*, which violated all the principles of human freedom and dignity laid down in the Charter of the United Nations. It was difficult to believe that, in the twentieth century, such a policy could continue to exist. The statements by the Chairman and the Rapporteur of the Special Committee on *Apartheid* and the documents before the Committee were sufficient to compel anyone who believed in a supreme being and in the principles of the French Revolution to condemn the practices of *apartheid*.

30. His delegation was particularly concerned about the philosophical and legal basis for the condemnation of *apartheid*. In its view, no clear-cut distinction could be drawn between law and politics, for while politics could give rise to legal relationships, political situations could be, and sometimes had to be, changed by law. In the present case, the question was not merely one of changing an existing political situation, but also of rectifying the situation resulting from failure to comply with United Nations decisions. Law must seek to strike a balance between what was desirable and what could be achieved in the interests of the common welfare, with a view to ensuring freedom, peace and the survival of future generations. Legal norms must, by their very nature, be designed with a view to their practical application, for a norm which was not complied with was meaningless.

31. The racist policies of the Government of South Africa had been considered by the General Assembly since its first session, in 1946. Since then, the international community had expressed its total repudiation of all forms of racial discrimination and, in particular, of the policies of *apartheid*, which denied the non-white inhabitants of South Africa their most basic human rights and was contrary to the purposes and principles of the Charter, Article 55 of which expressly referred to universal respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The enforcement of *apartheid* legislation naturally demanded the abuse of police power, the suppression of freedom of the press and the absolute denial of the integrity and dignity of the individual.

32. The Special Committee on *Apartheid*, of which his country was a member, had been pursuing its efforts to make the world aware of those abhorrent policies. The South African Government had nevertheless intensified its efforts to justify its inhuman course. A mission sent by the Special Committee to Europe and Africa had recognized that activities in support of political detainees and victims of South African repression were becoming increasingly difficult owing to the ruthless methods employed by the South African authorities with the aid of arms supplied by certain Western countries. It should be noted in that connexion that when the arms embargo had first been instituted by the Security Council in 1963, no exceptions had been made in the case of the continued supply of arms under existing agreements. The resolutions adopted by the Security Council made no distinction between arms for internal use and arms for external defence. It was the consensus of the United Nations, as confirmed at the previous session of the General Assembly, that all types of arms increased the South African Government's capacity to maintain and extend its racist policies both within its territory and in Namibia and Southern Rhodesia.

33. The international community could not accept the granting of special treatment to whites in the field of education. According to available statistics, professional university careers in South Africa were normally reserved for whites. The education available to non-whites was inferior in quality, since it was considered normal for them to occupy secondary positions in all professions. Under the law, a non-white person could not supervise a white person.

34. Another human right that was constantly violated in South Africa was the freedom of the individual to live where he chose. In South Africa, non-whites needed special permits to go from one area to another within the same city. Moreover, when the needs of industry so required, non-whites were compelled to leave their homes and families for long periods until their services were no longer needed. Without the right to travel, they could not secure other employment or maintain their families.

35. His delegation was concerned about the lack of improvement in the situation in South Africa, Namibia and Southern Rhodesia, in spite of the resolutions adopted by the United Nations. In complete disregard of the international community, the South African Government continued to subject the non-white population to the most infamous form of discrimination. While certain Western States continued to collaborate with South Africa, there was little that the rest of the international community could do to assist the majority of the population. He therefore called upon those States to comply with United Nations resolutions and to assist in putting a speedy end to the policies of *apartheid* in southern Africa.

36. Mr. BEN KACI (Algeria) paid tribute to Mr. Farah of Somalia, former Chairman of the Special Committee on *Apartheid*, for his invaluable work and

wished him success in his new post.

37. For more than a quarter of a century, the United Nations had been considering the growing body of evidence of the crimes committed by a European minority against an African people, and no solution to the problem was yet in sight. It was true that it was no longer possible to ignore what was happening in South Africa, and that was perhaps the most positive result of the work of the United Nations. Nevertheless, in its determination to defy the conscience of the world, the racist minority continued to pursue its policy of segregation, domination and repression through the use of the most barbarous methods, and even to extend it to other areas. The failure of the efforts of the international community could come as a surprise only to those who had a superficial or incomplete view of the problem, which involved not merely the flouting of human rights by a régime in power but the entire colonial situation, a political aberration whose survival in Africa was holding back the complete emancipation of that continent. The need was not so much to assist the victims of *apartheid* as to call in question the very existence of a colonial Power which continued to exploit a rich territory and its people with the support of certain Western Powers.

