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**FOURTH COMMITTEE, 1220th
MEETING**

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Chairman: Miss Angie BROOKS (Liberia).

AGENDA ITEM 47

Question of South West Africa (continued):

(a) Report of the Committee on South West Africa (A/4926, A/4957, A/AC.73/4, A/AC.73/L.15);

(b) Assistance of the specialized agencies and of the United Nations Children's Fund in the economic, social and educational development of South West Africa: reports of the agencies and the Fund (A/4956 and Add.1)

HEARING OF PETITIONERS (continued)

At the invitation of the Chairman, Mr. Uatja Kaukuetu, Mr. Charles Kauraisa, Mr. Jariretundu Kozonguizi and Mr. Zedekia Ngavirue, representatives of the South West Africa National Union (SWANU), Mr. Ismail Fortune, Mr. Mburumba Kerina, Mr. Jacob Kuhangua and Mr. Sam Nujoma, representatives of the South West Africa Peoples Organization (SWAPO), the Reverend Markus Kooper and the Reverend Michael Scott took places at the Committee table.

1. Mr. KAURAIISA (South West Africa National Union) said that Mr. Louw, the Minister for Foreign Affairs of South Africa, in his speech at the 1218th meeting, had distorted the facts. He had repudiated the conclusions of the Committee on South West Africa and challenged the veracity of the petitioners' statements. The petitioners, however, had all been born in South West Africa and had lived there until they had been forced to leave the country.

2. The representative of South Africa had also denied that the Native Locations were fenced in, whereas the fact was that Gobabis Location was actually fenced and Katutura Location, at Windhoek, was going to be.

3. With reference to Walvis Bay, it was part and parcel of South West Africa and the German occupiers had had no right to cede any part of the country to a foreign Power.

4. The South African representative had stated that the South African Government intended to invite three persons of international standing to visit the Territory. The petitioners opposed that decision on the grounds that it was merely another manoeuvre to waste time.

5. He proposed to describe the educational policy of the so-called Mandatory Power in South West Africa. The system was that of "Bantu education", confined to the indigenous inhabitants, which was practised in South Africa. The whole educational system in the Territory was under the general control, supervision and direction of the Administration. Separate facilities were provided for European, Coloured and African children.

6. The quality of European education was similar to that which obtained elsewhere in the world; where necessary the children were provided with free transport and hostels built especially for them.

7. The situation was different for the African and Coloured children. Not only did the education given differ for the different racial groups and segregation prevail in the schools, but the South African Government as a matter of deliberate policy gave non-Europeans an education inferior to any found elsewhere in the world. Statistics showed that out of the total expenditure on education for the financial year 1958-1959, nearly 75 per cent had been spent on European children, a little over 11 per cent on African children, 6.5 per cent on Coloured children and 6.5 per cent for other purposes. Those figures spoke for themselves.

8. "Bantu education", according to the terms employed in 1954 by Mr. Verwoerd, then Minister of Native Affairs, was intended for those for whom there was no place in the European community above the level of certain forms of labour and for whom, therefore, it would be of no avail to receive a training which had as its aim absorption in the European community. African parents and teachers had consistently and strongly opposed the introduction of that system of education in the Territory, but despite verbal promises the Administration had introduced new syllabuses in the African schools which were in fact based on "Bantu education".

9. The Administration tried to justify the lag in African education by arguing that African children were apathetic. The truth was that the schools were crowded; the children could not afford to buy books and many of them were forced to leave school in the sixth or seventh year of schooling in order to seek work. Many of them went to school with empty stomachs and no feeding schemes were provided in the schools.

10. The recommendations of the Commission of Inquiry into Non-European Education in South West

Africa,^{1/} appointed in May 1958, showed that the South African Government had never had any intention of embarking on a full-scale programme of mass education for the Africans. The Commission had in fact recommended that a system of education similar to "Bantu education" should be introduced in the Territory, but that Coloured education should be on a par with European education. The Government was not prepared to establish more than one higher primary school in each of the Native reserves in the Police Zone and outside the Zone there was to be only one such school in the Okavango territory and a few in Ovamboland. The Administration discouraged the establishment of private schools.

