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AGENDA ITEM 55

Question of South West Africa (continued):

(a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446/Rev.1, chap. IV; A/C.4/613, A/C.4/L.777 and Add.1 and 2);

(b) Special educational and training programmes for South West Africa: report of the Secretary-General (A/5526 and Add.1, A/C.4/L.778 and Add.1)

CONSIDERATION OF DRAFT RESOLUTIONS (A/5446/REV.1, CHAP. IV, PARA. 217; A/C.4/L.777 AND ADD.1 AND 2; A/C.4/L.778 AND ADD.1) (continued)

1. Mr. HASHIM (Sudan) announced that the delegations of Burma and Madagascar had become sponsors of draft resolution A/C.4/L.777 and Add.1 and 2.

2. Mrs. MENESES DE ALBIZU CAMPOS (Cuba) said that her delegation would vote in favour of draft resolution A/C.4/L.777 and Add.1 and 2 despite certain weaknesses in the text.

3. It would vote against the United States amendments (A/C.4/L.779) because whereas the draft resolution represented a measure of progress in the attitude of the United Nations towards a Territory for which it was responsible, acceptance of the United States amendments would be a retrograde step and would also result in the adoption of a text so weak that damage would be done to the prestige of the United Nations. It would amount to a conspiracy of inaction from which the South African exploiters would benefit. As a champion of the fight of all peoples for freedom and independence, Cuba could not accept an amendment which would be making a mockery of the peoples' struggle for their fundamental rights.

4. Mr. MGONJA (Tanganyika) said that the independent African States were convinced that it was high time to take action. They had already begun to apply

economic sanctions against South Africa and intended to persevere in their chosen course.

5. The African delegations would not accept any amendments which would weaken the draft resolution. They would not be a party to any attempt to appease the racist authorities in South Africa, which stood condemned by freedom-loving peoples everywhere, including the majority of the States Members of the United Nations. As President Nyerere had said, the problem could not be isolated. All the coloured peoples and all the Whites were involved because the yardstick applied by the South African authorities was the colour of a man's skin. The whole world must take sides and Tanganyika believed that Africa was entitled to demand support for its stand against South Africa.

6. A crime was being committed against humanity, and the strongest action and severest sanctions were necessary. He appealed to the Committee and in particular to the few delegations representing powerful States to vote in favour of draft resolution A/C.4/L.777 and Add.1 and 2.

7. Mr. ROBERTS (New Zealand) said that in considering the draft resolution his delegation had borne three considerations in mind: firstly, that the Territory had an international status; secondly, that the South African Government, whose racial policies were abhorrent to his country, had consistently ignored international opinion with regard to its administration of South West Africa; and, thirdly, that an important judgement concerning the present administration of South West Africa was awaited from the International Court of Justice.

8. In 1962 his delegation had urged the South African Government to show willingness to co-operate with the United Nations by accepting United Nations technical assistance for the development of the people of South West Africa and had supported resolution 1805 (XVII), particularly operative paragraph 5. Since no immediate response had been forthcoming from the South African Government, New Zealand had urged it to co-operate with the Secretary-General in that respect. As New Zealand had no diplomatic representation in South Africa the approach had been made through its Permanent Mission to the United Nations. His delegation was deeply disappointed that the South African Government had not responded thus far either to the resolution or to the appeals made by his country and other Member States.

9. Operative paragraph 5 was the most important paragraph of the draft resolution (A/C.4/L.777 and Add.1 and 2) and the most effective step that the General Assembly could take at the moment. Other aspects of South Africa's policies had been discussed in other United Nations bodies and various recommendations had been made. In the particular case of South West Africa, however, the appointment of a United Nations Technical Assistance Resident Representative was of paramount importance.

10. He had reservations concerning those passages of the draft resolution which reproduced the language of Chapter VII of the Charter and seemed to arrogate to the General Assembly functions which the Charter clearly reserved for the Security Council. In particular, his delegation would be unable to support those parts of the draft resolution which would have the General Assembly decide what constituted a threat to international peace and security and what measures should be taken to deal with it.

11. His delegation would support the United States amendments (A/C.4/L.779). If they were not accepted, his delegation would be obliged to abstain in the vote on the draft resolution as a whole.

12. Mr. EOUAGNIGNON (Dahomey) agreed with the Ghanaian representative that the United States amendments amounted to a repudiation of the traditional United States attitude towards colonialism. His delegation was convinced of the uselessness of emasculating draft resolutions on colonial questions merely in order to secure a larger majority in the General Assembly. Eschewing the niceties of Western diplomatic language, the anti-colonialist delegations should couch their draft resolutions in forthright terms.