38. His delegation therefore considered that what was required of the international community was not merely expressions of sympathy and pious pronouncements, but a serious and determined effort to assist the South African people in their just struggle for liberation and national independence. A basically political approach of that nature would make it possible to emerge from the impasse in which the United Nations had found itself for the past 26 years and to consider the very origins of the situation of the South African people. The criminal practice of *apartheid* was ultimately no more than the manifestation of a system, and it was an illusion to believe that it could be eliminated without destroying the system which had made it the basis of its institutions and its political philosophy. That was why his delegation insisted that the problem should be posed correctly and not considered merely in terms of its effects.

39. Unfortunately, there was an all too common tendency in the United Nations to consider consequences instead of causes. In the case of the Palestine situation, it could be seen how that approach had brought the United Nations to a similar impasse in which those who refused to recognize the colonial origin of the establishment of the State of Israel and the usurpation of Palestine by a foreign minority were astonished to see that their attempts to bring about a fragmentary solution were in vain. Underlying the problems which the United Nations had been unable to solve was a complex interplay of imperialist interests which tended to perpetuate both the *apartheid* régime and Zionist domination with a view to the creation of political, strategic and military enclaves for the purpose of slowing the progress of neighbouring peoples. If freedom was to survive in Africa, and if that continent was to contribute to world peace, it was essential to put an

end to such anachronistic régimes as those of Pretoria, Salisbury and the Portuguese colonies. Only then could those African peoples who were still subject to domination exercise their inalienable right to self-determination and take their rightful place among the free nations of the world.

40. In the past, the United Nations had adopted various measures to counteract the policies of *apartheid*. While those measures were of real value and constituted a specific programme of action, the failure of certain Powers to apply some of those measures, often the most decisive ones, had prevented the United Nations from achieving its objectives and had weakened its authority and effectiveness. The embargo on shipments of arms to South Africa, which could be of the greatest value in decreasing the capacity of the South African authorities for repression, had been flouted by the major Western Powers, which, as members of the Security Council, should attach the greatest importance to respect for United Nations decisions. In addition to their mercenary selfishness, the attitude of those Powers revealed their intention to maintain a strategic base for the permanent protection of their interests in the region. The continued supply of war matériel could only strengthen *apartheid* and encourage the South African authorities. The peoples of Africa could no longer have any illusions as to the intentions of certain Western Powers with regard to their continent and the resulting threat to their security and independence. The relationship between the supply of arms, trade and investment provided serious grounds for concern regarding the consequences of an alliance between neo-colonialism and the most backward form of colonialism. Indeed, there was a constant risk of violent conflict throughout southern Africa.

41. It was only natural that his country, as a member of the Special Committee on *Apartheid*, should make every effort to put into practice the measures proposed in the report before the Committee with a view to combating racial discrimination and colonialism in southern Africa and assisting the oppressed people of South Africa. It was the responsibility of all to ensure that that programme of action would be respected and applied effectively. However, the primary task of all countries truly devoted to peace and justice was to provide active support to the South African liberation movement, whose historic duty was to liberate the South African people from racist domination and colonial exploitation.

42. In conclusion, he reaffirmed his country's support for the revolutionary forces of South Africa and its confidence in their victory.

43. Mr. BAYONA (Colombia) recalled that the history of Latin America provided a singular example of racial integration. That fortunate circumstance had not been forgotten, but had on the contrary had a great influence on the development of the Latin American peoples and provided much of the basis for their steadfast support of the principles of human dignity. It was only natural that that background should be reflected in the legal

structure of the new States which had emerged as a result of the irreversible movement for independence in the Americas. That was true of his country, whose Constitution and laws laid down the rights and obligations of citizens without discrimination of any kind.

