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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);

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

GENERAL DEBATE (continued)

1. Mr. FAYEK (United Arab Republic) recalled that the resolution on South West Africa adopted by the General Assembly at its last session (1805 (XVII)) had given rise to the hope that at last a United Nations decision would be carried out by the Government of South Africa because the sponsors of that resolution had taken into consideration at the time the view expressed by certain delegations that the visit to the Territory of the Chairman and Vice-Chairman of the Special Committee for South West Africa was to be regarded as a sign of possible co-operation from South Africa. South Africa had refused obstinately, however, to implement the moderate and conciliatory measures that had been proposed and, in particular, to accept the appointment of a United Nations Technical Assistance Resident Representative for South West Africa. The Government of South Africa had made it clear to the Secretary-General of the United Nations and to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples that until the findings and recommendations of the Commission of Inquiry headed by Mr. F. H. Odendaal had been received and studied it could not consider such a decision and had reminded them that the case of South West Africa was before the International Court of Justice and that consequently the sub judice principle should be observed.

2. He would disprove those arguments of the South African Government. The International Court of Justice had confirmed in its advisory opinion in 1950 that the "authority which the Union Government exercises over the Territory is based on the Mandate. If the Mandate had lapsed, as the Union Government contends, the latter's authority would equally have lapsed. To retain the rights derived from the Mandate and to deny the obligations thereunder could not be justified".^{1/} The Government of South Africa continued to maintain that in 1946 the League of Nations had not transferred to the United Nations the supervisory powers which it had exercised over the Mandated Territories. Nevertheless, in its resolution of 18 April 1946, the League of Nations had recognized that on the termination of its existence "its functions with respect to the Mandated Territories will come to an end, but notes that Chapter XI, XII and XIII of the Charter of the United Nations embody principles corresponding to those declared in Article 22 of the Covenant of the League", and went on to take note of the expressed "intentions of the Members of the League administering territories under Mandate to continue to administer them for the well-being and development of the peoples concerned in accordance with the obligations contained in the respective Mandates until other arrangements have been agreed between the United Nations and the respective mandatory Powers".^{2/} Of all the Mandatory Powers only South Africa had not accepted the new machinery of supervision set up in Chapters XII and XIII of the United Nations Charter; it had even announced its intention of incorporating South West Africa into the territory of the Union. Had the Government of South Africa, after the rejection of its plan by the United Nations, been really willing to solve the question, it could have had recourse to the International Court of Justice with a request for an advisory opinion on the invalidation of the Mandate. It did not do so because it wished to play for time and knew beforehand that the ruling of the Court would not be in its favour. But it was not to be expected that the ruling of the International Court of Justice on the case now pending would close that chapter of the debate in regard to its legal aspect. South Africa would not fail to exploit the provisions of Articles 60 and 61 of the Statute of the International Court of Justice.

3. South Africa was fighting a losing battle not only on legal but also on political and moral grounds. Was it necessary to remind the South African Government of the various General Assembly resolutions which had decided against it and warned that it was following a dangerous policy and that the continuation of the critical situation in South West Africa constituted a

^{1/} International status of South-West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 133.

^{2/} See League of Nations, Official Journal, Special Supplement No. 194, pp. 278-279.

serious threat to international peace and security? Was South Africa not aware that the United Nations aim as defined in the Declaration on the granting of independence to colonial countries and peoples was to eliminate colonialism in all its forms and the subjugation of peoples? Did the South African Government need to be reminded of the determination of the nationalists of South West Africa to regain their lawful rights and the power which had been taken away from them? Was it necessary to remind the South African Government of the unanimous pledge taken by thirty-two African Heads of States and Governments at Addis Ababa in May 1963 to give unreserved support to the nationalists of South West Africa in their struggle for a just and peaceful solution? What made the leaders of South Africa so stubborn? Did they seek a racial conflict? Colonial and racist policies in the southern part of Africa, huge financial investments, the dictates of business autocrats and the pursuit of strategic objectives and military pacts had all combined to make the situation more complicated.