13. Mr. LANGLO (Norway) said that his delegation, which was convinced that the people of South West Africa had the unquestionable right to self-determination and should be allowed to exercise it without delay and opt for independence if they so desired, and which regarded the inhuman practices of apartheid with abhorrence, had consistently supported the resolutions on the question of South West Africa. It deprecated South Africa's refusal to implement those resolutions and, in particular, to co-operate in the matters of technical assistance and of the establishment of a United Nations presence in the Territory. The situation there was a dangerous source of international friction and the United Nations had the right and the duty to concern itself with it.

14. His delegation would have wished to be able, once again, to vote in favour of a draft resolution on South West Africa. While it sympathized with the objectives of the sponsors of draft resolution A/C.4/L.777 and Add.1 and 2, it regretted that the text contained elements which should not have been included and which it could not support. In particular, operative paragraph 7, which urged all States to place an embargo on shipments of arms and petroleum to South West Africa was not compatible with Norway's view of legal procedure, since proceedings concerning South West Africa were still pending before the International Court of Justice and the question of apartheid was under active consideration in the Security Council.

15. His delegation would prefer a different formulation of certain other paragraphs, but those minor objections could be expressed through separate votes. If operative paragraph 7 was suitably reworded and, in particular, if sub-paragraph 7 (b) was deleted, his delegation would be able to vote in favour of the draft resolution as a whole. His delegation would therefore support the United States amendments and, if they were adopted, would vote in favour of the draft resolution; otherwise it would have to abstain.

16. Mr. PINOCHET (Chile) said that his delegation would abstain in the vote on operative paragraph 4, in which the term "act of aggression" was used. It had abstained in the Special Committee on the Situation with Regard to the Implementation of the Declaration

on the Granting of Independence to Colonial Countries and Peoples in the vote on a similar paragraph in the resolution adopted by that Committee (A/5446/Rev.1, chap. IV, para. 213), as it had felt that, under Article 39 of the Charter, it was the Security Council which determined the existence of an act of aggression.

17. His delegation would also abstain in the vote on operative paragraph 7 (b) as it felt that the Security Council was the most appropriate organ to adopt economic sanctions.

18. It would vote in favour of operative paragraph 8 (b). It preferred the wording of the original text to the sixth United States amendment (A/C.4/L.779, para. 6) as it was undesirable that the Secretary-General should be asked to prepare a study with political implications. Furthermore, the sixth United States amendment seemed to prejudice the result of the study, for it was conceivable that those large international companies would promote the welfare of small groups of indigent inhabitants in the Territory while, at the same time, they removed vast wealth from the country. Again, economic interests had often exercised political influence in various countries.

19. His delegation would vote in favour of draft resolution A/C.4/L.777 and Add.1 and 2 as a whole.

20. Mr. SHUKRI (Syria) said that he could not subscribe to the implication in the United States amendments that the General Assembly was incompetent to refer to a situation as constituting a threat to international peace and security. Article 39 of the Charter should be viewed in conjunction with Articles 10 and 14. Article 10 empowered the General Assembly to "make recommendations to the Members of the United Nations or to the Security Council or to both" on any matters. Under Article 14 the General Assembly could "recommend measures for the peaceful adjustment of any situation". Therefore, while the Security Council had primary responsibility for determining the existence of a threat to the peace, breach of the peace, or act of aggression, its responsibility in the matter was not exclusive. Furthermore, the question of South West Africa was not before the Security Council.

21. Draft resolution A/C.4/L.777 and Add.1 and 2 did not call for immediate action under Chapter VII of the Charter. It merely drew the attention of the Security Council to the situation in South West Africa, the continuation of which constituted a serious threat to international peace and security. In that way the General Assembly would be merely fulfilling its obligations under Articles 10 and 14 of the Charter. The views he had just expressed had been supported by several eminent United States experts in international law. Furthermore that interpretation of the Charter was consistent with General Assembly resolution 377 (V).

22. The United States amendments thus lacked a firm legal basis and his delegation would be unable to support them.

23. Mr. SONN VOEUNSAI (Cambodia) said that he could not support the United States amendments.

24. The first United States amendment was unacceptable because the situation in South West Africa was not simply a dangerous source of international friction; it was dangerous and even critical and threatened international peace and security. South West African nationalists were fighting for their independence. The thirty-two independent African States were determined

to act, while South Africa was determined to crush all uprisings. It should also be recalled that a similar amendment submitted by the United States delegation in 1962 had been rejected.^{1/}

25. The second United States amendment was unacceptable because the annexation of a territory by an alien Government could only constitute an act of aggression. South West Africa had been an entity distinct from South Africa even before the Mandate.

26. His delegation could not subscribe to the United States delegation's objections to operative paragraph 7 of the draft resolution because steps had to be taken to induce South Africa to understand the gravity of the situation. The General Assembly was in duty bound to take action additional to that outlined in resolution 1805 (XVII). The Assembly was competent to take those steps; similar steps had indeed already been taken under General Assembly resolution 1761 (XVII), and the Committee should not forget that South Africa was applying apartheid in South West Africa.

