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Chairman: Mr. Abdulrahim Abby FARAH
(Somalia).

AGENDA ITEM 31

The policies of apartheid of the Government of the Republic of South Africa: report of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa (concluded) (A/7254, A/7259, A/7270, A/SPC/L.160/Rev.1 and Corr.1 and Add.1, A/SPC/L.161, A/SPC/L.162, A/SPC/L.164)

1. The CHAIRMAN stated that the Committee had before it a revised text of draft resolution A/SPC/L.160 and Add.1 and 2, which had been circulated as document A/SPC/L.160/Rev.1.

2. Mr. NOAMAN (Southern Yemen) pointed out a typographical error in paragraph 10 of draft resolution A/SPC/L.160/Rev.1, wherein the word "Member" should be deleted before the word "States" (A/SPC/L.160/Rev.1/Corr.1).

3. The sponsors of the draft resolution had considered the amendment by Ecuador (A/SPC/L.163) and the amendments presented orally by the representative of Bulgaria at the previous meeting. The amendment by Ecuador had been incorporated in toto in the revised draft resolution. With regard to the amendment to paragraph 12 proposed by Bulgaria, in order to clarify the paragraph, the wording had been changed, taking into consideration the views of the United States representative. In paragraph 8, the order of the subparagraphs had been changed, as suggested by the Bulgarian delegation, but subparagraph (a) had been maintained and became sub-paragraph (c) of the revised draft. The sponsors hoped that those changes would satisfy the representatives of the United States and Bulgaria. In order to obtain the overwhelming support of the Committee, it had also been decided to maintain the wording of paragraph 5 in the original draft A/SPC/L.160 and Add.1 and 2.

4. The sponsors of the draft resolution had done their utmost to take account of the various points of view

which had been expressed, and they appealed for an overwhelming majority vote in favour of the draft resolution.

5. Mr. FINGER (United States of America) thanked the representative of Southern Yemen for taking into account the question he had raised concerning the suggestions of the representative of Bulgaria on paragraph 12 of the draft resolution. He suggested a new amendment (A/SPC/L.164), namely, the deletion of paragraphs 4 and 5 of the draft. He was opposed to paragraph 4 because, in essence, combined with the language of the fourth and seventh preambular paragraphs, it would amount to a finding that the situation in South Africa constituted a danger to international peace and security under Chapter VII of the Charter of the United Nations requiring the invoking of comprehensive mandatory sanctions. As a member of the Security Council, the United States would expect to consider the matter in the Security Council and, in the light of all the information available, to come to an agreement with the members of that Council on the appropriate action to take. It was not for the Committee to predetermine that, in fact, comprehensive mandatory sanctions were required.

6. He requested a roll-call vote on his proposed amendment to paragraph 4.

7. Mr. COX (Canada) noted with great regret that the oppression of the non-white population of South Africa continued, that it was also directed against all the opponents of apartheid, and that, in addition, South Africa appeared to have every intention of extending its apartheid system to Namibia. The Canadian Government had already expressed its opposition to racial discrimination wherever it existed, and would continue to do so.

8. His delegation therefore agreed that the oppressive nature of apartheid should be exposed. It recognized the contribution made by the Special Committee on the policies of Apartheid of the Government of the Republic of South Africa: to that end, while disagreeing with some of its conclusions, it agreed that the situation in South Africa was deteriorating and that the resulting tensions were a danger not only to that country, but also to the whole of southern Africa. However, it doubted whether the provisions of the Charter with regard to threats to peace were applicable in the present circumstances. Nor was it persuaded that the Special Committee's renewed recommendation that comprehensive mandatory sanctions should be applied against South Africa was practicable at the present time. His delegation therefore, as in the past, reserved its position on the matter.

9. The Canadian Government had complied with all the specific measures recommended by the Security

Council. On the sending of arms to South Africa, its attitude had frequently been stated and showed clearly its opposition to the provision of arms which would be used to further apartheid.

10. His country had supported measures through the United Nations to provide assistance to the African victims of apartheid. It had donated \$25,000 to the United Nations Training and Educational Programme. In 1968, it had also contributed \$10,000 to the United Nations Trust Fund for South Africa.

11. It would be apparent from those comments that his delegation would not be able to support the draft resolution before the Committee (A/SPC/L.160/Rev.1 and Corr.1). That decision had been taken notwithstanding its continued opposition to apartheid and with no desire to shield South Africa from just criticism.

12. Mr. VELA (Guatemala) approved the two draft resolutions before the Committee (A/SPC/L.160/Rev.1 and Corr.1 and A/SPC/L.162) and also the note of the Secretary-General on the administrative and financial implications of the first draft resolution (A/SPC/L.161). He wished to make some observations concerning draft resolution A/SPC/L.160/Rev.1 and Corr.1.

13. The representative of Guatemala felt that paragraph 5 would gain by being more succinctly and less dogmatically worded. In paragraph 6, he suggested the deletion of the word "all", since the expression "human rights" covered all rights.

14. His delegation had reservations as to paragraph 7, since it did not think that the United Nations could suggest or encourage armed action over which it had no control and which might go much further than it had intended. It had the same reservations about paragraph 8 (a) of the original draft (A/SPC/L.160 and Add.1 and 2), and it supported the Bulgarian representative's remarks in that connexion (614th meeting) concerning the contradiction in sub-paragraphs (a) and (c) of the original draft. As regards sub-paragraph (c) of the revised draft (A/SPC/L.160/Rev.1 and Corr.1), could and should the United Nations declare of its own accord that a state of war existed in one of its Member States? It appeared that by so doing it was recognizing the failure of its aim that disputes should be settled by peaceful means. It might also be running the risk of recognizing a colour war. It was difficult to foresee the consequences of such a declaration vis-à-vis international law and specifically the Geneva Convention of 1949 on the question of deciding, without consultation or control, the right of a given group to decide on its uniqueness, without the risk of excluding another minority or another group which was not entirely responsible for the inhumanity of its Government and had on occasion made a mild show of disapproval.

15. For those reasons, his delegation asked for a separate vote on paragraphs 7, 8, 10 and 11 of the draft resolution. In order not to have to explain its vote later, it would like those remarks to be taken as reservations on any interpretation which might be given to the texts before the Committee if they were adopted as they stood.

16. With reference to paragraph 8 (d), his delegation thought that the preparation of the registers in question should be entrusted to the Special Committee, in order not to burden the Secretary-General or increase expenditure.

17. His delegation had a slight reservation concerning paragraph 10; in his country it was not necessary for the Government to take legislative measures against racial activities or organizations supporting such activities, since no such activities or organizations existed. Nor was it necessary to urge its rulers to take steps to discourage the emigration of skilled and technical personnel to South Africa. Moreover, it was very unlikely that the request made in paragraph 11 would have any effect, and in general it was better not to give Governments the right to interfere in private initiative and to limit individual rights. His delegation would therefore abstain on that paragraph.

