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Chairman: Mrs. Halima EMBAREK WARZAZI
(Morocco).

AGENDA ITEM 95

Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories (continued) (A/6303, chap. XI, sect. II; A/6442)

1. Mrs. MALECELA (United Republic of Tanzania) said that the Committee was taking up the most important item on its agenda, an item which would dominate the twenty-first session of the General Assembly. The question of the violation of human rights and fundamental freedoms was at once urgent and important. It required the Committee's attention more than ever, for it involved not only the very idea of human rights but also the dignity and authority of the United Nations at a time when human rights were being persistently violated in South Africa, Southern Rhodesia, South West Africa, the Portuguese colonies and other countries of the world.

2. Some countries practised racial discrimination officially and had made it the central element of their policies; they claimed to be on the side of law and justice but they could not hide the fact that hatred and violence were the basis of apartheid, a policy which allowed a white minority to rob the black race of its birthright with impunity. The white race had for centuries exploited other races. It had done so in the name of a divine mission—for God was white—and of scientific doctrines which raised up the white man and debased the black; it had done so, finally, in the name of a civilization it had claimed to be bringing to the rest of the world. Convinced of its superiority and its civilizing mission, it had colonized America, Africa and Asia and it had wiped out whole populations in the name of Christianity. That was the spirit in which the Europeans in the fifteenth century had set about conquering the world. Christopher Columbus and the early Spanish conquistadores had disdained the ancient civilizations they had found on

reaching America and had exterminated or driven out the indigenous peoples. Likewise, in the seventeenth century, the pilgrim fathers who had suffered religious persecution in Europe had sought to found a new world, at the expense of the Indians.

3. In South Africa, the British and the Boers had first fought each other but had then got together to expel the Africans from their lands, and it was with England's help that in 1910 Kruger's old dream of a Boer Republic south of the Limpopo had come to realization. Today, the British and South African economies were so closely intertwined that the collapse of one would inevitably bring about the collapse of the other, and hence the efficacy of South Africa's blackmail of the United Kingdom and the timidity of the United Kingdom, which had been reduced to impotence. The hateful apartheid régime was being extended to South West Africa, which South Africa had brazenly annexed in 1950; it was the duty of the United Nations to revoke the Mandate given to South Africa over that Territory. In Southern Rhodesia, a small minority of Englishmen continue to hold the people of Zimbabwe in bondage, with the United Kingdom Government's complicity.

4. In the United States the denial of human rights was a part of daily life, but at least it did not reflect official government policy. The United States Government had recently taken steps to combat racial segregation, but had not yet succeeded in abolishing it. Every day Negroes were killed in the streets and discriminated against in the schools, in employment, in the armed forces and elsewhere. Negroes must no longer passively accept that state of affairs; they had a duty to obtain respect for their rights and the dignity of their race.

5. The violation of human rights and fundamental freedoms must accordingly be condemned wherever it existed, and especially in South Africa and Southern Rhodesia, and she intended to submit a draft resolution to that effect. The Committee should pay no regard to the scandalous judgement rendered by the International Court of Justice, which had made a mockery of justice by resorting to a pure technicality to keep from ruling on the substance of the issue. Without losing heart at that seeming setback, the Committee should continue its fight against racial discrimination. The Africans for their part would sooner die than submit.

6. Mrs. LAROCHE (Haiti) said that her delegation felt in duty bound to participate in all discussions on racial discrimination. In its view the issue was of paramount importance, and it intervened in the debate in the name of human rights. Haiti, whose laws laid down that all men were absolutely equal and whose international policy was guided by the principles of

peaceful coexistence based on the right of peoples to self-determination, repudiated all forms of racial discrimination and particularly the policy of apartheid. The South African Government had illegally annexed South West Africa, whose people it held in bondage. It asserted that the problem was national and not racial, but in fact apartheid was a problem which concerned all Members of the United Nations and placed world peace in peril. The United Nations had sought to solve the problem through both the General Assembly and the Security Council, but it was paralysed by South Africa's lack of good faith, as the recent decision of the International Court of Justice proved.

7. Her delegation accordingly urged that the United Nations should pass beyond the stage of moral solidarity and take fast and firm action without delay, and it would support any proposal designed to put an end to apartheid and racial discrimination everywhere.

8. Mr. SHAMMAS (Kuwait) said that apartheid, no matter how vigorously it had been condemned from the outset by the United Nations, was still being practised by South Africa. Condemnation was therefore not enough, and vigorous action should be taken to prevent the application of that policy. The authority of the United Nations was now at stake, and the Security Council had already demonstrated its awareness of the risks to which apartheid exposed world peace. He was prepared to support any action to bring apartheid to an end.