44. The report of the Special Committee on *Apartheid* (A/8722 and Add.1) showed that the situation in South Africa continued to deteriorate, with little hope of any change for the better for the great majority of the population. Consequently, there was reason to ponder the fact that human rights were being violated by Members of the United Nations, which was powerless to prevent the situation. In that connexion, he recalled that the Preamble to the Charter expressed the determination of the peoples of the United Nations "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person". When that determination was viewed in conjunction with Article 1, paragraph 3, of the Charter, it was all too easy to understand how Members of the United Nations could violate the provisions of that Article, despite their commitment to fulfil their obligations in good faith. Faced with that situation, the United Nations called on all Members to carry out their responsibilities. Resolutions were adopted and Committees established, yet the problems remained, and freedoms continued to be denied. The Special Committee on *Apartheid* had been established 10 years earlier for the primary purpose of offering concerted international action to secure the elimination of *apartheid*. It could not be denied that its efforts had led to some useful results in stimulating the conscience of the world to repudiate the racist policies of South Africa, especially through the organization of non-governmental movements in many countries. However, that could not be said of the conduct of Member States. All Members, and especially South Africa, should respect the resolutions of the General Assembly and the Security Council. Yet they had not done so, and the situation in that regard continued to worsen. Year after year, the report of the Special Committee reiterated that the situation in South Africa continued to deteriorate; indeed, one might conclude that the more resolutions the United Nations adopted, the greater the denial of human rights in southern Africa. That was a discouraging conclusion, for it made it necessary to recognize the limitations imposed on the United Nations by the will of its Member Governments. Indeed, as the Secretary-General had stated in the introduction (A/8701/Add.1) to his report on the work of the Organization, the current impasse was due not only to the failure of the Governments directly addressed in the relevant General Assembly and Security Council resolutions to implement them, but also to the failure of the international community to concert its efforts and to mobilize effectively all the resources available to it.

45. The primary failure was the lack of co-operation on the part of Member States and the contradiction between their stated principles and their real behaviour in international life. It might be said that many Governments, motivated by special economic or other interests, adopted an attitude of indifference, not to say

selfishness, with regard to situations which called for international solidarity and co-operation. It was well known that the victims were almost always the peoples of the developing countries. As the Secretary-General had noted in chapter IV of the introduction to his report on the work of the Organization, the simplest explanation of that fact was that the policies of individual Member States, and the differences between them, still had greater weight than their desire to make the Charter a reality. Nevertheless, the only course was to persevere in the hope that, sooner or later, the international community would fully respect the principles of morality and law. The United Nations was the proper machinery for that purpose and must be improved to the point where a few Powers could not impose their will, but where common standards would prevail throughout international society.

46. In that connexion, and to make the discussion useful, his delegation wished to refer to two points which it considered important: first, the suggestions made by the ex-Chairman of the Special Committee on *Apartheid* when introducing its report (809th meeting) and secondly, the draft convention on the suppression and punishment of the crime of *apartheid* (see A/8768 annex I). The ex-Chairman of the Special Committee, with his wide experience of African questions, had suggested that if the many bodies dealing with southern Africa in the United Nations were combined, it might be beneficial not only to the efficiency of the Organization but also to the cause of the African people.

47. It was well known that the Colombian Government had for the past three years been stressing the need to revise the Charter of the United Nations. Some delegations had considered that such revision might weaken the Charter but careful study of the Colombian proposals would show that they were aimed at strengthening the Organization, through modifications which had proved necessary in the light of over 25 years' experience and of the changes in the world situation which had taken place since the signing of the Charter at San Francisco. For instance, the current Trusteeship Council, whose work was gradually decreasing with the accession to independence of formerly dependent Territories, could be transformed into a large council responsible for safeguarding human rights, such as those of the peoples of southern Africa. The newly independent States which had not been present at San Francisco could bring to the revision of the Charter a fresh outlook based not only on their national intelligence but also on the experience acquired as States Members of the United Nations. Pending such revision, which would need careful study, the suggestion made by the ex-Chairman of the Special Committee should be given serious consideration.

48. His delegation was also following with special interest the discussion on the draft convention on the repression and punishment of the crime of *apartheid*, which had been submitted to the Third Committee by the delegations of Guinea and the Soviet Union at the twenty-sixth session and that of the draft protocol on the same subject (*ibid.*, annex II) submitted by the

delegations of Nigeria, Pakistan and the United Republic of Tanzania. Colombia considered legal measures against any violation of human rights indispensable. It was therefore ready to co-operate in the drafting and adoption of the relevant international instruments. The suppression and punishment of *apartheid* would call for changes in the concept of international penal law, which would no doubt require more detailed studies by Governments and specialized bodies. Doubts had rightly been expressed on the usefulness of such a convention unless there was suitable machinery to ensure its respect. The Special Committee on *Apartheid*, in paragraph 232 of its report (A/8722), had expressed support for the draft convention but his delegation would like to hear more details about the Committee's views on the actual text of the draft.

49. It seemed to have been impossible to organize in 1972 a joint meeting of the Commission on Human Rights and the Special Committee on *Apartheid*, but his delegation suggested that such a meeting should be arranged as soon as possible, in order to analyse the proposals and appreciate their possible effects in the light of legal knowledge and political experience. Colombia would then be able to make a definite decision on the question, in the certainty that the convention would serve the best interests of the cause of human rights.