4. It was high time for the United Nations to be fully alive to the trend of events in that part of the world, the factors behind that trend and their repercussions on the continent of Africa as a whole. The Government of South Africa had said that the Odendaal Commission was carrying out a thorough study of measures to promote the material and moral welfare of the peoples of South West Africa. Nevertheless, it was inconceivable that that was being done solely on the basis of separate development of the races in a Mandated Territory. The enforcement of South Africa's policy of apartheid in South West Africa was a clear violation of the obligations of the Mandate and of fundamental human rights in South West Africa. Could the Government of South Africa deny that the five-year development plan provided considerable sums for the construction of army barracks, formation of commandos, reinforcement of the police and the establishment of new Native reserves? Could it say how much money would be provided for schools, hospitals and social services for the Bantus?

5. The petitioners had given the Committee clear evidence of the deteriorating situation in that Territory: the unsatisfactory state of Bantu education, the deliberate policy of dispossessing the Africans of their lands, the intolerable pass laws, the enforcement of repressive laws and measures, the deportation of Africans to reserves and the banning of trade unions and political parties.

6. In the view of his delegation, the General Assembly should continue to affirm the inalienable right to independence of the peoples of South West Africa and insist that South Africa should give effect to resolutions 1702 (XVI) and 1805 (XVII). The General Assembly could also request the Special Committee to set up a sub-committee to determine what appropriate measures should be taken to put an end to South Africa's defiance of General Assembly resolutions. It would also be desirable to make arrangements for a resumed eighteenth session or a special session, as the representative of Brazil had suggested at the 1457th meeting, to decide on ways and means of transferring power to the representatives of the peoples of South West Africa as soon as the International Court of Justice had given a ruling. The Security Council should also be kept informed of developments in the Territory and requested to meet whenever necessary.

7. The United Arab Republic wished to emphasize once again the moral responsibility of certain Governments whose policies tended to complicate the issues. The General Assembly and the Security Council had solemnly called upon all States to cease forthwith the sale and shipment of arms, ammunition and military vehicles to South Africa. His delegation counted upon the unconditional execution of the Security Council's resolution and expected all Member States, particularly those which had some influence over the South African Government, to bring all possible pressure to bear on that Government in an effort to find a just and peaceful solution of the situation.

8. Mr. KOOLI (Tunisia) observed that despite innumerable efforts and proposals no progress had been made on the problem of South West Africa, and that the whole world was watching a tragic crisis which the United Nations had proved itself incapable of overcoming owing to the blind, stupid obstinacy of the Government of South Africa. The Republic of South Africa refused to place the Territory under the Trusteeship System and prepare it for independence, and was unwilling to give up the intransigent attitude it had adopted for seventeen years. Not only did it not recognize the competence of the United Nations to supervise the Territory's administration, but it also refused to approve the appointment of a Technical Assistance Resident Representative for South West Africa or to attend meetings of the Special Committee dealing with the question.

9. A number of conclusions could be drawn from the Special Committee's report (A/5446/Rev.1, chap. IV). Firstly, the Committee had been unable to carry out its task because of the obstinacy of the South African Government, which continued to deny to the United Nations the right to intervene in matters relating to the administration of South West Africa and refused to apply the resolutions of the General Assembly, in particular resolutions 1514 (XV), 1702 (XVI) and 1805 (XVII). In order to maintain its position, the Government of South Africa annually had recourse to a diversionary manoeuvre: at the current session it was again invoking the sub judice principle and also mentioning a five-year plan soon to be implemented in South West Africa.