11. Although the primary education given to Coloured children was better, the only profession open to them was teaching. Only five pupils were sent by the Administration each year to a teacher-training college at Johannesburg. Practically no matriculated Coloured male student could enter any teacher-training college in South Africa on his own, even if he could afford it. Since, like the Africans, they had no political rights, the Coloured children could aspire only to starvation wages in the service of the privileged class of the Territory. After forty years of administration, the South African Government had not established one single secondary school for Africans.

12. Although there was no integral connexion between political independence and literacy, the people of South West Africa had always wanted an educational system which would be available to the whole population. The people's demands had always been perfectly reasonable, but the introduction of "Bantu education" had still further lowered the level of education, which had already been very low. No permission was granted to African students to study in South Africa or elsewhere. The aim was that Coloured children should be educated up to standard VI and African children, or at least 80 per cent of them, up to standard II of the primary school course, i.e., a course of four years.

13. In the name of the most elementary justice and humanity, he appealed to the United Nations to come to the assistance of a country which would for a long time to come be handicapped by the lack of technicians and administrators and which did not wish the Congolese experience to be repeated on its soil.

14. The Reverend Michael SCOTT recalled that the South African Minister for Foreign Affairs, in reply to the provisions of General Assembly resolution 1566 (XV), had stated in a letter of 22 September 1961 (A/4956, annex) that the promotion of the economic, social, educational and health conditions of the population of South West Africa was its sole responsibility and that it had not found it necessary to request the help of the international agencies in ensuring the people's welfare. Those statements were contradicted by a number of facts. For example, there had been an outbreak of foot-and-mouth disease recently, owing to a severe drought; even the South African authorities estimated that the epidemic would substantially reduce the country's exports. In the matter of public health, a high official of the Territory had referred to certain areas where child neglect was at its height among the non-European population.

15. Following the demonstration on the night of 10 December 1959 at Windhoek, during which eleven Africans had been killed, Judge C. G. Hall, who had been appointed to carry out an inquiry, had reported^{2/} that the responsibility for the violence lay entirely with the African petitioners in New York and he had completely exonerated the police, who, he said, had acted in self-defence. No action had been taken before the end of the General Assembly session to punish those responsible. In March 1961, however, seventeen Africans had been arrested and committed for trial in the Supreme Court. A South African lawyer, Mr. Oliver Tambo, who had spoken before the Committee at the fifteenth session, had been refused permission to defend them. It was true that they had all been acquitted on 12 September 1961, but the South African representative, when stating that fact at the 1218th meeting, had omitted to mention the moral and material suffering they had undergone.

16. The argument used by the South African Government that the question of South West Africa was sub judice was clearly an excuse for South Africa to avoid fulfilling its obligations.

17. Those were only a few of the reasons which had prompted the petitioners to ask the United Nations to take immediate steps to protect the Territory and to safeguard its own rights and the ultimate jurisdiction of the International Court of Justice, which was in danger of being prejudiced by the illegal military occupation of the Territory. If the protecting power of the United Nations could be exercised without force, that would of course be preferable, but if the United Nations presence was resisted, as the Committee on South West Africa had been resisted and threatened with arrest or detention if it entered the Territory, sanctions would have to be applied. If sanctions were not applied the people of South West Africa would lose all respect for the law as an instrument of justice. He quoted a number of examples to show how the law was flouted in the Territory.

18. The Committee had just heard about the difficulties encountered by the inhabitants of South West Africa in the matter of education. As an illustration, he quoted the case of a student who had won a scholarship from the Department of Education to study at Oxford but had never been allowed to take it up. All the petitioners who were before the Committee had had to leave their country illegally in order to continue their studies. The members of the Committee had been able to judge the effectiveness with which the petitioners represented the interests of their country.

19. What he had said about education was equally true of justice as administered under the Bantu Authorities Act. The whole conception that education or justice should vary according to the race concerned was contrary not only to human rights but to the principles of all religions, and there was a danger that it would bring about a "débâcle" of civilization comparable to that which had resulted from the myth of the superiority of the Aryan race under the Nazi régime.