18. However, subject to those reservations, it would vote in favour of the two draft resolutions. With regard to the Secretary-General's report on administrative and financial implications, the estimate of \$164,475 was rather high, and he wondered whether each Member State could not publish and disseminate the publications concerned in its own language. His delegation was not, however, opposed to that expenditure.

19. Mr. BRECKENRIDGE (Ceylon) said that his delegation supported draft resolution A/SPC/L.160/Rev.1 and Corr.1 as a whole. Paragraph 6 of the draft seemed particularly important, as did paragraph 3, which reaffirmed the urgent necessity to eliminate the policies of apartheid.

20. His delegation was prepared to support all measures likely to encourage efforts to bring world opinion to bear upon South Africa in various ways with a view to changing its policy. In that connexion, his delegation noted the note of the Secretary-General on the administrative and financial implications of the draft resolution (A/SPC/L.161).

21. With regard to action to be taken by the Security Council, his delegation had stated its views on the question of sanctions at the twenty-second session (569th meeting). It had noted that sanctions were not necessarily the only means of eradicating apartheid in South Africa. It also noted that the Security Council had not met to study that matter for some time and that its most recent resolutions had not been implemented. It therefore considered that the Council should re-examine the situation in the light of recent developments; presumably, under Chapter VII of the Charter, it would examine all the Articles relevant to the question of the application of sanctions. An effective strategy was now needed and his delegation was confident that if adequate pressure was brought to bear upon South Africa, especially by those capable of doing so, it would have to change its policies.

22. Mr. ROSSBACH (Norway) said that the South African Government, which played an increasingly important role in the development of southern Africa, was year after year pursuing a policy which ignored the resolutions of the Security Council and the General Assembly as well as the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colo-

nal Countries and Peoples. The Norwegian people and Government condemned any policy which openly violated those principles; hence his delegation would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1. It would also continue to support concrete humanitarian measures in favour of the South African people, including those in paragraph 7 of the draft, within the limits of international law.

23. The Members of the United Nations could also rely on his country's continued support, whether financial or moral, for the victims of the apartheid policy. It therefore fully concurred in the appeal to the South African Government to stop its persecution and ill-treatment of opponents of its policies. That being so, it was in favour of most of the recommendations in the draft resolution. He laid particular stress on the importance of mobilizing world opinion in support of a strong condemnation of the policies of apartheid, and in that respect the measures called for in paragraphs 8 (b), 9, 13, 15 and 17 were particularly relevant.

24. While his delegation would vote in favour of the draft resolution, there were certain paragraphs which it could not support in their entirety, although it would not vote against them. It had certain doubts as to the wording of paragraph 4, and questioned whether the words "effective measures" implied only peaceful means of pressure. It presumed, however, that the sponsors had in mind measures which could lead to a peaceful solution of the conflict. Those measures would obviously have to be adopted by the Security Council.

25. As to the fourth and seventh preambular paragraphs, his Government understood them to refer to the South African Government's policies and their expansion into neighbouring Territories, and not to the policies of other Governments.

26. While his delegation supported the general tenor of paragraph 8, it wished to record its reservations with regard to sub-paragraph (c), which was intended to ensure that genuine freedom fighters were treated in a humane way and that their fundamental human rights were not violated, and not to pass judgement on their legal status.

27. His delegation had some reservations with regard to paragraph 10, in that it would run counter to the basic right of freedom of speech if his Government should try to prevent people from expressing their views.

28. His delegation also had some difficulty in respect of paragraph 12. While not optimistic about persuading the South African Government to renounce its policies, it could not but continue to hope that that Government would eventually come to its senses. It therefore wanted the doors of communication kept open. With regard to private organizations, they must decide themselves on the measures they wished to adopt on the issues, and many had already suspended contacts with South Africa.

29. Mr. HAGGLOF (Sweden) said that his delegation had already had occasion to make known its position on the important question at issue. His Government wished to support United Nations efforts to bring pressure on the South African Government and wanted the General Assembly to condemn again the policies

of apartheid, while maintaining and, as far as possible, increasing the pressure on the South African Government. It wanted the Security Council to resume its consideration of the question of apartheid and appealed for redoubled efforts at the international level to bring aid to the victims of that policy.

30. With regard to the two draft resolutions before the Committee, he whole-heartedly supported draft A/SPC/L.162.

31. He wished briefly to explain his delegation's position on draft resolution A/SPC/L.160/Rev.1 and Corr.1, submitted by forty-seven delegations. The general premises of the draft resolution reflected his Government's views on the policy of apartheid in South Africa and on the continued endeavours of the United Nations to end that policy. It also spelled out a message which would have an impact on world opinion, and it defined measures which, if generally enacted, would increase the pressure on the South African Government. His Government therefore agreed substantially with the draft resolution and would vote in its favour.

32. The draft resolution contained some clauses used in earlier resolutions. His delegation had already expressed reservations with regard to those resolutions in view of the wording of certain passages which, in its view, raised certain legal and constitutional problems relating to the competence of the General Assembly and to the limits of the authority of the Swedish Government. His delegation had on many occasions expressed the view that the Security Council should resume its consideration of South Africa's apartheid policies, including the application of effective economic sanctions such as the Expert Committee established in pursuance of Security Council resolution 191 (1964) had discussed in its report to the Council in 1965.^{1/}

33. With regard to the proposed United States amendments (A/SPC/L.164), his delegation favoured the maintenance of paragraph 4 of the draft resolution. On the other hand, as in previous years it could not subscribe to the condemnation addressed to some States as expressed in paragraph 5 and, consequently, it would abstain on that paragraph.

34. With regard to the treatment of freedom fighters, his Government recognized that the South African Government had created a violent situation in the whole of southern Africa even to the extent of creating a threat to international peace. It nevertheless considered that an armed conflict as defined in the relevant instruments of international law did not as yet exist. It agreed that freedom fighters should not be treated as common criminals and, like many other Member States, it had appealed on numerous occasions to the South African Government to release freedom fighters imprisoned on account of their political activities. It felt, however, that the whole question of the international protection to be granted to freedom fighters in armed conflicts of any kind should be clarified at the international level before the United Nations took an explicit stand as envisaged in the draft resolution.

^{1/} Official Records of the Security Council, Twentieth Year, Special Supplement No. 2.

35. Summarizing his position, he said that his delegation would vote for the draft resolution as a whole.

36. Mr. GRADZIUK (Poland) said that his delegation had always voted in favour of draft resolutions against apartheid and would do so in the present instance. Like many others, his delegation was convinced that, to achieve substantial results, the United Nations should deal with the core of the problem and recognize that until such time as the real causes of the maintenance and spread of apartheid—namely, the links binding some Western interests with those of South Africa—were definitively broken, United Nations efforts would achieve only limited results.

37. He considered that draft resolution A/SPC/L.160/Rev.1 and Corr.1 should better reflect the facts and the real situation and should not omit mention of States which ultimately contributed to the strengthening of the racist régime of Pretoria. His delegation regarded the present draft resolution as weaker than resolution 2307 (XXII) adopted by the General Assembly at its twenty-second session in that it no longer requested South Africa's main trading partners to take urgent steps towards disengagement from that country.