27. His delegation attached importance to the inquiry requested in operative paragraph 8 (b). The matter had been raised repeatedly in the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. If the inquiry showed that those companies contributed to the welfare of the people, that would be reflected in the Special Committee's report. His delegation doubted, however, that those companies had such a beneficial effect.

28. Although his delegation was a sponsor of draft resolution A/C.4/L.777 and Add.1 and 2, he would have preferred a more categorical text whereby the question of South West Africa would have been brought immediately before the Security Council and more comprehensive measures proposed.

29. Quick and resolute action by all States was essential. He hoped that, regardless of the fate of the United States amendments, the United States delegation would vote in favour of the draft resolution since the United States and the sponsors pursued common objectives as regards decolonization and apartheid.

30. His delegation would vote in favour of draft resolution A/C.4/L.778 and Add.1. He attached particular importance to operative paragraph 4, without which the special educational and training programmes for South West Africans would be ineffective.

31. Mr. QUIROGA GALDO (Bolivia) said that his country had severed all commercial and diplomatic relations with South Africa. That clearly showed its attitude to the policies of apartheid and towards South Africa's intentions to annex the Mandated Territory.

32. His delegation would vote in favour of draft resolution A/C.4/L.777 and Add.1 and 2 as a whole because, despite certain weaknesses, it countered the South African Government's obvious designs to annex South West Africa and pursued the objectives of preserving world peace and preventing the outbreak of a conflagration in Southern Africa. The text could not be weakened any further without losing all its effectiveness. Furthermore, it should be remembered that the interpretation and application of the necessary measures, in accordance with developments in the Territory, would be a matter for the Security Council.

33. His delegation would abstain in the vote on the United States amendments (A/C.4/L.779).

34. Mr. ANOMA (Ivory Coast) said that draft resolution A/C.4/L.777 and Add.1 and 2 was the result of compromise and he did not see how any further concessions could be made. He had no doubt that the United States delegation had submitted its amendments with the best intentions, but they were not acceptable to the sponsors. The situation in South West Africa was serious and deteriorating daily; it had reached a critical stage and the sponsors could not therefore agree to the third United States amendment (A/C.4/L.779, para. 3). Despite the denial of the South African representative, the South African Government was threatening to take over South West Africa by force if it lost the case before the International Court of Justice, as indicated in paragraph 37 of the Special Committee's report (A/5446/Rev.1, chap. IV). That attitude could not be construed otherwise than as a threat to peace. Furthermore, the systematic refusal of the Parliament at Pretoria to respect the resolutions of the General Assembly already constituted a danger to peace.

35. Nor could the sponsors agree to the second United States amendment (A/C.4/L.779, para. 2). The Special Committee, in its resolution adopted on 10 May 1963 (A/5446/Rev.1, chap. IV, para. 213), stated that any attempt to annex the Territory by South Africa would be considered an act of aggression, and at the Summit Conference of Independent African States held at Addis Ababa the African Heads of State had adopted a resolution in the same sense. The sponsors wished to use similar wording in the draft resolution to be adopted by the General Assembly.

36. He regretted that the delegation of Iran had been unable to join in sponsoring the draft resolution.

37. Mr. GUSTAFSON (Sweden) said that, much to the Swedish delegation's surprise, at the previous meeting the Reverend Michael Scott had revived certain accusations about alleged activities in Africa by Swedish firms and citizens, although it had been repeatedly made clear in public announcements that those allegations were completely unfounded.

38. It was well known that Sweden was utterly opposed to the policy of apartheid and for many years his delegation had voted in favour of General Assembly resolutions relating to South West Africa.

39. His delegation appreciated the efforts of the sponsors of draft resolution A/C.4/L.777 and Add.1 and 2 to make constructive proposals. In his delegation's view the pressure on South Africa must be maintained through constant and insistent demands for co-operation with the United Nations. It therefore fully supported operative paragraph 5. In that connexion he stressed that what was needed was an effective United Nations presence which would ensure direct contact between the inhabitants and the United Nations. Although the time allowed might appear short, his delegation urged the South African Government to give a positive reply before the end of the current month.

40. It was proper for the General Assembly, when disturbed about a critical situation, to draw the Security Council's attention to it. He therefore agreed with the first part of operative paragraph 6, but as far as the second part was concerned, considered that it was within the competence of the Security Council rather than the General Assembly to determine whether or

^{1/} See *Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 57, document A/5310, paras. 17 and 20.*

not a situation constituted a threat to international peace and security.

41. His delegation would also support operative paragraph 7 (a); for a number of years Sweden had prohibited the export of any war materials to South Africa. Unfortunately paragraph 7 (b) advocated a measure which, on constitutional grounds, was bound to give rise to serious objections. Collective measures of the type mentioned in that sub-paragraph belonged to the purview of the Security Council. Moreover, it would be not only inappropriate but inadvisable for the General Assembly to call for an embargo which could not be effectively implemented. His delegation would therefore vote in favour of the deletion of sub-paragraph 7 (b) and, if that amendment was adopted, in favour of the draft resolution as a whole.