50. Mr. HAMID (Malaysia) expressed his delegation's appreciation of the devoted work of Mr. Farah of Somalia as Chairman of the Special Committee on *Apartheid* and pledged his delegation's fullest co-operation and support to his successor, Mr. Ogbu of Nigeria.

51. As the leader of the delegation of Malaysia had said on 25 September 1972 in the General Assembly (2039th plenary meeting), the trend towards *détente* among the super Powers indicated that the world was moving into an era of sanity. It was therefore all the more astonishing that a minority group in South Africa was being allowed to persist in its insane policy of *apartheid*. After 20 years, the United Nations was nowhere near to bringing South Africa to abide by the numerous resolutions on that subject adopted by the Security Council and the General Assembly. Efforts to assist the majority of people in South Africa to recover their freedom and dignity were always blocked by those who, for their own material and political gain, condoned and encouraged the racist régime and ignored those resolutions. It was regrettable that some of the trading partners and military suppliers of South Africa, whose action enabled the racist régime to flout United Nations decisions and to build up a massive police and military might, were States members of the Security Council.

52. That situation had encouraged the illegal Smith régime to apply the policy of *apartheid* in Southern Rhodesia and that policy had been extended to Namibia also. His delegation hoped that those trading partners realized that their immoral contribution was perpetuating that régime.

53. Even in the field of sports, various nations, while paying lip service to the United Nations resolutions, permitted their sports organizations to participate with South Africa.

54. The South African régime alleged that its policy was the only right course to ensure peace in the region and that under it the people were contented, yet the demonstrations by students, both black and white, in a number of cities in June 1972 had shown that it was encountering strong resistance.

55. His delegation was encouraged by the action taken by the Security Council in Addis Ababa, in its resolution 311 (1972), on Namibia, Southern Rhodesia and the Territories under Portuguese administration, as well as on *apartheid* and the situation in southern Africa. That resolution had been described in the Special Committee as the most important single document ever produced on the question of *apartheid*. The Malaysian delegation had consistently maintained that the increasingly explosive situation in South Africa constituted a threat to international peace and security. Before the situation got completely out of hand, the Security Council should consider not only reinforcing the resolutions on economic sanctions and arms embargo but also adopting coercive measures.

56. Mr. AMAU (Japan) said that the Japanese Government's determined opposition to all forms of racial discrimination had been unswerving. As a member of the drafting committee for the League of Nations, Japan had made a strenuous and unsuccessful effort to embody the principle of racial equality in the League's Covenant. Twenty-five years later, that principle had been included in the Charter of the United Nations.

57. The visit of a special mission of OAU to Tokyo had deepened the mutual understanding between African States and the Government of Japan. It was therefore with profound regret that his delegation observed no tangible sign of an improved situation in South Africa. It sympathized with the plight of the victims of *apartheid* and appealed once more to the Government of South Africa, since the abolition of racial discrimination was an irresistible historical development, to respect its obligations under the Charter and renounce the abhorrent policies of *apartheid*.

58. Although Japan shared the feelings of frustration and impatience of the African nations at the fact that the international community had still not found the means of bringing such policies to an end, it could not agree that resort to force was necessary or on the other hand that a more strongly worded resolution alone would help solve the problem. The approach must be realistic and practical. A constant, unremitting pressure must be maintained on the Government of South Africa, for example, through the strict observance of the Security Council's decisions. The force of world public opinion should not be underrated, as was shown by the meetings of the Security Council in Addis Ababa in 1972, in which his country had participated, and which had undoubtedly helped to strengthen world

opinion against *apartheid*.

59. The most important decisions of the Security Council on the matter concerned the arms embargo. Japan strongly opposed the sale of any kind of arms to South Africa, since they could be used to suppress the African people. It had strictly observed all the Security Council resolutions on the embargo, would continue to do so and strongly urged all countries to do the same. Japan had no diplomatic relations with South Africa and had no intention of establishing any. He wished, however, to clarify the question of Japan's economic relations with South Africa. While his country had been strengthening its economic relations with African countries north of the Zambezi River in the form of investments or various forms of technical co-operation, it had constantly discouraged any investment in South Africa. The increase in Japanese trade with South Africa referred to in the report of the Special Committee on *Apartheid* (A/8722, annex II) was only a facet of Japan's general trade growth and the increase was modest as compared with that of Japanese trade with the rest of the world and in particular with all the African countries except South Africa.