38. His Government was convinced of the need to mobilize world opinion against apartheid, particularly in countries where certain circles had close relations with South Africa. He found the tone of paragraph 10 particularly welcome. It was to be hoped that the following year would see substantial improvements in that connexion. While recognizing the need for an international campaign against apartheid, he thought that the most important issues relating to the implementation of sanctions, should not be given less attention on that account.

39. As to political activities, his delegation had some reason to believe that the activities foreseen in the draft resolution could well be covered by existing financial facilities through a shift of priorities in the matter of publication and dissemination. It considered that the appropriate United Nations organs should give due consideration to that matter.

40. Concluding, he said that his remarks should not be interpreted as detracting from the importance which should be attached to political activities directed against apartheid; their aim was rather to point out the need for better and more effective measures. His delegation would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1.

41. Mr. JONCKHEER (Netherlands) recalled that his Government had expressed its rejection of the policy of apartheid not only with words, but with deeds. His country's position was determined by three fundamental principles: first, it was essential to maintain contact with South Africa on a personal and human level, especially with the churches, with the Press, with youth groups and with opposition groups, in order to convince the South African Government, through them, that the policy of apartheid was false and to strengthen opposition to that policy. Secondly, assistance must be provided to the victims of that policy. Thirdly, pressure should be exerted on the Government of South Africa by means of effective and practicable measures.

42. His delegation would support a large number of paragraphs of draft resolution A/SPC/L.160/Rev.1 and Corr.1, since they reflected entirely its point of view. Several other paragraphs, however, contained elements which rendered them unacceptable to it. For that reason, it regretted that the sponsors of the draft resolution had not allowed separate votes, as had been customary in previous years. He wished to take that opportunity to explain why his delegation could not support the draft resolution in spite of its condemnation of apartheid.

43. Reverting to the three principles underlying his country's policy, he said that the first was based on the maintenance of contacts on a personal and human level. Consequently, paragraph 12 of the draft resolution did not entirely coincide with Netherlands policy. The contacts which it endeavoured to maintain with churches, youth groups, the Press, etc., were not overly appreciated by the South African Government, and many Netherlands citizens were no longer acceptable in that country. Nevertheless, his country was determined to maintain those contacts.

44. The second principle of Netherlands policy was assistance to victims of apartheid; for that reason, his delegation supported a number of paragraphs of the draft resolution, particularly paragraph 9. The Netherlands had contributed to the United Nations Trust Fund for South Africa.

45. His delegation conceded that, in practice, the implementation of the third principle was not easy. An appeal for comprehensive and mandatory sanctions was tantamount to calling for the measures enumerated in Article 41 of the Charter. Since it was quite evident that the appeal could not be met, it diminished the value and force of a draft resolution of that nature. In that context, he stated categorically that his country exported no weapons to South Africa. Furthermore, his Government was prepared to take other measures to exert pressure on the Government of South Africa. Since the United States amendment (A/SPC/L.164) provided for that possibility, his delegation would vote in favour of the deletion of paragraphs 4 and 5.

46. Paragraph 10 of the draft resolution urged Governments to take legislative measures to discourage activities which supported apartheid. Measures of that kind were quite difficult to take in a democratic State, since they infringed upon freedom of expression.

47. In sum, his delegation would abstain from voting on the draft resolution, but that abstention would not prevent his country from pursuing its policy, which was directed towards urging the people of South Africa, and through them, the Government of that country, to desist from practising an abhorrent racial policy.

48. Mr. MARTIN GAMERO (Spain), after noting that it was gratifying to his delegation to welcome the delegation of Equatorial Guinea, stated that his country's opposition to the policy of apartheid was well known. His delegation had voted in the Committee in favour of draft resolutions condemning that policy and, at the International Conference on Human Rights held at Tehran in April and May 1968, it had similarly voted for the resolution on measures to achieve the

rapid and total elimination of all forms of racial discrimination in general and of the policy of apartheid in particular.^{2/} Recently, in the same spirit, his Government had deposited its instrument of accession to the International Convention on the Elimination of All Forms of Racial Discrimination.

49. His delegation had given close consideration to draft resolution A/SPC/L.160/Rev.1 and Corr.1 and had noted that certain paragraphs contained elements which raised legal problems of a complex and highly delicate nature. Paragraph 4, as it stood, prejudged the position to be taken by the Security Council. For obvious reasons, his delegation considered that it was for the Council to determine for itself the position it would adopt. In addition, his country wished to make reservations on the wording of certain other paragraphs.

50. Lastly, it considered that any measure taken by the General Assembly, within its competence, to induce the Government of South Africa to abandon its policy of racial segregation was in order. However, measures harmful to the South African people as a whole and which, far from helping to eliminate apartheid, would not change the factors likely to ensure its elimination, were neither timely nor appropriate. For that reason, it supported the changes introduced in paragraph 12.

51. Having made those observations, his delegation would vote in favour of the draft resolution.

52. Mr. CUEVAS CANCINO (Mexico) said he wished at the outset to reiterate that his Government continued to condemn any philosophy based on the separation of the races and considered that the policy of apartheid was disastrous for mankind. His delegation would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1; however, it was important to take account of current political developments, which constituted new ideas essential to any peaceful solution of the problem, the only desirable solution.

53. As for the interpretation and the form of the draft resolution under consideration, his delegation had misgivings concerning the terms of certain paragraphs. The sixth preambular paragraph, for instance, stated that the international campaign against apartheid should be intensified. But that was a policy which should be adapted to circumstances, taking into account the effectiveness of the measures which could be applied.

54. With regard to operative paragraph 8 (d), his delegation wondered whether it was advisable to request the Secretary-General to establish a register of persons persecuted for their opposition to apartheid. That would limit the powers of one of the principal organs of the United Nations, and channel for action which might prove extremely useful in the long run would thus be closed. As for paragraph 9, his delegation considered that the tribute paid to anti-apartheid movements should be addressed only to those which resorted to peaceful means only.

55. With respect to paragraph 12, his delegation seriously doubted that it was desirable to suspend all

exchanges with South Africa. In that connexion, it associated itself with the statement by the representative of the Netherlands. Like other Latin American delegations, it considered that a campaign of information and persuasion directed particularly to South African youth, without distinction as to race, might be the best means of achieving a solution. With regard to paragraph 16, he noted that the establishment of national committees for information on apartheid should be left to the discretion of each Government, and the wording of that paragraph should be more moderate.

56. On the substance of draft resolution, his delegation had serious misgivings concerning paragraphs 4 and 5. With regard to paragraph 4, it was obvious, from the constitutional point of view, that the General Assembly could not call upon the Security Council as was done in that paragraph. Likewise, it should not be compulsory at the present time to implement the provisions of Chapter VII of the Charter as the only means of solving the problem.