42. His delegation had misgivings on certain other points and would therefore vote in favour of any amendment that would bring the text into closer conformity with its interpretation of the Charter. If the United States amendments were not adopted, his delegation would abstain in the vote on some paragraphs but would vote for the resolution as a whole provided operative paragraph 7 (b) was deleted. It would abstain in the vote on paragraph 7 if voted on separately and on the draft resolution as a whole if that paragraph was retained.

43. Mr. McCARTHY (Australia) said that in view of his delegation's deep concern with regard to South West Africa and its desire to assist in finding a solution to the problem, it had been most anxious to continue its policy of positive support for the Committee's proposals.

44. At various times his delegation had made known its views on the use of the phrase "a serious threat to international peace and security" and he would therefore merely state that his delegation supported what the United States representative had said at the 1471st meeting in introducing his delegation's amendments.

45. The Australian delegation also had doubts about operative paragraph 4 of the draft resolution; it felt that so indefinite a term as "an act of aggression" should not be used in the draft resolution before the Committee. His delegation associated itself with the whole range of considerations put forward by the United States delegation in that connexion.

46. The greatest difficulty arose in connexion with operative paragraph 7. Australia did not supply South Africa with arms and was not an oil-producing country, and the total volume of its trade with South Africa was small. His delegation's perplexities in that connexion arose from considerations of principle and practice concerning the desirability of imposing sanctions by means and in circumstances which had not been visualized when the Charter had been drafted. South West Africa did not come within the scope of Chapter VII of the Charter. Moreover, his Government did not believe that the imposition of economic sanctions or the expulsion of South Africa from the United Nations would cause that Government to change its racial policies. Such a course would be more likely to harden it in its attitude.

47. There was a certain amount of confusion concerning the relationship between South Africa and South West Africa, which had not been overcome in the draft resolution merely by the use of the phrase in operative paragraph 7 "with reference to the question of

South West Africa", and there appeared also to be some confusion between the functions of the Committee and those of the Security Council, partly perhaps because the Security Council was to consider the problem of apartheid in South Africa at an early date. Moreover, in view of the fact that the question of South West Africa was pending before the International Court of Justice, action of the kind proposed in operative paragraph 7 might have serious consequences in relation not only to the judgement of the Court but also the very standing of that body. He recalled that at the Committee's 1465th meeting he had said that his delegation did not endorse the South African argument that consideration by the General Assembly of the question of South West Africa would infringe the sub judice principle, that on the contrary it considered that the General Assembly had a very important role to play in the matter, that nevertheless the United Nations must be satisfied beyond any shadow of doubt of the strength of its legal position before taking action based on purely political considerations, and that his Government would regard the ruling of the Court as authoritative and final. He would emphasize once again that his delegation reserved its right to determine its future attitude in the light of the Court's ruling. It would not support the action proposed in operative paragraph 7 and thus commit the Australian Government to any course of action in advance of the Court's decision.

48. His delegation had welcomed the United States delegation's initiative in introducing amendments to the draft resolution, not only because it could support most of them but because it considered that initiative to be a healthy sign. The Australian delegation could not agree that any resolution submitted to the Committee, no matter by whom, should be regarded as the last word on any subject. It rejected the view, expressed by at least one delegation, that there were only two kinds of vote on any resolution. The rules of the United Nations allowed for three kinds of vote, each of which had its own weight and its own overtones and undertones. In short the United States initiative had expressed a right which should be carefully guarded—the right of any delegation to differ.

49. There was much in the draft resolution with which his delegation seriously disagreed, as his remarks had shown. Indeed, it would have been moved to vote against the draft resolution as a whole had it not felt that such a vote would not truly reflect its position on the item. Australia firmly opposed South Africa's policy with regard to South West Africa, its refusal to agree to the processes of self-determination and to recognize its international obligations, and to its imposition of the doctrine of apartheid and the use of repressive measures to enforce it. Australia had constantly stated its views on the matter in the United Nations and its attitude had been made clear to the South African Government.

50. If the United States amendments were rejected, the Australian delegation would abstain in the vote on the draft resolution as a whole.

51. Mr. Natwar SINGH (India) said that, while appreciating the good intentions of the United States delegation, his delegation felt that to accept the United States amendments would be to put the clock back. If the amendments were put to the vote separately the Indian delegation would vote against them, except for the fourth amendment, on which it would abstain, because although the Security Council resolution of

7 August 1963^{2/} referred to in the amendment did not relate to South West Africa, the Indian delegation was in complete agreement with that resolution and could not therefore vote against the reference to it.

52. In view of the South African Government's persistent refusal, despite all the appeals of the United Nations, to put an end to its monstrous policy of apartheid, he considered that the African and Asian delegations had displayed remarkable moderation.