20. The fundamental question now, however, was not whether "apartheid" was right or wrong, but to decide what measures should be taken to bring about the abandonment of that doctrine. It was unfortunate that the draft resolution on the subject adopted by the Spe-

^{1/} The report of the Commission was published by the Administration of South West Africa in November 1958.

^{2/} For the report of the Commission of Enquiry, see A/4464, annex V.

cial Political Committee^{3/} had not obtained a two-thirds majority.

21. The fact was that the problem of South West Africa was part of a more extensive problem, namely that of the industrial system in South Africa. In that country, industry had grown up in dependence on cheap migrant labour and there was no likelihood of a solution until industry in South Africa had been reconstructed on a new basis. The aim of "apartheid" was to keep the non-white population in the position of being migrant, on the assumption that every African had some land to which he would some day return and on which his family was supported. It was a known fact that a wage of three shillings a day was regarded as an economic wage for the African worker; nowhere else in the world did industry apply principles like those prevailing in South Africa where wages were concerned. The obstinate resistance to all the efforts made hitherto by the United Nations was explained by the magnitude of the interests at stake. The greater part of the profits made by certain industries in South Africa went to firms in the United Kingdom and the United States, which had a much more powerful lobby than justice or religion. He was convinced that the late Secretary-General, Mr. Hammarskjold, had reached a clear understanding of the matter when he had died in the course of his mission to the Congo.

22. Whatever measures the General Assembly might take, there should be no illusion about the fact that economic sanctions against South Africa would not be effective unless they were applied by the great Powers. Such sanctions should, moreover, have a positive aspect; for instance, there should be some prospect of helping South Africa to modify its economic structure, since nothing less than an industrial and agricultural revolution was required in that country. Unless the United Nations faced those realities, there was a danger that it would once again be drawn into an enterprise which would swallow up its resources and damage its reputation.

23. In his view, the United Nations should appeal to the great Powers belonging to both the Western and the Eastern blocs to devise a system of negative and positive sanctions which would help to inaugurate a new era. Those Powers had the resources and techniques to achieve that end, if only they would suspend their insensate competition for the destruction of the world. The neutral or uncommitted nations could perhaps take an initiative of that kind.

24. It would be presumptuous for any one living outside South Africa and not knowing how he himself would react in the face of provocation, to advise the inhabitants to continue non-violent action, as Chief Luthuli had done. Nevertheless, he thought that if the inhabitants of the Territory resorted to violence, the consequences would be disastrous for the whole population, whether White or Black, for the owners of firms and for the labour which they employed. It seemed at times that the Whites in South Africa were so irresponsible that they would not stop at the extermination of the indigenous inhabitants if they had to make a choice between that solution and a reversal of the existing state of affairs. The Whites, moreover, had a monopoly of the means which would enable them to bring about the mass destruction of their

adversaries. If there was a large-scale conflict, outside Powers would certainly intervene, with all the risks that that would entail for international peace. It was therefore essential that the Security Council should act to prevent the situation drifting into violence before it was too late.

25. Steps should also be taken to prevent the cold war from gaining a foothold in Africa. In that connexion, he quoted the statement made by Mr. Hammarskjold shortly before his death and published in Afrigue Action of 29 September 1961.

26. As a first step, the United Nations should, in his view, take a very firm line with regard to the effective application of the provisions of the Mandate, which, on doubtful legal grounds, had subjected the inhabitants of South West Africa to the authority of South Africa. That subject had been debated for years; meanwhile, ill-treatment of Africans who made any gesture of political protest continued unchecked.

27. The great Powers should also envisage the application of effective economic sanctions against South Africa. Hitherto South Africa had never taken seriously the threats of expulsion or of sanctions made in the United Nations. Its Government knew very well that such measures would be contrary to the economic interests of the United Kingdom and the United States; the South African Press had reported the efforts made behind the scenes to prevent effective measures from being taken. The United Kingdom representative in the Special Political Committee had stated that it was not the supporters of "apartheid" who would be most harmed by the adoption of sanctions against South Africa.^{4/} If such a point of view was adopted, it would reduce the chances of a peaceful solution of the problems of South Africa. For fifteen years the South African Government had flouted the resolutions of the General Assembly and it was an empty dream to suppose that it would change its policy of its own accord. Petitioners had for a long time warned the Committee of the existence of a powerful group which planned to establish a federation south of a line running from Angola to Mozambique, which would be dominated by the Whites. It was because of that that no progress had been possible in Southern Africa. The increasing violence in many territories in that area was linked with the activities of that group; the situation was fraught with grave danger, as had been pointed out by those taking part in the Conference of Non-Aligned Countries held at Belgrade in September 1961.