57. Paragraphs 5 and 2 began with the word "Condemns", which was unacceptable to his delegation. Moreover, the Security Council's prerogatives in regard to mandatory sanctions were not as broad as the paragraph implied. In connexion with paragraph 2, his delegation pointed out that there was no justification for mentioning a matter which, although related to South Africa, had no connexion with the policy of apartheid as such. In the opinion of his delegation, it would be preferable to separate the different problems so that they could be solved one at a time.

58. His delegation doubted whether the legal term "prisoners of war" could be applied to the victims of apartheid in South Africa. From a legal point of view, that concept might even be considered unacceptable. The only way to interpret paragraphs 7 and 8 would be to specify, as had been done in paragraph 6, that the point at issue was the struggle of all the people of South Africa, without distinction as to race, to secure the rights which had been denied them. Lastly, his Government seriously questioned the advisability of isolating South Africa as proposed in paragraph 11. In fact, it would be better to establish more contacts in order to undermine the dictatorship which held the country in its grip.

59. His delegation was glad to note that the representatives of the United States and Guatemala had requested a separate vote on several paragraphs to which the Mexican delegation also objected.

60. Mr. VIERA LINARES (Cuba) said that any condemnation of the policy of apartheid deserved to be supported. However, his delegation would abstain in the vote on draft resolution A/SPC/L.160/Rev.1 and Corr.1, because it did not feel that the text helped to achieve the basic objectives that should be embodied in a resolution condemning that policy.

61. His delegation fully shared the views expressed in paragraphs 1, 2, 6 and 7 of the draft resolution. Paragraph 7 undoubtedly offered the only possible means of putting an end to the policy of apartheid. His delegation also supported paragraph 3, on the understanding that the form of government chosen

^{2/} Final Act of the International Conference on Human Rights (United Nations publication, Sales No.: E.68.XIV.2), p. 6.

by the majority of the South African people when it achieved liberation would in no way be prejudged.

62. His delegation, however, could in no way support paragraph 4, calling upon the Security Council to intervene and find a solution for the problem of apartheid since the attitude of the Security Council in connexion with any kind of action directly affecting the interests of imperialists and colonialists throughout the world had always been clear. The ineffectiveness of that organ had been particularly obvious in the case of Namibia, Southern Rhodesia and the African Territories under Portuguese administration. Cuba had always felt that the independence of colonial Territories was in the hands of their own people and that the United Nations was not in a position to provide radical and effective solutions which would put an end to colonialism, particularly in South Africa, which was financially important to imperialist and neo-colonialist interests. The best proof of the futility of the draft resolution was to be found in the request made to the Security Council, three of whose members—the United States, the United Kingdom and France—were the main supporters of the Pretoria régime and the principal beneficiaries of the exploitation of the indigenous population of South Africa.

63. The obvious weakness of paragraph 5 further strengthened that view, for the States in question were not mentioned by name. The ineffectiveness of the draft resolution could also be seen from the following example: there had been reports in the American Press that two companies, Mobil Oil and Shell, intended to invest \$7 million to construct a port in South Africa capable of berthing large tonnage tankers. That clearly showed that the United States and its allies had no intention of fulfilling their obligations towards the United Nations.

64. For those reasons, his delegation would abstain in the voting on the draft resolution but again wished to place on record its sympathy with most of the sponsors of the draft whose opposition to apartheid it completely shared. It wished once again to reaffirm that the revolutionary Government of Cuba was prepared to render all necessary moral and material support to the people of South Africa and the national liberation movement.

65. Mr. SEPULVEDA (Chile) said that draft resolution A/SPC/L.160/Rev.1 and Corr.1, far from offering a new means of eliminating apartheid, reiterated the inadequate concepts and measures which had so far failed to provide a solution. For its part, Chile would have welcomed some new approach leading to positive action.

66. Chile would vote in favour of the draft resolution as a whole because it fully endorsed the condemnation of apartheid and the humanitarian objectives sought by the sponsors. Nevertheless, it would abstain in the vote on paragraphs 4 and 5.

67. His delegation did not feel that it was advisable to refer to Chapter VII of the Charter in paragraph 4. It was undeniable that the Security Council should resume consideration of the question promptly, but it would not be desirable to limit the action of the Security Council to Chapter VII of the Charter because other measures could be applied before the use of

force, which should only be considered as a last resort.

68. His delegation would abstain in the vote on paragraph 5 since, in its opinion, a system should first be worked out which would ensure the effectiveness of the measures considered.

69. Similarly, his delegation shared the reservations expressed by the representatives of Mexico and Guatemala in connexion with the legal validity of paragraph 8 (c). It was questionable whether the Geneva Convention relative to the Treatment of Prisoners of War was applicable to the situation in South Africa. The application of that Convention by analogy with other movements might lead to a weakening of the legal status according to prisoners of war.

70. With those reservations, his delegation would vote in favour of the draft resolution.

Mr. Ghaus (Afghanistan), Vice-Chairman, took the Chair.

71. Mr. ISRAELYAN (Union of Soviet Socialist Republics) said that his delegation would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1 which, as a whole, correctly described the serious situation which had developed in southern Africa as a result of the policies of the racists in Pretoria.

72. At the same time, his delegation felt that the draft resolution would have been considerably more effective if the countries which were condemned in paragraph 5 had been specifically referred to by name. Several delegations, including the Soviet delegation, had named the Western Powers which were the main obstacles to the solution of the question of apartheid. Most members of the Committee apparently had no illusions concerning the difficulties which the United Nations would face in implementing the resolutions on apartheid so long as the Western Powers continued to give their direct or indirect support to the racist régime of Pretoria. It was specifically those countries, rather than the great Powers in general or all the permanent members of the Security Council, which should be held responsible for the present situation. As was known, the Soviet Union had no investments in South Africa and no relations with that country. As a result the Soviet Union suffered certain economic loss as did the many other countries which had scrupulously complied with the resolutions on apartheid. That was why his delegation considered that the United Nations should stress that fact and draw attention to those Western countries which continued to expand their relations with the racist South African régime.

73. Moreover, his delegation wished to call attention to the administrative and financial implications of the draft resolution (A/SPC/L.161). His delegation could not fail to note that the expenses involved in the implementation of the draft resolution seemed excessive. His basic objection related to the increase in staff to fill the two new posts which would be created, although there was a special unit dealing with apartheid within the Secretariat. In fact, at every session, the General Assembly adopted about 100 resolutions which might involve an increase in the staff. The United Nations was in danger of carrying that policy to extremes. The general trend was to reduce the staff of the Secretariat and his delegation felt that the volume of work

entailed by the adoption of the draft resolution could be handled by the existing staff. Moreover, his delegation felt that the expenses outlined in document A/SPC/L.161 relating to consultants and publications were far too high. While his country was in favour of publishing and disseminating suitable material on the evils of apartheid, it felt that such activities should be carried out within the appropriation earmarked for the Office of Public Information. The anomaly of the situation where the entire Organization had to bear the cost of the policy of apartheid was only too obvious.