53. India had broken off trade relations with South Africa in 1946, for reasons of principle, at considerable sacrifice to itself. Had that example been followed by certain other States, South Africa would have been forced to yield. As for the argument that if sanctions were imposed it would be the people of South West Africa who would suffer, Chief Luthuli in his book *Let My People Go*, and also a number of the petitioners, had said that the people would be ready to pay the price.

54. Although he was aware that the draft resolution would not be adopted unanimously, he hoped it would muster a very large measure of support.

55. Mr. MONGONO (Nigeria) said that his delegation was opposed to the United States amendments. It seemed strange that the American nation, which had fought for its own freedom, should be unwilling to make a limited sacrifice to contribute to a peaceful solution of the problem of South West Africa. He appealed to the United States delegation to withdraw its amendments.

56. Mr. SAHNOUN (Algeria) noted that, according to press reports, South African scientists were working on deadly gases which could destroy life on a scale comparable with nuclear bombs. It might be recalled that another racist régime in the recent past had used gas as a weapon of war. As he had already said, his delegation considered draft resolution A/C.4/L.777 and Add.1 and 2 to be too weak, and thought that recommendations for action by the Security Council should have been included.

57. At the 1471st meeting, the United States representative, in introducing his amendments, had spoken of the American ideals of freedom, and he wished to associate himself with the Ghanaian representative in recognizing the importance of such ideals as a part of the American tradition. He was also glad to note two pledges that had been made by the United States in relation to the question of South West Africa: firstly, that it would place an embargo on arms to South Africa from the beginning of 1964, and, secondly, that it would support whatever decision was reached by the International Court of Justice. In that context, he found the United States amendments difficult to understand.

58. With regard to the first amendment, he considered that the thirteenth preambular paragraph of the draft resolution was already insufficiently precise and would have preferred a statement to the effect that the situation was a threat to international peace and security. The existing wording had been chosen in order to obtain wider support for the text. He also failed to see what would be the purpose of the third amendment, since it would merely repeat the statement made in the thirteenth preambular paragraph. The second amendment would make operative para-

graph 4 a mere statement of the obvious; the African Heads of States and Governments meeting at Addis Ababa in May 1963 had agreed that an attempt to annex all or part of South West Africa would constitute aggression, and while they did not claim to be the sole spokesmen for justice and freedom, they were perhaps the best judges in the present case. With regard to the fourth amendment, the Security Council resolution of 7 August 1963 related to the question of South Africa's apartheid policy and not to the question of South West Africa. Operative paragraph 7 (b), the deletion of which was proposed in the fifth United States amendment, was the one important new element in the draft resolution, in that it involved a definite sanction against South Africa. If implemented, the measures might prove decisive. In that connexion, he noted that the Iranian delegation had supported an earlier resolution which clearly implied such a step, namely the cessation of petroleum sales to South Africa, so that it would not seem inconsistent for that delegation to support the present text. As far as paragraph 8 (b) of the draft resolution was concerned, the existing text was intended to take into account the fact that the activities of international companies were not always beneficial to the country in which they operated.

59. For those reasons, he would associate himself with those who had requested the United States to withdraw its amendments.

60. The CHAIRMAN noted that there were no further speakers on the draft resolutions. He invited those representatives who wished to explain their views before the voting to do so.

61. Mr. CADIEUX (Canada) said that his delegation associated itself with many of the views expressed by the various African and Asian delegations during the general debate. Canada was deeply concerned, in particular, at the South African Government's refusal so far to permit the establishment of an effective United Nations presence in the international Territory of South West Africa by agreeing to the appointment of a United Nations Technical Assistance Resident Representative; the inhabitants of the Territory were thus being deprived of the benefits which the United Nations could offer in education, health and economic development. His delegation had therefore been most anxious to subscribe to a resolution on the question and deeply regretted that certain parts of draft resolution A/C.4/L.777 and Add.1 and 2 made it impossible for the resolution to command Canada's unqualified support.

62. His delegation was in complete agreement with the basic aims of the draft resolution and wholeheartedly joined in censuring South Africa's application of apartheid policies in the Territory as well as South Africa's persistent refusal to co-operate with the United Nations. Canada was profoundly regretful that the South African Government had, in the words of the tenth preambular paragraph, persistently and deliberately failed to fulfil its international obligations in the administration of the Territory. His delegation also endorsed the reaffirmation in operative paragraph 2 of the right of the South West African people to self-determination and independence, and supported the proposal for a further invitation to South Africa to accept the establishment of a United Nations presence in the Territory. Canada was likewise in agreement with sub-paragraphs (a) and (c) of operative paragraph 7.

^{2/} See Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963, document S/5386.