10. With regard to the sub judice argument, it had been refuted by nearly all delegations, on the basis of very sound reasoning. Nevertheless, he wished to draw the South African representative's attention once again to the illogical position taken by his Government: it was absurd to argue that the Fourth Committee was not competent to consider the question of South West Africa while the matter was pending before the International Court of Justice, and at the same time to continue, despite the Court's judgement of 21 December 1962,^{3/} to deny the competence of the Court to adjudicate in the matter. As to the second argument—that of the so-called five-year plan—it was not new, for it had already been adduced "en passant" at the previous session. At the current session, however, the representative of South Africa had made it the main point of his statement at the 1457th meeting and had done so in order to mislead the international community. For its part, the Tunisian delegation was not so naïve as to believe that a plan which had been inspired by a racist philosophy that made apartheid

^{3/} South West Africa Cases (Ethiopia v. South Africa; Liberia v. South Africa), Preliminary Objections, Judgment of 21 December 1962: I.C.J. Reports 1962, p. 319.

into an official doctrine and which was based on the idea of segregating and subordinating racial groups would help the people of South West Africa to accede to national independence and sovereignty. The plan was therefore only a manoeuvre aimed at diverting attention from the real problem. The representative of South Africa had contributed nothing new in his statement and had limited himself to confirming his Government's refusal to co-operate with the United Nations, thereby compelling the Organization to consider, in its future resolutions, measures not of persuasion and negotiation but of enforcement.

11. During the first sessions at which the General Assembly had considered the question of South West Africa, it had resorted sometimes to legal and at other times to political action. While the legal action should not be underestimated, it seemed that the Government of South Africa was not prepared to accept any judgement of the International Court of Justice which was contrary to its views. Accordingly the Tunisian delegation believed that there should be no delay in taking political measures calculated to improve the situation in the Territory. What was more, it was obvious that any legal solution of the problem would automatically entail political consequences and that legal and political action could be employed simultaneously or separately depending on practical considerations. The General Assembly should act under Articles 10 and 11 of the Charter, since in existing circumstances political action was the most appropriate means of dealing with the question of South West Africa.

12. The General Assembly had repeatedly condemned the South African Government for failing in its obligations. It had reaffirmed that it was the duty of the United Nations to meet its own obligations towards South West Africa. It had solemnly proclaimed the inalienable right of the people of South West Africa to independence and sovereignty and had established the Special Committee for South West Africa for the purpose of taking positive steps, described in resolution 1702 (XVI), to end the Mandate given to the Union of South Africa by the League of Nations. The General Assembly so acted after realizing that racial discrimination was systematically practised in the Territory and that the situation there was due to the fact that the Territory was administered with total disregard for all humanitarian principles, and particularly for the principles of the Mandates System, the Universal Declaration of Human Rights, the advisory opinions of the International Court of Justice, the Declaration on the granting of independence to colonial countries and peoples, and the resolutions of the General Assembly. The Assembly had logically concluded that the situation in South West Africa was alarming and that its continuance constituted a threat to international peace and security.

13. He then reviewed the development of the situation during the past year. The racist Government of South Africa continued to disregard the resolutions of the General Assembly, racial discrimination was still rampant in the Territory and the inhabitants were denied the most elementary freedoms. The principle which guided the Mandatory was that of white supremacy and, through its policies of apartheid, South Africa withheld from the indigenous inhabitants any possibility of social, economic and political progress and any hope of some day being able to exercise their right of self-determination. It was inadmissible that a small white minority should hold all power and keep

the indigenous majority in a state of constant subjection. In his delegation's view, the Government of South Africa was doubly at fault in that it was applying racist laws in a Territory which an international organization had entrusted to it for development and preparation for independence and sovereignty.

14. Through its policies of apartheid and economic and political oppression, the Government of South Africa had sowed hostility between the two races living in South West Africa. The situation was all the more explosive in that South Africa was taking measures of military preparedness far in excess of the ordinary needs of national defence. South Africa's military budget had risen from \$62 million in 1960-1961 to \$168 million in 1962-1963; the police had become the main instrument of power; the strength of the regular army had tripled; military agreements had been made with the colonial authorities of Angola and Rhodesia, etc. As South Africa was surrounded by territories which could in no way threaten its security, the only purpose of such arming was to intimidate the African population, exterminate it under certain circumstances, and, if the need arose, fight the United Nations forces in order to defend the so-called integrity of South Africa, of which South West Africa was regarded as an integral part.