28. Trade unions in the United Kingdom were contemplating an appeal to transport workers to boycott South African merchandise. They pointed out that the application of the "apartheid" policy and the steps taken by the South African Government to break the resistance of African workers had left the latter no alternative but to appeal for help from European workers. It was clear that an effective boycott of South African goods in the countries of Western Europe would bring about a fall in the level of living of the European population in South Africa and could lead to radical political change. South Africa's external trade was indispensable to the prosperity of the white community and would be particularly vulnerable to a boycott, since the principal trading partners of South Africa were, in order of importance, the United Kingdom, the Federation of Rhodesia and Nyasaland, the United States, the Federal Republic of

^{3/} See Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 76, document A/4968, para. 13, draft resolution I.

^{4/} Ibid., Sixteenth Session, Special Political Committee, 274th meeting, para. 6.

Germany, Belgium, Italy, France, the Netherlands and Japan. Trade with the six Western European countries referred to accounted for 47.1 per cent of South African external trade. In the United States, too, there was a growing movement in favour of boycotting South African goods, of placing an embargo on raw materials and weapons destined for South Africa, and of excluding that country from the 1964 World's Fair in New York.

29. Positive steps could also be taken to help the indigenous people of South West Africa. The latter were increasingly turning towards the peace-loving countries of Asia and America in the hope of positive action. Those countries had an increasingly important role to play as a result of the rivalry between the great Powers; their action could bring about a "détente" which in turn would promote the establishment of a calmer atmosphere in Southern Africa.

30. Philanthropic bodies could also help in establishing a kind of "peace brigade" which would undertake irrigation, land reclamation and reafforestation programmes in South West Africa. Such programmes already existed as projects, for example, in the case of the Okavango marshes and the Kalahari desert, where, according to the experts, it was thought that 3 million acres of farm land could be created at nominal cost. Such an extension of the area of farmland would help to ease the tension between the Africans and the Whites. It would of course require considerable assistance from the United Nations and interested Governments.

31. He recalled that the Walvis Bay region had been annexed by the United Kingdom Government in 1879 as a result of a petition from the chiefs of the Hereros in which they had asked for protection by the United Kingdom. He hoped that the Committee would bear that historical fact in mind when it considered the allegations made by the South African Minister for Foreign Affairs to the effect that that enclave was an

integral part of South Africa and not of South West Africa.

32. He then quoted a resolution unanimously adopted by the House of Commons on 15 December 1960, during the fifteenth session of the General Assembly, calling upon the United Kingdom Government to take action in the United Nations to ensure that the Government of South Africa carried out the solemn obligations it had undertaken in accepting the Mandate for South West Africa, or surrendered it to the United Nations so that the Territory might be placed under the United Nations Trusteeship System. In the course of the debate on that resolution, members of Parliament belonging to the Opposition had referred to the maintenance of the apparatus of a police State in the Territory and to the denial of elementary rights to the indigenous inhabitants. They had also described as inglorious the abstention of the United Kingdom delegation in the vote on the draft resolutions condemning the policy of "apartheid" applied by South Africa in South West Africa and inviting the Committee on South West Africa to proceed to the Territory to hold an inquiry. In the course of that debate in the House of Commons, some members had stated that it was questionable whether, if the Union of South Africa became the South African Republic, it could continue to administer the Territory, since the Mandate had never contemplated a change in the status of the Mandatory Power.

33. In conclusion, he stated that, in view of the situation, it was necessary to establish a United Nations presence in South West Africa in order to protect the lives and rights of the inhabitants and to safeguard the ultimate jurisdiction of the International Court of Justice. If South Africa resisted that presence, as it had resisted the entry into the Territory of the Committee on South West Africa, then the requisite sanctions would have to be applied.

The meeting rose at 1.5 p.m.