63. Operative paragraph 7 (b) was the principal source of difficulty for his delegation. In the Special Political Committee (387th meeting), during the discussion of apartheid the Canadian delegation had stressed the importance of respecting the division of responsibilities between the Security Council and the General Assembly established in the United Nations Charter. The responsibility for imposing sanctions in specific circumstances had been assigned to the Security Council, and he believed that it would be wrong for the Assembly to try to usurp the Council's prerogatives in that regard. The South West African situation might develop in such a way that drastic measures of the kind contemplated would be required, but such action, taken through the Security Council, should await the outcome of the proceedings before the International Court of Justice and the South African Government's reaction to the Court's findings. Canada was therefore unable to accept operative paragraph 7 (b).

64. His delegation also had important reservations regarding operative paragraphs 4 and 6. Canada shared the view that an attempt to annex South West Africa would be a violation of South Africa's international obligations, but did not believe that it was wise for the General Assembly to define an act of aggression in advance when Article 39 of the Charter made the determination of the existence of such an act the responsibility of the Security Council. Similar considerations applied regarding the determination in operative paragraph 6 of the existence of a threat to international peace.

65. His delegation also had reservations regarding paragraph 8, which would involve the Secretary-General and United Nations agencies in a study which would not be practicable and in judgements which would not be appropriate.

66. In the light of those considerations, Canada supported the amendments to operative paragraphs 4, 6, 7 and 8 contained in document A/C.4/L.779, which, if adopted, would enable it to support the draft resolution as a whole. If the amendments were not adopted, his delegation would have to abstain.

67. Mr. KING (United Kingdom) said that his delegation would have liked to support a draft resolution on the question of South West Africa. In the light of statements by his delegation in the plenary and the Special Political Committee, however, the Committee would realize that the United Kingdom would be unable to support certain paragraphs of draft resolution A/C.4/L.777 and Add.1 and 2.

68. His delegation had a reservation regarding the seventh preambular paragraph: it would vote for that paragraph if voted on separately since Her Majesty's Government in the United Kingdom had appealed to the South African Government to accept a United Nations Technical Assistance Resident Representative, but that did not imply that it agreed with all the provisions contained in earlier resolutions. He felt that the tenth preambular paragraph anticipated the decision of the International Court of Justice, and his delegation's views on that question had been explained in detail on previous occasions. His delegation would abstain in the vote on the twelfth preambular paragraph, since it did not believe that financial groups could be held responsible for the situation prevailing in South West Africa. With regard to operative paragraph 1, the United Kingdom had abstained in the vote on the Special Committee's resolution (A/5446/Rev.1, chap. IV, para. 213), and would likewise abstain from

voting on the present paragraph. His Government's position on the supply of arms and military equipment to South Africa was set out in its reply, contained in document S/5438,^{3/} to the letter sent out by the Secretary-General following the Security Council's adoption of its resolution of 7 August 1963. The United Kingdom Government did not supply the South African Government with any arms which were likely to be used for internal repression. His delegation would abstain in the vote on operative paragraph 8; it did not consider that an investigation of the mining industry by the United Nations would be either proper or useful.

69. There were also certain parts of the draft resolution which his delegation would have to vote against. While the situation in South West Africa was a serious source of international friction, it was not a threat to international peace and security; the United Kingdom would therefore vote against the thirteenth preambular paragraph and operative paragraph 6, which used language taken from Chapter VII of the Charter. The United Kingdom would also oppose operative paragraph 4; an attempt at annexation would certainly be incompatible with the opinion of the International Court and a violation of South Africa's obligations, but an act of aggression had not yet been defined by the legal bodies of the United Nations and he could not agree that annexation would necessarily constitute or imply aggression.

70. With regard to the proposal for a petroleum boycott, the United Kingdom's view on economic sanctions was that such measures would be the surest way of uniting support behind the South African Government. Moreover, such measures were within the competence of the Security Council and not of the General Assembly. The United Kingdom would therefore vote against paragraph 7 (b).

71. He was sorry that the United States amendments had not been received in the spirit in which they had been offered. Those amendments, however, would not remove all his delegation's difficulties, particularly regarding operative paragraphs 7 and 8. If the amendments were adopted, the United Kingdom would abstain from voting on the draft resolution; if not, it would be obliged to vote against it.

72. Mr. DEMETROPOULOS (Greece) paid a tribute to the efforts of the sponsors of draft resolution A/C.4/L.777 and Add.1 and 2, which was directed towards objectives on which there was general agreement in the Committee. It reflected the seriousness of the situation and the need to bring pressure to bear on the South African Government to change its policies. Like several other delegations, however, his delegation had serious doubts regarding operative paragraph 7 (b). Whereas paragraph 7 (a) had a direct bearing on South Africa's actions in South West Africa, the measure proposed in paragraph 7 (b) was an outright sanction and therefore, in his view, a matter for the Security Council. What was more important, a petroleum embargo, if enforced, would bring great hardship to the people of South Africa, including the Africans, and could defeat its own purposes by causing resentment and consolidating support for the present régime. If, on the other hand, the embargo was not fully enforced it would be totally ineffective and would harm the prestige of the United Nations. Greece would therefore abstain in the vote on paragraph 7 (b). If the paragraph was kept, his delegation would have to

^{3/} Ibid., Supplement for October, November and December, 1963.

abstain from voting on the resolution as a whole, despite the fact that the remainder of the resolution commanded its whole-hearted support.