15. The Committee should therefore realize that the time had come to act more effectively than in the past. It should no longer limit itself to proposing new resolutions, but should ask the General Assembly and the Security Council to use their powers under the Charter in order to impose on South Africa the presence of the United Nations in South West Africa. It was the duty of the United Nations—which, in the words of President Bourguiba, remained the hope of weak peoples and of peace-loving countries—not to disappoint the inhabitants of South West Africa. Convinced that the United Nations was an instrument in the service of justice, the Tunisian delegation thought that the Committee should ask the Security Council or the General Assembly, or both, to adopt economic and diplomatic sanctions against South Africa. As his delegation had proposed 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, a specialized technical body should be established which would report on the application of such sanctions; since the names of any countries becoming accomplices in South Africa's policies would be known, effective pressure could be brought to bear on them, and especially on those which continued to provide South Africa with arms.

16. The Tunisian delegation once more appealed to the Western Powers to stop supporting the fascist régime of South Africa by supplying it with arms, and to intensify their commercial and economic boycott of that country. It could not understand how anyone could speak of freedom while tolerating, and sometimes even encouraging, that régime. The Western Powers should realize the seriousness of the situation which had caused the African Heads of State and Government to take important decisions at Addis Ababa in May 1963; they should understand that Africans could no longer stand idly by while fellow-Africans in South Africa and South West Africa were suffering.

17. The Committee should also, in his opinion, consider whether the matter should be referred to the Security Council, for action must be taken before it was too late. The General Assembly should invite the

Council to take the necessary steps to compel South Africa to abide by its decisions. The attitude of the great Powers, particularly the United Kingdom, would be decisive, and it must be hoped that they would not veto action in defence of freedom, human dignity, justice and peace. If the United Nations failed again, the people of South West Africa would be forced to resort to armed combat as their last means of regaining their dignity and sovereignty. The principal responsibility for the situation thus created would be borne by South Africa and by the Powers that, through their inactivity, encouraged South Africa to defy the United Nations and international public opinion.

18. The peoples and Governments of Africa, which valued peace and justice, had confidence in the United Nations, but they wished it to be prosperous and effective and increasingly better fitted for its mission of justice and peace. His delegation's hope was that it would make use of the measures prescribed in Chapter VII of the Charter to secure the independence of South West Africa and put an end to South Africa's policy of apartheid. The experience of seventeen years' negotiation with the South African Government plainly showed that the only way to hasten the independence of South West Africa was to adopt firm measures, the application of which was not left to the goodwill or discretion of the Pretoria Government. His delegation would support unconditionally any resolution having that object.

19. Mr. DIAZ GONZALEZ (Venezuela) observed that for more than sixteen years the United Nations had dealt with the problem of South West Africa without reaching a solution; for some the situation meant that the Organization had failed. His delegation, for its part, was persuaded that there was a solution and that the United Nations ought to find and apply it.

20. The problem of South West Africa, a typical colonial problem, was marked by certain complications peculiar to itself, and especially by the administering Power's attitude towards the rights and duties of the United Nations concerning Non-Self-Governing Territories. South Africa actually claimed all the rights and powers of the Mandate while denying the validity of the instrument which conferred them, and refused to recognize the authority of the United Nations to supervise the execution of the Mandate on behalf of the international community and make sure that its provisions were observed.

21. As a matter of fact, the problem dated back to the period in which the Mandate had been entrusted to His Britannic Majesty to be exercised in his name by the Government of the Union of South Africa, since the Union had from the earliest years been one of the Mandatory Powers accused by the Permanent Mandates Commission of not meeting their obligations. The Mandates System established by the League of Nations, which had been a compromise designed by the victorious Powers to determine the status of the possessions taken from the German and Ottoman empires, had reconciled three tendencies: the colonialist view, which had favoured plain annexation under the anachronistic principle of the right of conquest; the Wilsonian principles of free self-determination leading to independence, which had appeared impossible for some territories; and lastly internationalization, with all the difficulties it entailed.