9. Mr. KAWUKI (Uganda) said that the question under discussion had appeared for years on the General Assembly's agenda and had been amply debated. There were by now countless resolutions on the subject, among them General Assembly resolutions 2022 (XX) and 2074 (XX). But those numerous decisions had not altered the situation; human rights were still flouted in all of southern Africa and the racist régimes subsisted. That state of affairs clearly threatened to impair the prestige of the United Nations. The time had therefore come to take more effective action, and his delegation for its part would support any proposal to bring the question before the Security Council.

10. Miss TAYLOR (Sierra Leone) said that action must be taken to see that the rights and freedoms proclaimed in the Universal Declaration of Human Rights were enjoyed by all human beings, whatever their colour, race or nationality. All nations should feel united in that effort, for racist régimes posed a threat to the whole world; it was essential therefore to put a stop to them before they made new victims.

11. She would support any proposal intended to ensure the protection of the individual against any violation of his rights and fundamental freedoms, particularly in colonial and other dependent countries and territories.

12. Mr. GUEYE (Senegal) said that it was natural and even reassuring that the issue under discussion should give rise to a wave of indignation and protest. But time was passing and the Committee had not yet begun to consider the draft resolution before it.

13. The problem would obviously not be solved overnight. Until South Africa felt that the independent African countries were resolved to use the force of

arms against it, possibly with the support of some foreign Powers, it would not budge from its arrogant stand and the United Nations resolutions would remain a dead letter.

14. Mrs. AFNAN (Iraq) stressed the usefulness of the note by the Secretary-General (A/6442), which reviewed the decisions taken on the question since the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples had adopted its resolution of 18 June 1965.^{1/}

15. Section A of resolution 2 (XXII) adopted by the Commission on Human Rights on 25 March 1966 at its twenty-second session^{2/} dealt with the question from exactly the same standpoint as that adopted by the Special Committee, while section B was much more general in scope and referred to violations of human rights in all countries, since a number of delegations had taken the view that it was impossible to condemn certain forms of racial discrimination and at the same time to ignore other manifestations of racism. Nevertheless delegations should—in accordance with the recommendations of the Commission on Human Rights—concentrate their attention on the policies of apartheid and segregation and on manifestations of racial discrimination, particularly in colonial and dependent countries and territories. The Third Committee was fully justified in dealing more specifically with the territories under the control—for instance—of South Africa or Portugal, for, just when it was about to put the finishing touches to the draft International Covenants on Human Rights, it could not fail to think of the non-self-governing populations of those territories who—in the present circumstances—were unlikely to benefit from the guarantees provided in the Covenants.

16. The text of the draft resolution recommended by the Economic and Social Council in its resolution 1164 (XLI) (A/6442, annex I) was excellent; but it was not entirely in keeping with the instructions which the Council had given to the Commission on Human Rights, as it did not make a sufficiently clear distinction between violations of human rights in the Non-Self-Governing Territories on the one hand, and violations of human rights and fundamental freedoms in general, on the other hand. It was essential to protect the rights and freedoms of peoples which had no other recourse but the United Nations and the General Assembly would have to modify the draft resolution if it wished to discharge its responsibilities in that field.

17. Mrs. SOUMAH (Guinea) congratulated the Commission on Human Rights on the adoption of resolution 2 (XXII) and thought that, to avoid disappointing the hopes of justice-loving peoples and to help in abolishing the hateful system of racial segregation, the Third Committee should consider the resolution very favourably.

18. Mrs. RAMAHOLIMIHASO (Madagascar) said that the draft resolution recommended by the Economic and Social Council was concerned with three main

^{1/} Official Records of the General Assembly, Twentieth Session, Annexes, addendum to agenda item 23 (A/6000/Rev.1), chap. II, para. 463.

^{2/} Official Records of the Economic and Social Council, Forty-first Session, Supplement No. 8, para. 222.

topics—namely, the violation of human rights and fundamental freedoms in all countries, the violation of human rights and fundamental freedoms in colonial and dependent countries and territories, and the policy of racial discrimination and segregation and of apartheid. Although those three topics were interrelated, as the Saudi Arabian representative had pointed out, they should be dealt with separately so that each one could be given the attention it deserved. The contents of the preamble and the operative part of the draft resolution should therefore be rearranged, so that provisions relating to each of the three topics were grouped together. For instance, the third preambular paragraph should be divided into two paragraphs, and part of the fifth preambular paragraph should be transferred to the second of the two paragraphs so created. The new text would then read as follows:

"Convinced that efforts to protect and promote human rights throughout the world are still inadequate,

"Convinced further that gross violations of the rights and freedoms set forth in the Universal Declaration of Human Rights continue to occur in the Trust Territory of South West Africa and the colonies of Southern Rhodesia, Angola, Mozambique, Portuguese Guinea, Cabinda, São Tome and Principe, with respect to discrimination on grounds of race, colour, sex, language and religion, and the suppression of freedom of expression and opinion, the right to life, liberty and security of person and the right to protection by independent and impartial judicial organs".