60. Deeply concerned with the cruel plight of the victims of *apartheid*, the Japanese Government had been making annual contributions to the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa. It would continue to make its best possible contribution to eliminate racial discrimination from the southern part of Africa and to restore justice and freedom to all the African peoples.

61. Mr. FRANCIS (Jamaica) said that the best tribute that the Special Political Committee could pay to Mr. Farah of Somalia for his dedicated work as Chairman of the Special Committee on *Apartheid* was to consider his recommendations carefully.

62. The Prime Minister of Jamaica had said on 2 October 1972 in the General Assembly (2049th plenary meeting) that the inadequacies of the United Nations reflected the misplaced priorities of its Member nations, and especially of the most powerful and wealthy among them. The report of the Special Committee and its Chairman's statement at the 809th meeting showed the continued lack of co-operation on the part of South Africa's main trading partners. In the conduct of international affairs there was a woeful lack of morality on the part of those States that had continually violated the Charter and other agreements they had declared themselves ready to uphold and that sought to undermine the objectives of the Organization by placing erroneous interpretations upon its resolutions as a justification for their violations.

63. In its adherence to international morality, the Government of Jamaica declared its total opposition to the racist régime of South Africa and its material and spiritual support for the freedom-fighters of Africa in their just struggle for self-determination and independence. Despite the similarity of *apartheid* and na-



zism, the States which were co-operating with South Africa and thereby violating the Charter included some of the States that had been most affected by nazism.

64. More positive aspects of the situation were the level of consciousness and courage shown by non-governmental organizations such as the World Council of Churches, the Anti-*Apartheid* Movement of London, the Workers' Group at the fifty-seventh session of the International Labour Conference, held in June 1972, and by the freedom fighters. In expressing its support for General Assembly resolution 2775 H (XXVI), his delegation had referred to the useful contributions which the trade union movement could make in achieving the goals of the United Nations in that field. It also supported the recommendations and comments in paragraphs 238 to 244 of the report of the Special Committee (A/8722).

65. Mr. PHEDONOS (Cyprus) said that the report of the Special Committee on *Apartheid* and the statements by its Chairman and Rapporteur left no doubts about South Africa's determination to pursue its inhuman policy. It was therefore no longer enough to reiterate condemnations of the South African Government or to recognize once more the legitimacy of the fight of the oppressed people in southern Africa. The Security Council must see to it that its decisions on the arms embargo were respected and ask Member States to break off military, economic, diplomatic and cultural relations with South Africa, as the General Assembly had already done. It was to be hoped that the permanent members of the Security Council which still maintained such relations would raise no obstacles to the adoption of more adequate measures when the Security Council met again to examine methods of resolving the current situation arising out of the policies of *apartheid* of the Government of South Africa in accordance with its resolution 311 (1972). His delegation also appealed to some African and Asian States which maintained economic and other relations with South Africa to put an end to such relations. His delegation thought that particular attention should be

given to the suggestions made by the Special Committee concerning relations between South Africa and the General Agreement on Tariffs and Trade (GATT) and the International Monetary Fund. The time had come for Member States, and in particular the great Powers, to shoulder their responsibilities towards the oppressed people in South Africa and enable the United Nations machinery to impose the necessary sanctions. Since the complexity of the problems of southern Africa would necessitate a reorganization of United Nations procedure, his delegation considered that the proposals by the ex-Chairman of the Special Committee deserved detailed consideration.

66. Cyprus indignantly condemned any form of racial discrimination and had therefore forbidden any type of trade between it and South Africa as well as any sea or air communication between the two countries. It had also refused to consider any diplomatic, consular, cultural, sports or other relations with that country. It fully implemented Security Council resolutions 282 (1970) and 311 (1972) on the arms embargo.

67. The Government and people of Cyprus were deeply indignant at the tortures inflicted on the partisans of human dignity by the racist régime in Pretoria. They condemned the establishment of Bantustans, since the compulsory transfer of whole populations infringed human rights and fundamental freedoms. Such artificial geographical separation served the political aims of a minority against the legitimate aspirations of the majority of the South African people.

68. He congratulated the four Scandinavian countries on providing three quarters of the contributions to the United Nations Trust Fund for South Africa and appealed to other States to follow their example. Denmark was to be commended for its opposition to any attempt at liaison between South Africa and NATO. He hoped that the other members of the Atlantic alliance would make a similar decision.

*The meeting rose at 6.05 p.m.*