22. Study of the provisions of Article 22 of the Covenant of the League of Nations, under which the Mandates System had been organized, and the discussions

of that Article would reveal that at no time had there been any thought of attributing to any of the Mandatory Powers a territorial right to any of the Mandated Territories. The Mandatory Powers were to fulfil their trust on behalf of the League of Nations. In the case of South West Africa, the factor which had prevailed had been the geographical contiguity which had enabled South Africa to occupy the Territory with its troops during the war.

23. From the first years of the Mandate the Government of the Union of South Africa had wanted to annex the Territory and to present the Mandates Commission with a *fait accompli*; but the records of the League of Nations showed that to each attempt the Commission had replied unequivocally that so long as South West Africa was under mandate, it could not be incorporated into the Union of South Africa.

24. The Government of South Africa had never paid any attention to the remonstrances of the Mandates Commission, and the most flagrant example during that period had been the Bondelzwarts case, in which, scarcely three years after accepting the "sacred trust of civilisation" which had been confided to it under Article 22 of the League Covenant, South Africa had started a punitive action which had turned into a veritable campaign of extermination against the people of the Territory, who had refused to accept the South African tax laws.

25. Furthermore, it was clear from Article 22, paragraph 2, that although when the Mandatory Power had received a League of Nations mandate, its right to exercise authority over the Mandated Territory entrusted to it had been recognized, in no case had sovereignty over the Territory been transferred to it, not even, as some had contended, in the case of "C" Mandates. The principal experts who had studied the question were in agreement on that point. From that situation the three following conclusions could be deduced: indigenous inhabitants of a Mandated Territory were considered neither nationals nor subjects of the Mandatory Power; international conventions to which the Mandatory Power was a party did not apply *de jure* to the Mandated Territory; and the public domain of the Mandated Territory was not merged with the public domain of the Mandatory Power.

26. At the request of the Council of the League of Nations, the Permanent Mandates Commission had on 2 September 1922 considered the national status of the inhabitants of Territories under "B" and "C" Mandates, and had felt it important, in order that the principles laid down in Article 22 of the Covenant might be respected, that those inhabitants should be granted a national status wholly distinct from that of the nationals of the Mandatory Power, and that a special law of the Mandatory Power should determine the status of the inhabitants of the Mandated Territories.^{4/} The Mandates Commission had also considered that it would be contrary to the spirit of the Covenant and to the essence of the institution of mandates to permit the compulsory naturalization, by a single act, of all the inhabitants of Territories under "B" and "C" Mandates.^{4/} On 20 April 1923, in accordance with those conclusions, the Council of the League of Nations had adopted a resolution providing in particular: firstly, that the status of the native inhabitants of a Mandated Territory was distinct from that of the nationals of

^{4/} See League of Nations, *Official Journal*, 3rd Year, No. 11, November 1922, pp. 1243-1244.

the Mandatory Power and could not be identified therewith by any process having general application; and secondly, that the native inhabitants of a Mandated Territory were not invested with the nationality of the Mandatory Power by reason of the protection extended to them.^{5/} Since the League of Nations had taken so much trouble to define precisely and definitively the national status of the indigenous inhabitants of the Mandated Territories, how could it logically be contended that the League had contemplated that those Territories could one day be annexed by the Mandatory Power? If the League had done so, its efforts would have made the indigenous inhabitants aliens in their own countries.

27. The Second World War had revived South Africa's hopes of annexing South West Africa; and at its end General Smuts, the father of the Mandates System, had gone to San Francisco with the firm intention of securing recognition from any international organization which might be created of his country's Mandate as an exception. But between 1919 and 1945 the conception of the "sacred trust" had changed, as Professor Cuevas Cancino had shown in his recently published book entitled Tratado sobre la Organización Internacional. The aim had no longer been simply to teach backward people the European way of life, but equal value had been attributed to all civilizations. Instead of a search for the best way of administering a territory, an attempt was now made to find the method capable of leading it as rapidly as possible to self-government and independence; and that development had been completed by the adoption of the Declaration on the granting of independence to colonial countries and peoples. It was interesting to note that the Charter had expressly established a distinction between self-government and independence, which in the Charter meant "sovereignty", as Hans Kelsen showed in his study The Law of the United Nations.