73. Mr. DEKEYZER (Belgium) said that it was with great regret that his delegation would have to abstain in the vote on draft resolution A/C.4/L.777 and Add.1 and 2. He shared the view that South Africa had international obligations respecting South West Africa which it could not evade. Furthermore, the Belgian Government and people condemned South Africa's practices of racial discrimination. Belgium believed that the United Nations should take positive action to assist the people of South West Africa and to ensure the respect of their right to self-determination and independence. It therefore favoured an effective United Nations presence in South West Africa and urged South Africa to accept that suggestion. In September 1963, Belgium had decided to discontinue granting licenses for the export of arms to South Africa. The Belgian Government hoped that such measures would induce South Africa to co-operate in seeking a solution to the South West African problem, and would have been ready to support any moderate and firm resolution respecting the prerogatives of the various United Nations bodies. He believed that a resolution capable of receiving almost unanimous support would have more efficacy than one containing controversial features. For that reason, he would support the United States amendments, which would help the resolution to muster general support.

74. Mr. CHIBA (Japan) said that his delegation fully sympathized with the motives of draft resolution A/C.4/L.777 and Add.1 and 2. Japan deplored the failure of South Africa to respect its international obligations and was deeply concerned at the continued application of apartheid policies in the Territory. The Japanese delegation was unable, however, to support operative paragraphs 7 (b) and 8 (b). As to 7 (b) he had grave doubts concerning measures which would amount to a first step in the imposition of sanctions against South Africa; that was a matter for the Security Council and the Council's prerogatives should be respected. His delegation reserved its position on operative paragraph 8 (b). It was not quite clear as to the real aim of the paragraph and felt that, in any case, the Special Committee was hardly equipped to undertake the study proposed and should be left free to pursue its more general functions. Japan would therefore have to abstain in the vote on the draft resolution in its present form. He would support the United States amendments.

75. Mr. DIAZ GONZALEZ (Venezuela) said that his delegation had studied draft resolution A/C.4/L.777 and Add.1 and 2. As it had stated during the general debate, there was a solution to the problem and the United Nations could find it. It had also said that it was not enough to adopt yet another Platonic resolution and that the sub judice rule could not be invoked. The United Nations must pursue its efforts and achieve something positive, however little that might be. It was not simply the most appropriate methods that must be sought, but rather the most effective.

76. The draft resolution before the Committee contained no new elements which might help South West Africa or oblige South Africa to respect the terms of the Mandate. His delegation would have thought it better to adopt the resolution of the Special Committee (A/5446/Rev.1, chap. IV, para. 213) and recommend it to the Assembly.

77. His delegation would vote in favour of the draft resolution as a gesture of solidarity with its sponsors, but it wished to place its position on record.

78. As far as operative paragraph 4 was concerned, it was for the Security Council to determine the existence of aggression, as was expressly stated in Article 39 of the Charter. The General Assembly could bring such a situation to the notice of the Security Council, so that the latter could make that declaration and take the appropriate measures. If paragraph 4 was put to the vote separately, Venezuela would abstain.

79. With regard to operative paragraph 7, the measure proposed would be effective only if generally applied, and particularly by those countries which had a monopoly of oil sales and transport. The only result of unilateral action by Venezuela would be bigger sales for other countries. In any case, the provision would be effective only if adopted by the Security Council, which had the authority to secure application of the sanctions it decreed. If, therefore, the paragraph was put to the vote separately, Venezuela would abstain.

80. Finally, his delegation would abstain also on operative paragraph 8 (b), since it had doubts concerning the competence not only of the Special Committee but also of the United Nations to undertake the inquiry in question. The wording of the sub-paragraph was obscure and lent itself to erroneous interpretations which the small States, whose best defence was strict observance of the provisions of the Charter, were most concerned to avoid.

81. Mr. PEREZ RUIZ (Spain) said that his delegation shared, in the main, the feelings expressed on draft resolution A/C.4/L.777 and Add.1 and 2. His country, made up as it was of peoples of so many different origins, was, and always had been, opposed to racial discrimination and abhorred the policy of apartheid. However, he shared the reservations expressed by the previous speakers. In particular, he was not sure that the situation justified recourse to the Security Council. Paragraph 7 (b) raised a thorny question, not only for the reasons already put forward, but also because it might harm innocent persons in countries other than those directly concerned. He had misgivings about condemning South Africa before the judgement of the International Court of Justice had been given. Consequently he could not support the draft resolution but would vote in favour of the United States amendments.

82. Mr. YATES (United States of America), speaking in explanation of his vote, thanked those who had supported his Government's amendments and those who had explained their objections to them. He thanked the representative of Algeria for his reference to American ideals. Those ideals still inspired the attitude of his country.