19. The fourth preambular paragraph would remain unchanged and the fifth would read as follows:

"Deeply concerned by the new evidence of persistent practices of racial discrimination and apartheid in the Republic of South Africa, the Trust Territory of South West Africa and the colonies of Southern Rhodesia."

20. Some changes along the same lines should be made in the operative part also. For instance, paragraphs 1, 2 and 8 which dealt with the violation of human rights and fundamental freedoms in all countries should be grouped together. They should be followed by paragraphs 6 and 9 which dealt with the violation of human rights and fundamental freedoms in colonial and dependent countries and territories, then by paragraph 3 with the exception of the last phrase which could be deleted, and finally by paragraphs 4, 5 and 7 which dealt with the third topic—the policy of apartheid, segregation and racial discrimination.

21. Further, the operative part could be divided into a number of sections, each dealing with a single topic. The Commission on Human Rights had adopted that method in its resolution 2 (XXII), by dealing in section A with the specific questions referred to it and in section B with the wider problem of the violation of human rights in all countries.

22. She hoped that those suggestions would help to improve the presentation of the resolution before the Committee since it was important that the under-

lying logic of the text and the intentions of the sponsors should be crystal-clear to the reader.

23. Mr. SITNIKOV (Byelorussian Soviet Socialist Republic) thought that the question of the violation of human rights and fundamental freedoms should be brought before the Security Council. It was scandalous that the question of apartheid was discussed by the Assembly year after year without ever being settled satisfactorily. The situation had in fact deteriorated, the exploitation of the African continent had reached its apogee and the terror engendered by the policy of segregation in countries where it was applied was comparable only with the nazi terror in Hitlerite Germany. For Africans, discrimination was a kind of inevitability which hung over them even before they were born and from which they never escaped. Not only were they not allowed to work in the same jobs as whites, to travel without permits or to enter towns which the whites regarded as their own; they also had no possibility of defending themselves, as any sign of discontent or any effort to improve the situation was regarded as a subversive activity and punished with extremely severe penalties, in some cases even with the death penalty. It should not be forgotten that South Africa had sentenced more than fifty political prisoners to death. Racism had become a system of government, and its sway extended over the peoples of South Africa, South West Africa and Southern Rhodesia which it was cynically enslaving with appalling cruelty.

24. At first sight it seemed incredible that such a plague could spread and prosper, since the whole world condemned apartheid. But the condemnations were unfortunately mere words and had never been followed up by action, since South Africa and Portugal enjoyed the support of Powers such as the United States, the United Kingdom and the Federal Republic of Germany. Certain of impunity, the latter saw no reason to change a policy which served their ends so well. Disregarding United Nations resolutions, they continue to provide the racist Government of South Africa with direct and extremely remunerative support. From their investments in African territories they were deriving fabulous profits, taking advantage—of course—of the shameless exploitation of the indigenous population. In 1964 the profits made by United Kingdom firms alone had amounted to \$173 million. For the governing circles of the countries of the North Atlantic Treaty Organization, South Africa and Southern Rhodesia were not merely a source of wealth. They were also the scene of the struggle against African emancipation; and in that connexion he fully shared the concern expressed by the Zambian representative. There was something particularly disquieting in the support provided by Western Germany. That country did not make any secret of its sympathy for the policy of apartheid, and was investing considerable sums in South Africa and Southern Rhodesia, to the increasing advantage of the racists who could not fail to derive encouragement from such action. The direct support provided by the western Powers was entirely conscious and intentional. It formed part of their policy of promoting a special type of colonialism which was based on world monopolies and a local hierarchy of oppressors dedicated to the interests of the monopolies. Responsibility for the

existing state of affairs in Africa rested ultimately with those Powers. Without their assistance, Ian Smith and Vorster would never have dared to continue their iniquitous policies, and it was because of those Powers that action taken by the United Nations to put an end to racism and ensure the observance of human rights and fundamental freedoms had never succeeded. Energetic measures should therefore be taken at once to frustrate their designs.

25. The CHAIRMAN suggested that the time-limit for submission of amendments to the draft resolution recommended by the Economic and Social Council, or new texts on the item under consideration, should be 12 noon on Tuesday, 4 October 1966.

It was so decided.

The meeting rose at 4.45 p.m.