28. The Government of South Africa refused to recognize the facts. Since the establishment of the International Trusteeship System it had sought by every means to evade the provisions of the Charter; it had at once declared the Mandate void and announced its intention of retaining its authority over the Territory for which it had been responsible. However, the International Court of Justice, in its advisory opinion of 11 July 1950, had affirmed that the authority which the Government of the Union of South Africa exercised over South West Africa was based on the Mandate; that if the Mandate lapsed, the authority derived from it would equally have lapsed; and that it was impossible to retain the rights derived from the Mandate and to deny the obligations thereunder. That view, moreover, conformed with the provisions of Article 80, paragraphs 1 and 2, of the Charter.

29. Moreover, the conditions under which the responsibilities of the League of Nations with respect to Mandated Territories had been transferred to the United Nations were set forth in the resolution adopted by the Assembly of the League of Nations on 18 April 1946.^{6/} Although the Assembly of the League of Nations had put an end to the League's functions with respect to the Mandated Territories, it had not put an end to the Mandates themselves.

30. In its advisory opinion of 11 July 1950 the International Court of Justice had concluded that South West

Africa was a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920; that the provisions of Chapter XII of the Charter were applicable to the Territory of South West Africa in the sense that they provided a means by which the Territory might be brought under the Trusteeship System; and that the Union of South Africa acting alone had not the competence to modify the international status of the Territory of South West Africa, since competence to determine and modify the international status of the Territory rested with the Union of South Africa acting with the consent of the United Nations. The last conclusion seemed to the delegation of Venezuela to be the most important.

31. It had been contended that the provisions of Article 77 of the United Nations Charter did not oblige South Africa to place South West Africa under the Trusteeship System. The International Court of Justice had concluded that the provisions of Chapter XII of the Charter were applicable to the Territory of South West Africa in the sense that they provided a means by which the Territory might be brought under the Trusteeship System. Analysis of the provisions of Article 77, however, showed that the word "voluntarily" applied only to sub-paragraph c, so that it appeared that the draftsmen of the Charter had considered the rest of the Article mandatory. It was indeed difficult to believe that the initiative had been left to the Mandatory Powers in matters concerning Mandated Territories. That view was confirmed by the provisions of Article 80, paragraph 2, of the Charter, which dealt with the interpretation of paragraph 1 of the same Article.

32. It was interesting to note that almost all States responsible for Mandated Territories had compiled with the Charter and placed those Territories under the Trusteeship System. Many of those Territories had indeed now become independent States. South Africa alone had refused to conclude a trusteeship agreement regarding the Territory it held under mandate. What was more, the States of the world held, just as the General Assembly had held by its decisions approving draft trusteeship agreements, that the Mandates System continued and that States which placed Territories for which they were responsible under the Trusteeship System remained Mandatory Powers until they became Administering Authorities under Article 81 of the Charter and the relevant trusteeship agreements.

33. There was clearly a difference between the competence of the United Nations in respect of Non-Self-Governing Territories placed under trusteeship and its competence in respect of similar territories not under trusteeship; but, as Hans Kelsen had clearly shown in the work already mentioned, it was not true that the United Nations had no right to intervene in the second case. If the principle were accepted that the General Assembly was competent under Article 10 of the Charter to discuss any questions relating to Non-Self-Governing Territories which had not been placed under the Trusteeship System, and under Article 11 of the Charter to discuss such questions jointly with the Security Council, then it appeared difficult to support the contention that the United Nations had no jurisdiction over those Territories.

34. Furthermore, even if no account were taken of the links between the Mandates System and the Trusteeship System, or of the fact that the United Nations was successor to the League of Nations, international

^{5/} *Ibid.*, 4th Year, No. 6, June 1923, p. 604.