74. His delegation hoped that, when reviewing the administrative and financial implications of the draft resolution, the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee would bear those observations in mind and make a careful study of the estimated costs.

75. Mr. CSATORDAY (Hungary) said that his delegation, which was a member of the Special Committee, had always resolutely supported the struggle against the policy applied by the Pretorial régime. For that reason, it supported draft resolution A/SPC/L.160/Rev.1 and Corr.1 in general. It considered, however, that a more concise draft resolution placing greater emphasis on the most important elements would have been more effective and more useful.

76. With regard to paragraph 5 of the draft resolution, he was surprised that the sponsors had not been able to state clearly which countries were giving major support to the racist régime in South Africa. Those countries were leading members of NATO, such as the United States, the United Kingdom, the Federal Republic of Germany and others. The fact that they had not been named weakened the draft resolution and certainly helped to encourage the Governments which shared South Africa's responsibility for the policy of apartheid. Moreover, his delegation was astonished that the United States should protest against paragraph 5, which ought to be a source of comfort to it. For its own part, his delegation considered that the paragraph was too weak and did not sufficiently serve the interests of the people of South Africa.

77. With regard to paragraph 8, his delegation felt that the opening words were too mild and were in contrast with the other parts of the draft resolution. It would have been appropriate to make a strong condemnation in that part as well.

78. His delegation expressed very strong reservations regarding paragraph 15, and particularly subparagraph (a). Having participated in the work of the Special Committee when it had held meetings in several countries in Europe, it scarcely considered it justified to meet again outside Headquarters, especially since the Committee had not yet been able to evaluate the results of the meetings in Europe. It would indeed be very useful if the Special Committee could go to South Africa to talk to representatives of the people of South Africa and to analyse the situation on the spot. However, the Committee could scarcely reckon on that being possible at the present time. He therefore hoped that the proposal made in paragraph 15 (a) would be reconsidered and that the Special Committee would not make use of the authorization it contained unless something extraordinary occurred

or unless the Committee could go to South Africa. In the latter case, his delegation would approve of the Committee holding meetings outside Headquarters.

79. As for paragraph 17, he doubted seriously whether an increase in personnel and in information activities, as indicated in the statement submitted by the Secretary-General concerning the administrative and financial implications of the draft resolution (A/SPC/L.161), was really necessary. He was convinced that the Secretariat could continue its work with the existing staff and under the present budget. In fact, the draft resolution did not specifically mention a need to increase the staff of the Secretariat at the present time. As the representative of the Soviet Union had said, information and publications services could be provided by the United Nations Office of Public Information within the framework of its budget. The mere fact of increasing the administrative machinery would not necessarily help the struggle against apartheid. What was required was better co-ordination of the activities against apartheid carried out by the various agencies and by the States Members of the United Nations. It would be preferable if available funds were used for the United Nations Trust Fund for South Africa or if the Member States helped to meet the needs of the people of South Africa by giving scholarships or some other form of assistance to the freedom fighters in South Africa. He hoped that the Secretariat would be able to reduce its expenditures and avoid an increase in personnel and that the Fifth Committee would take those remarks into account.

80. His delegation joined the list of sponsors of the draft resolution (see A/SPC/L.160/Rev.1/Add.1) and would vote in favour of it.

Mr. Farah (Somalia) resumed the Chair.

81. Mr. CHORAPHAS (Greece) offered his delegation's congratulations to the representative of Equatorial Guinea on his country's accession to independence and its admission to the United Nations.

82. He expressed his condolences to the delegation of Saudi Arabia on the death of Mr. Omar Azouni.

83. The Greek delegation had already stated on several occasions that it strongly condemned the policy of apartheid and that it would co-operate wholeheartedly in eliminating it. It would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 as a whole, but had some reservations regarding certain paragraphs. For example, his delegation did not believe that to condemn certain States, as was done in paragraph 5 of the draft resolution, was the most realistic way to alleviate the plight of the coloured population of South Africa and bring about the elimination of the policy of apartheid. On the contrary, it believed that action of that kind might deprive the United Nations of the moral support of those States and render its task more difficult.

84. It also considered that the question of the sanctions referred to in paragraphs 11 and 12 should be settled by the Security Council, although it was extremely doubtful whether the breaking of all ties with South Africa was the best method of achieving the desired objectives.

85. The wording of paragraph 7, furthermore, should be changed. The expression "liberation movement" had been used repeatedly in the past, sometimes with no justification whatsoever, and it might lead to misunderstandings. Like the representative of the United States, he believed that the form of action the Security Council should take must not be imposed upon it.

86. His delegation would therefore prefer the draft resolution to be put to the vote paragraph by paragraph, in which case it would reserve its position on paragraphs 4, 5, 7, 11 and 12. In any event, it would support the draft resolution as a whole, bearing in mind those reservations.

87. Mr. CAVAGLIERI (Italy) said that his delegation had always strongly condemned the policy of apartheid in South Africa. It was therefore glad to note that draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 contained certain elements and principles which would help to obtain the desired results.

88. At the same time, it regretted that it could not endorse certain points which were not in keeping with well-established rules of international law or a correct assessment of the situation. In particular, it could not accept the references to a threat to the peace in the fourth and seventh preambular paragraphs. As Article 39 of the Charter stated, only the Security Council could determine the existence of such a threat.

89. His delegation could not likewise accept paragraphs 4 and 5. The Charter of the United Nations, in establishing the powers of the Security Council, gave the Council complete freedom in its decisions. Italy could not therefore support any request which indicated what the decisions of the Council should be and thereby limited its freedom of action. His delegation had stated its views on trade relations in its previous statement (609th meeting).

90. It welcomed the activities of the Special Committee and would co-operate in any efforts aimed at effectively improving the conditions imposed upon the people of South Africa and eliminating the policy of apartheid. His delegation confirmed its support for the Trust Fund for South Africa and would vote for resolution A/SPC/L.162.

91. Mr. Chun-ming CHANG (China) said that any form of discrimination was contrary to China's way of life, culture and traditions. Apartheid was indeed a crime against humanity, and for that reason his delegation would vote in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 as a whole.

92. It wished, however, to make certain reservations with regard to paragraphs 4 and 5 of the draft resolution. It was doubtful whether the Assembly could in any way prejudge the measures the Security Council might adopt under Chapter VII of the Charter. He was in full agreement with the purpose underlying paragraph 5, but questioned the efficacy of verbal condemnation. Persuasion would seem to be a more effective approach to the problem.

93. For those reasons, his delegation would abstain from voting on paragraphs 4 and 5, but would support the draft resolution as a whole.

94. Mr. NOAMAN (Southern Yemen), on behalf of the sponsors of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1, expressed gratitude to those who had spoken in favour of the text and to the representatives who had not pressed their suggestions.