83. The United States had hitherto always voted in favour of resolutions on the question of South West Africa and would do so again if draft resolution A/C.4/L.777 and Add.1 and 2 was slightly changed. The United States amendments were presented in a spirit of helpfulness and he hoped for some concessions on the part of the co-sponsors of the draft resolutions. Only two changes needed to be made. He would accept the thirteenth preambular paragraph, if the word "constitutes" were changed to "is likely to constitute" a serious threat to international peace and security; or if the wording of the Security Council's

resolution on the policy of apartheid (S/5386), namely, "is seriously disturbing" international peace and security, was used. If, in addition, for the reasons which he had set forth at the previous meeting, operative paragraph 7 (b) was deleted, his country would be able to vote in favour of the draft resolution.

84. In conclusion, he hoped that the Committee would be able to adopt unanimously a resolution which might help to bring about harmony in Africa.

85. The CHAIRMAN recalled that the representatives of Burma, Madagascar and Somalia had asked to be added to the list of sponsors of draft resolution A/C.4/L.777 and Add.1 and 2.^{4/}

86. He put to the vote the United States amendments (A/C.4/L.779) to the draft resolution.

The first amendment (A/C.4/L.779, para. 1) was rejected by 66 votes to 20, with 15 abstentions.

The second amendment (A/C.4/L.779, para. 2) was rejected by 66 votes to 20, with 14 abstentions.

The third amendment (A/C.4/L.779, para. 3) was rejected by 67 votes to 20, with 14 abstentions.

The fourth amendment (A/C.4/L.779, para. 4) was rejected by 58 votes to 22, with 20 abstentions.

At the request of the United States representative, a vote was taken by roll-call on the fifth amendment (A/C.4/L.779, para. 5).

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

In favour: Denmark, Finland, France, Greece, Iceland, Iran, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada.

Against: Chad, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Yemen, Yugoslavia, Afghanistan, Albania, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon.

Abstaining: Chile, China, Cyprus, Ecuador, Guatemala, Laos, Lebanon, Mexico, Peru, Trinidad and Tobago, Venezuela, Argentina, Bolivia, Brazil.

The fifth amendment (A/C.4/L.779, para. 5) was rejected by 67 votes to 22, with 14 abstentions.

The sixth amendment (A/C.4/L.779, para. 6) was rejected by 69 votes to 16, with 16 abstentions.

87. The CHAIRMAN pointed out that the rejection of the sixth amendment rendered the seventh (A/C.4/L.779, para. 7) inoperative.

88. He called upon the Committee to vote on the draft resolution (A/C.4/L.777 and Add.1 and 2) as orally revised at the 1471st meeting.

^{4/} The list of the additional sponsors was subsequently circulated as document A/C.4/L.777/Add.3.

89. Mr. PEON DEL VALLE (Mexico) requested a separate vote on paragraph 7 (b).

At the request of the Algerian representative, a vote was taken by roll-call on paragraph 7 (b).

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

In favour: Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Yemen, Yugoslavia, Afghanistan, Albania, Algeria, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Colombia, Congo, (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia.

Against: Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Canada, Finland, France, Iran, Ireland, Italy, Netherlands, New Zealand, Portugal, South Africa.

Abstaining: Sweden, Trinidad and Tobago, Turkey, Venezuela, Argentina, Austria, Belgium, Chile, China, Denmark, Ecuador, Greece, Guatemala, Iceland, Japan, Mexico, Norway, Peru.

Paragraph 7 (b) of draft resolution A/C.4/L.777 and Add.1 and 2, as orally revised, was adopted by 72 votes to 14, with 18 abstentions.

90. The CHAIRMAN put to the vote the draft resolution as a whole, as orally revised.

At the request of the Cameroonian representative, a vote was taken by roll-call.

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

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

Against: France, Portugal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Canada, Denmark, Finland, Greece, Iceland, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Sweden, Turkey, Australia, Austria, Belgium

Draft resolution A/C.4/L.777 and Add.1 and 2, as orally revised, was adopted by 82 votes to 6, with 16 abstentions.

91. The CHAIRMAN asked the Committee to vote on the draft resolution included in the report of the Special Committee (A/5446/Rev.1, chap. IV, para. 217).

That draft resolution was adopted unanimously.

92. The CHAIRMAN announced that Burma, Ivory Coast, Madagascar, Mali, Mauritania, Senegal, Syria and Upper Volta had intimated that they wished to be co-sponsors of the draft resolution on the special educational and training programme for South West

Africans (A/C.4/L.778 and Add.1),^{5/} and put the draft resolution to the vote.

That draft resolution was adopted unanimously.

93. The CHAIRMAN said that, in view of the lateness of the hour, the explanations of vote would be held over until the next meeting.

The meeting rose at 6.40 p.m.

^{5/} The list of additional sponsors who subsequently circulated as document A/C.4/L.778/Add.2.