^{6/} *Ibid.*, Special Supplement No. 194, pp. 278-279.

law gave no grounds for regarding the provisions of Articles 73 and 74 of the Charter as a unilateral declaration by certain States. Those provisions were in fact a treaty in good and proper form to which all the States Members of the United Nations were contracting parties, although the obligations created by those Articles bound only the Member States which administered the Territories in question. Everyone agreed that the obligations laid down in Articles 73 and 74 of the Charter were in no way different from the other obligations imposed by the Charter on the Members of the United Nations. They were just as applicable to founder Members as to States which had become Members since the founding of the United Nations or would become Members in the future; and all Members of the United Nations were bound to respect them in the same way. The persistent violation of the obligations laid down in Chapter XI of the Charter could lead to application of the sanctions provided in the Charter, which was a further way in which the United Nations could intervene in respect of problems arising out of Chapter XI.

35. The delegation of Venezuela was in no doubt whatever concerning the status of South West Africa: the country was a colonial territory to which the provisions of General Assembly resolution 1514 (XV) should be applied rapidly and in their entirety.

36. The problem of South West Africa had, however, other features which were graver and more alarming. The annexionist designs of South Africa were confirmed by its application to South West Africa of the inhuman policy of apartheid. The enforcement of that policy in the Territory was not only contrary to the purposes of the Mandate and the principles of the United Nations Charter, but also violated the most elementary human rights and principles of human morality. It was inconceivable that just when ideas of racial superiority were declining in colonialist Europe, an African State should adopt them and try to stop the march of history by relentlessly applying those anachronistic theories in the continent which had suffered most from the consequences of colonialism.

37. The gravity of the problem of South West Africa arose from the fact that the policy of apartheid went beyond the frontiers of South Africa and South West Africa. Speaking in the South African Parliament in 1947, a member of the Nationalist Party had explained that it might be fatal for South Africa to transmit any reports on South West Africa or permit any United Nations control at all, since, unlike the League of Nations, which with half-a-dozen or so exceptions had numbered only white States among its members, the United Nations was composed largely of countries with coloured inhabitants, Asian countries, and countries with populations of mixed blood. That statement had seemed to make the policy of apartheid international.

38. The delegation of Venezuela did not wish to take up a question which was under consideration by another United Nations body, but must state its feeling that the United Nations should not merely try to subdue conflicts after they had broken out; it should also strive to prevent conflicts, particularly when it was aware of the source of the danger. No one should forget that before the Second World War Hitler had expounded his theories in *Mein Kampf*, and that, if he could have been prevented from putting them into practice, mankind might have been spared the horrors of that war. The

United Nations should not delay action until the policy and theory of apartheid had borne their deadly fruits.

39. According to Mr. Malan, a serious crisis had been provoked in the United Nations the first time it had received a certain type of agitator—to wit the Reverend Michael Scott, who had repeated at the United Nations the moving address delivered by Chief Hosea Kutako at the annual ceremony held over the tomb of the Herero chiefs at Okahandja. Year after year, the presence of the Reverend Michael Scott and of so many other petitioners had become the symbol of the hope and struggle of an entire people denied the application of the most elementary principles of the Charter and of human rights.

40. The delegation of Venezuela had pointed out 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 that the stubbornness of the South African Government and the indifference of the United Nations or its failure to take practical and immediate decisions could together lead to a desperate situation in which thousands of human beings would have no course left to them but violence, with all its terrible consequences for international peace. In the present state of affairs it was not enough to adopt a sixty-sixth pious resolution on South West Africa; the sub judice principle could be invoked no longer. On the contrary, the United Nations should act all the more firmly since the South African Government had publicly declared that it would not recognize the validity of any judgement of the International Court of Justice which did not correspond with its own views. The General Assembly should take positive action. It could, for example, appoint a small ad hoc committee to study and recommend to it the most appropriate methods and means for putting an end to South Africa's Mandate over South West Africa and administering the Territory until it acceded to independence. That committee could submit its report at the nineteenth session of the General Assembly, and the report, together with the judgement of the International Court of Justice in the action brought against South Africa by Liberia and Ethiopia, could then serve as a basis for the General Assembly's discussions.