95. He urged the representative of Guatemala not to press his proposal. With regard to the formal amendments submitted by the United States delegation (A/SPC/L.164), the sponsors of the draft resolution wished to leave the matter to the Chair. He emphasized, however, that paragraphs 4 and 5 of the draft resolution had been adopted the year before by the General Assembly in resolution 2307 (XXII). The sponsors of the draft hoped that the United States representative would not use that as a pretext as had been done at the 1779th meeting of the Fourth Committee in connexion with the draft resolution on Southern Rhodesia, to justify the fact that his Government would not vote in favour of the draft resolution.

96. Mr. VELA (Guatemala) said that his delegation would vote for the draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 as a whole, subject to the reservations it had expressed. In response to an appeal by the representative of Southern Yemen, his delegation withdrew its proposal that a separate vote be taken on paragraphs 7, 8, 10 and 11 of the draft resolution.

97. Mr. CUEVAS CANCINO (Mexico) proposed that a separate vote be taken on paragraphs 7 and 9 (c) of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1.

98. Mr. FINGER (United States of America) said that the normal procedure in the case of draft resolutions concerning apartheid had been to take separate votes by paragraphs. It was true that paragraph 4 of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 was to be found in General Assembly resolution 2307 (XXII); it was likewise true that a separate vote had been taken in the previous year. If the sponsors of the draft resolution now before the Committee were disposed to agree that a separate vote be taken on paragraphs 4 and 5, his delegation would not press its amendments (A/SPC/L.164). If such was not the case it would press the amendments. He assured the representative of Southern Yemen that that was in no sense whatsoever a pretext and that the success or failure of the two United States amendments would not affect his delegation's final vote.

99. Mr. NOAMAN (Southern Yemen) said that the sponsors of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 wished the Committee to vote on the present draft resolution as a whole, and they also requested that that vote be taken by roll-call.

100. The CHAIRMAN reminded members of the Committee that, under rule 130 of the rules of procedure of the General Assembly, if objection was made to the request for division, the motion for division was to be voted upon. Under the same rule, he would call on two speakers in favour of the motion for division and two speakers against the motion.

101. Mr. CUEVAS CANCINO (Mexico) said that the Latin American delegations viewed with concern the inclusion of paragraphs 7 and 8 (c) of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 since those

paragraphs introduced legal considerations which the Latin American delegations did not consider applicable to the situation prevailing in the Republic of South Africa. Furthermore, those delegations would prefer a draft resolution more consistent with the aims of the United Nations. His delegation therefore formally requested that a separate vote be taken on each of those two paragraphs.

102. Mr. NOAMAN (Southern Yemen) opposed the motion made by the Mexican representative and urged all the representatives not to support it.

103. The CHAIRMAN announced that a vote would be taken by a show of hands on the motion made by the representative of Mexico that a separate vote be taken on paragraphs 7 and 8 (c) of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1.

The motion was rejected by 68 votes to 29, with 8 abstentions.

104. Mr. CUEVAS CANCINO (Mexico) protested that the majority of the members had refused to allow a separate vote, while the sole aim of that vote was to strengthen the campaign against apartheid by taking into account the views of the Latin-American and Afro-Asian groups. His delegation therefore requested that its protest should be recorded in the record of the meeting: it would not participate in the vote.

105. Sir Leslie GLASS (United Kingdom) said that he shared the regret expressed by the Mexican representative at the unwillingness of the co-sponsors of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 to allow separate voting. It was a well-established practice to grant requests for separate paragraph voting; there was all the more reason to do so, inasmuch as a substantial number of Committee members wished it and as the draft resolution was a long one, containing a variety of proposals.

106. The CHAIRMAN said that the Committee would vote first on the forty-nine-Power draft resolution (A/SPC/L.160/Rev.1 and Corr.1 and Add.1) and the United States amendments thereto (A/SPC/L.164). It would then vote on the eight-Power draft resolution (A/SPC/L.162). In accordance with the rules of procedure, the Committee would first vote on the United States amendments (A/SPC/L.164) providing for the deletion of paragraphs 4 and 5 of the draft resolution. First, it would vote on the first amendment on the deletion of paragraph 4.

The vote was taken by roll-call.

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

In favour: Belgium, Greece, Italy, Luxembourg, Netherlands, New Zealand, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia.

Against: Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Finland, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait,

Laos, Liberia, Libya, Madagascar, Malaysia, Maldives Islands, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria.

Abstaining: Brazil, Canada, Chile, China, Colombia, France, Gabon, Guatemala, Iceland, Israel, Ivory Coast, Japan, Lebanon, Malawi, Norway, Panama, Portugal, Spain, Uruguay, Argentina, Austria.

The first amendment was rejected by 80 votes to 9, with 21 abstentions.

107. The CHAIRMAN then put to the vote the second United States amendment, for the deletion of paragraph 5 of the draft resolution.

The second amendment was rejected by 77 votes to 9, with 21 abstentions.

108. The CHAIRMAN then asked the Committee to vote on the forty-nine-Power draft resolution as a whole (A/SPC/L.160/Rev.1 and Corr.1 and Add.1).

The vote was taken by roll-call.

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

In favour: Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Spain, Sudan, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Argentina, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Maldives Islands, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines.

Against: Portugal.

Abstaining: United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Colombia, Cuba, France, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand.

The draft resolution as a whole was adopted by 95 votes to 1, with 15 abstentions.

109. The CHAIRMAN then asked the Committee to vote on the eight-Power draft resolution (A/SPC/L.162).

The draft resolution was adopted by 107 votes to none.

110. Mr. SALAZAR LEITE (Portugal) requested that the records should show that his delegation had not participated in the vote on the draft resolution.

111. The CHAIRMAN said that Portugal's statement would be noted in the record.

112. Sir Leslie GLASS (United Kingdom) said that all in the Committee agreed that apartheid was a hateful political and social system. His delegation regretted, therefore, that year after year the Committee had not been able to express its overwhelming view. The reason for that state of affairs was that the draft resolutions submitted to the Committee were framed in such tendentious terms that some delegations found it impossible to support them.

113. That comment applied to almost every paragraph of the draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 and even those paragraphs, with the spirit of which his delegation fully agreed, presented difficulties. All those who thought that United Nations resolutions should be taken seriously could not but object to language which might later be interpreted by some Members to contain implications that many delegations could not agree with. During the discussion, stirring speeches on human rights and the principles of liberty and self-determination had been made by representatives of countries whose devotion to those principles, as shown by recent events in Eastern Europe, was highly selective.

114. His delegation's strongest objections related to the fourth and seventh preambular paragraphs and operative paragraphs 4 and 5. He wished to make three main points. First, his delegation did not believe that the provisions of Chapter VII of the Charter could be justifiably invoked, and in any case, the question was one that would fall within the province of the Security Council. Secondly, the United Kingdom had always made it clear that it could not and would not contemplate an economic war against South Africa. Thirdly, the draft resolution could not and would not be implemented. It would therefore do no good to the people of South Africa and called in question the realism of the Committee's debates. As stated by the United Kingdom Secretary of State for Foreign Affairs at the twenty-second session of the General Assembly (1567th plenary meeting) to call for action in solving the problems of southern Africa without at the same time recognizing the limitations on the scope of that action was to invite at best frustration and at worst a betrayal of the trust placed in the United Nations.

115. If the Committee wished to go forward towards the goal which all Members sought, it must be ready to examine, in a spirit of co-operation and not recrimination, measures on which all Members could agree. It would not help to intensify methods that had brought no results and would never bring any because there was no agreement upon them. New studies, new reports and new committees would be of no avail, if the policy governing them was itself mistaken.

116. Other aspects of the adopted draft resolution were not acceptable to his delegation, in particular, paragraph 8 (c). That paragraph had legal implications with regard to which his delegation must re-state

the reservations which it had expressed when that question arose at the recent International Conference on Human Rights at Tehran.

117. Having said that, he would emphasize his delegation's strong wish to endorse those parts of the resolution which condemned the inhuman practice of apartheid. His Government supported the work of the United Nations Trust Fund for South Africa and also that of the United Nations Training and Educational Programme, and the United Kingdom planned to make an additional contribution of £41,600 to the latter programme, subject to approval by Parliament. His delegation was gratified that the draft resolution on the terms of reference of the Trust Fund (A/SPC/L.162) had been adopted, and he had voted for that resolution.

118. Finally, his delegation availed itself of the opportunity to express its condolences to the family of Mr. Azouni and to the delegation of Saudi Arabia.

119. Mr. THORSEN (Denmark) said that his delegation had voted for draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 as a whole because they found themselves in general agreement with it. If there had been a separate vote on each paragraph, his delegation would have been able to support the whole preamble. The support, as far as the fourth and seventh preambular paragraphs were concerned, was based on the understanding that, since the draft resolution was concerned exclusively with the policies of apartheid, those paragraphs had to be read as confining themselves to that specific content; the draft resolution could not prejudge the position with regard to the situation in other territories.

120. His delegation had voted in favour of paragraph 1 of the draft resolution because it regarded the words "a crime against humanity" as a justified expression of moral condemnation; however, it had not taken any position on the specific legal implications of those words.

121. As stated by the Danish representative before the Committee (603rd meeting), Denmark felt that the situation in South Africa warranted universally applied and mandatory economic sanctions imposed by the Security Council and supported by all States, including, above all, South Africa's major trading partners. Therefore, in supporting paragraph 4, the position of the Danish Government was unaltered; the paragraph was strictly limited to peaceful measures. The support for paragraph 7 was based on the understanding that the assistance should be rendered within the rules of international law and the Charter of the United Nations.

122. If there had been a separate vote on each paragraph, he would have had to abstain on paragraph 8 (c), because the legal effects of problems which it raised required very intensive study before a definite decision could be taken. His delegation supported paragraph 10 and assured the Committee that his Government would continue, as in the past, to discourage through its policy statement any support of apartheid.

123. Lastly, his delegation would have abstained on paragraph 12, for the reasons that many delegations had adduced, and also on paragraph 14 because it

could not, as a matter of principle, support terms of reference empowering a special committee to study and report on the implementation of Security Council resolutions.

124. Mr. CALERO-RODRIGUES (Brazil) said that he shared the view of the forty-nine countries which had sponsored the draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 and his delegation had voted in favour of it. However, he had some reservations concerning paragraphs 4, 5, 8 (c) and 12, and would have abstained had there been a separate vote on each of them. As far as paragraph 4 was concerned, his delegation was not convinced that the time had come to invoke and apply the provisions of Chapter VII of the Charter. As to paragraphs 5 and 12, his delegation did not believe that the complete isolation of South Africa was desirable. The wording of the revised draft resolution did indeed have more nuances than the original draft, but it still did not seem to be satisfactory. With regard to paragraph 8, his delegation felt that it was not for the General Assembly in its decisions on apartheid to pass judgement on the application of the Geneva Convention. In addition, he endorsed the reservations expressed by the representative of Thailand concerning the use of the expressions "freedom fighters" and "liberation movements", which could give rise to widely varying interpretations.

125. Mr. McGOUGH (Argentina) said that by voting in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1, his delegation had expressed its support of the resolution to its sponsors, thus condemning the policy of apartheid which was contrary to the fundamental principles of the United Nations. However, his delegation had certain reservations with regard to the reference made to Chapter VII of the Charter. His delegation interpreted paragraph 5 as meaning that all the activities referred to must strengthen the policy of apartheid. Argentina would co-operate fully in the elimination of all forms of discrimination.

126. Mr. DESCHAMPS (France) welcomed the delegation of Equatorial Guinea and expressed his condolences to the delegation of Saudi Arabia on the occasion of the death of Mr. Azouni.

127. His delegation did not intend again to detail its well-known position on the question of apartheid. France, which had long maintained that men were free and equal in rights, had always been opposed to racial discrimination in all its forms and had often expressed its censure of the South African policy of apartheid. Thus the French delegation had voted in favour of resolution 1663 (XVI) which reaffirmed that the racial policies being pursued by the Government of South Africa were a flagrant violation of the Charter of the United Nations. Similarly, France had given its support to the establishment of the United Nations Trust Fund for South Africa and had contributed \$30,000 to that Fund. Today it had endorsed the draft resolution which dealt with the Fund (A/SPC/L.162), in spite of the doubts it had concerning the words "persons persecuted" in paragraph 3 (a), which, because of its imprecision, appeared to involve the Fund in hazardous operations.

128. In the same spirit, France had fulfilled its commitments not to give South Africa any military assist-

ance which could be used for repressive purposes. With regard to the draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 sponsored by the majority of the African and Asian countries, it seemed to his delegation that the text, both in its inspiration and in its main provisions, departed considerably from some of the fundamental principles of the Charter. For that reason, the French delegation had abstained in the vote on that draft resolution.

129. Mr. FINGER (United States of America) said that the United States had always been inalterably opposed to the policy of apartheid. The principle of equality for all persons was one which his country cherished. Accordingly, the United States had repeatedly urged that South Africa should change its policies of apartheid and had warned South Africa of the danger inherent in such practices. His delegation considered that the Committee should use judicious, effective and practicable measures in seeking to persuade South Africa to change its policies.

130. Certain recommendations made in draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 did not meet those criteria. For example, his delegation did not believe that the present situation in South Africa constituted a threat to international peace and security or warranted mandatory comprehensive sanctions under Chapter VII of the Charter, as was asserted in operative paragraph 4 and the fourth and seventh preambular paragraphs of the draft resolution. For similar reasons, his delegation could not support paragraphs 5 and 10—the latter of which ran counter to the important principle of freedom of speech and the Press. Had there been a separate vote on that paragraph, his delegation would have voted against it. His delegation also found paragraphs 11 and 12 unacceptable for analogous reasons. However, it unreservedly supported paragraph 6. It would have joined in the condemnation of the policy of apartheid as set out in paragraph 1, had it not been for the unfelicitous use of the phrase "as a crime against humanity"—a phrase which had specific legal connotations. Similarly, his delegation had some reservations about the reference to the Geneva Convention in paragraph 8.

131. His delegation shared in general the reservations expressed by the representative of the Soviet Union with respect to the statement of administrative and financial implications (A/SPC/L.161). It also had reservations of a more general nature concerning the draft resolution. It believed that a draft resolution with such far-reaching recommendations required much more serious consideration and far more extensive consultations with those who supported its objectives and whose co-operation was required to ensure its implementation. Such had not been the case with the draft resolution then before the Committee. Hence, the draft resolution was completely unrealistic.

132. As the representative of Mexico had explained so judiciously, that procedure had been further aggravated by the sponsors' opposition to any separate votes. Consequently, his delegation had had to propose amendments in order to enable representatives to express their views on the very important provisions of paragraphs 4 and 5 of the draft resolution. Incidentally,

his delegation had noticed that certain delegations whose countries had important and growing trade with South Africa had voted in favour of retaining those two paragraphs.

133. Nevertheless, his delegation had preferred to abstain rather than vote against the draft resolution because the policy of apartheid was totally repugnant to the concepts on which the United Nations was founded and on which his own Government was based.

134. As to draft resolution A/SPC/L.162, for which his delegation had voted, it believed that the activities of the Trust Fund for South Africa were legitimate and commendable; hence the United States had made financial contributions to it. However, he wished to stress that that favourable vote should not be interpreted as a commitment to make further contributions to the Fund, which under existing legislation, his Government was unable to make.

135. Mrs. DE BARISH (Costa Rica) said that her delegation had voted in favour of the Mexican proposal for a separate vote on the provisions of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1. She believed that that was a fair and sound practice enabling each delegation to express itself specifically on all aspects of any given proposal. Her delegation had supported the draft resolution as a whole. It had been unable to support the amendment to delete paragraph 4 of the draft resolution (see A/SPC/L.164) because, at the 614th meeting, it had supported the Ecuadorian representative's amendment (A/SPC/L.163) to add a final preambular paragraph drawing attention to the fact that the Security Council had not considered the problem of apartheid since 1964.

136. Similarly, her delegation had not voted in favour of the amendment concerning the deletion of paragraph 5 (see A/SPC/L.164) because it attached considerable importance to compliance with Security Council and General Assembly resolutions concerning the suspension of all trade relations with South Africa. In that connexion, she recalled the statement made by the Costa Rican representative at the 614th meeting.

137. Mr. VAANANEN (Finland) regretted that no separate votes had been possible on draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1. Had a separate vote been taken, his delegation would have abstained on paragraphs 5, 8 (c), 12 and 14.

138. Mr. ANGULO-GOMEZ (Colombia) said that his delegation had had to abstain in the vote on the draft resolution because it had not been voted on paragraph by paragraph. He regretted that the paragraphs mentioned by the representative of Mexico had not been voted on separately. His delegation had serious doubts concerning paragraph 8 (c).

139. Mr. DORR (Ireland) said that his delegation had voted for draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 despite its reservations on certain paragraphs formulated in terms which it did not consider entirely acceptable. By its vote, however, it had wished to emphasize that the Government and people of Ireland were inalterably opposed to racism and apartheid. That was why it had also voted in favour of the retention of paragraphs 4 and 5 during the vote on United States amendments (A/SPC/L.164).

140. However, it would have abstained on paragraphs 7 and 12, because it did not consider it proper to encourage opponents of apartheid in South Africa to take up arms in a hopeless struggle, or to suspend contacts with those who practised racial discrimination, as was called for in paragraph 12. On the contrary, if contact with the proponents of racism was maintained and if they were shown how vehemently the whole world condemned their senseless practices, they might be persuaded to ease their policy.

141. Mr. EREN (Turkey) said that, in spite of the reservations which his delegation had expressed with regard to paragraph 5, it had supported draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 and its purposes. The reservations stemmed from his delegation's opinion that persuasion was still the best method. Turkey had broken off all relations with South Africa and believed that, by its example, it was contributing to the eradication of apartheid.

142. Mr. RUMBOS (Venezuela) associated himself with the representative of Mexico in regretting that a majority should have opposed a separate vote on some fundamental aspects of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1.

143. Although his delegation had voted in favour of the draft resolution, it did have some doubts about paragraph 8 (c), which, for both legal and practical reasons, might not have the effects anticipated by the sponsors. Thus, acting under the guise of "freedom fighters", certain persons whose ideals were far from lofty might take advantage of those rights, and the Geneva Convention of 1949 applied only to a war between two States. Moreover, the declaration in that sub-paragraph could be nothing more than a new recommendation, the implementation of which was not legally binding upon States.

144. With regard to paragraph 11, the Government of Venezuela could not restrict the free movement of its citizens, either within or outside its frontiers, so long as those movements did not violate its laws. Venezuela would continue to co-operate with the majority in eradicating apartheid.

145. Mr. ZORRILLA DE SAN MARTIN (Uruguay) expressed his condolences to the delegation of Saudi Arabia upon the loss it had suffered in the person of Mr. Azouni.

146. Uruguay extended its warmest congratulations to Equatorial Guinea on its entry into the United Nations, and also congratulated Spain, which had made the independence of Equatorial Guinea possible.

147. Uruguay had voted in favour of draft resolution A/SPC/L.160/Rev.1 and Corr.1 and Add.1 but had reservations with regard to paragraph 4 of the draft, because it did not regard the Committee as qualified to tell the Security Council what it should do.

148. With respect to paragraph 5, he agreed with the representative of Mexico that the word "Condemns" was excessive. As to paragraph 8 (c) he agreed with the representative of Venezuela that the provisions of the Geneva Convention of 1949 were not applicable to prisoners who were freedom fighters, since that concept had no international basis.

149. Uruguay was of the opinion that the measures proposed in paragraph 10 fell within the jurisdiction of each country. With regard to paragraph 12, his delegation felt that a complete suspension of cultural, educational, sporting and other exchanges would directly penalize the great majority of the population without in any way affecting the rulers of South Africa.

150. Mr. HASHIM (Malaysia) proposed that the record of the present meeting should be reproduced in extenso and made available to all members of the Committee.

151. The CHAIRMAN said that it was within the competence of the Committee to take a decision on that request and reminded members that the cost of such a publication would amount to \$1,700. The Committee might consider that the present meeting was of exceptional importance since no separate vote had been taken on the various paragraphs of the draft resolution and might accede to that request.

152. Mr. FINGER (United States of America) asked whether the proposal was to publish a provisional text,

which did not require an official translation and would not only take less time but would also be less expensive.

153. The CHAIRMAN replied that that was the case. If there was no objection, he would take it that the Committee agreed to the request made by the representative of Malaysia.

It was so decided.^{3/}

Organization of the Committee's work

154. The CHAIRMAN informed the Committee that at its next meeting it would resume its discussion of the report of the Commissioner-General of UNRWA on the Palestine refugees.

The meeting rose at 7.20 p.m.

^{3/} A verbatim record of this meeting was circulated as document A/SPC/PV.615 and Corr.1.