41. Mr. ANOMA (Ivory Coast) said that the problem of South West Africa, which had been under consideration in the United Nations since 1946, was all the graver for not being limited to that Territory. In Africa there was a sort of belt separating the independent African States from Southern Africa, as if to protect the colonialist régimes in some countries, though African, and as a rampart for the racist Government of South Africa.

42. After recalling the circumstances which had made South West Africa a League of Nations Mandated Territory administered by the Union of South Africa, he pointed out that from the very first years of the Mandate severe criticism had been levelled at the Mandatory Power. The Permanent Mandates Commission of the League of Nations had drawn attention to the complete stagnation of social work, the inadequacy of educational and health services, the extension of the policy of discrimination based on colour, and on the idea of the Whites that the indigenous inhabitants existed only to supply agricultural labour. Since that time it had become evident that the South African Government was far more concerned with the interests of the 30,000 Europeans living in the Territory than

with those of the 300,000 non-Europeans. At the 1919 Paris Peace Conference Woodrow Wilson, then President of the United States, had said that the Union of South Africa would administer the Territory as an annex to the Union so far as was consistent with the wishes of the inhabitants, and that it was up to the Union of South Africa to make it so attractive that South West Africa would come into the Union of its own free will.

43. Moreover, article 2 of the Mandate expressly bound the South African Government to promote to the utmost the material and moral well-being and the social progress of the inhabitants of the Territory. Nothing had, however, been done since then for the indigenous inhabitants. The members of the Committee had received much evidence in that regard, both in the report of the Special Committee and in the recent statements of the petitioners from South West Africa. It was clear and incontrovertible that the situation constituted a violation of the international obligations of the South African Government, and it was therefore important to revoke at once the Mandate of the Republic of South Africa over South West Africa.

44. Though it was essential to reach a solution as quickly as possible, South Africa consistently obstructed a peaceful settlement. The South African Government used delaying tactics in the hope of annexing South West Africa, even though the International Court of Justice had confirmed in its judgement of 21 December 1962 that the Mandate over the Territory remained in force. There was no need to dwell upon the suffering which would be visited on the people if the South African Government succeeded in its plans. The system of apartheid which already existed in the Territory, would be even further reinforced, and that degrading doctrine, which contained within itself the seed of its own destruction like Hitler's nazism or Mussolini's fascism, would spread even more widely over Africa.

45. When the overwhelming majority of nations expressed a desire to intervene in order to put an end to that disastrous situation, the South African Government quoted Article 2, paragraph 7 of the United Nations Charter and claimed that the question of South West Africa was a domestic concern of the Republic of South Africa. It would seem necessary in that regard to make a distinction between public policy within a country under its constitution, and international public policy under universal morality and the United Nations Charter. The latter notion of international public policy, which had until lately been vague and ill-defined, had now crystallized until it was too real to be considered any longer a mere mental outlook; and Chapter VII of the Charter stressed its importance and its key role in international relations. Article 2, paragraph 7, of the Charter was applicable when public policy within a State did not conflict with international public policy; but not when it did. Conflicts between internal and international public policy could become a danger to international relations and were likely to threaten world peace. In the particular case of South West Africa, the behaviour of South Africa in consequence of its doctrine of apartheid was such that politically, economically and socially the fundamental principles of the Charter were being trampled under foot. The Charter was designed to develop international co-operation by ensuring and encouraging respect for the human rights and fundamental freedoms of all mankind. It

was therefore intolerable that the Republic of South Africa, which flouted all the sacred principles of the Charter, should barricade itself behind Article 2, paragraph 7, to do so. The United Nations General Assembly had, in its resolution 1761 (XVII), sounded the death-knell of both the doctrine of apartheid and the argument which the South African Government based on Article 2 of the Charter; and resolution 1881 (XVIII), which it had just adopted in regard to the trial of certain African leaders, clearly reflected the virtual unanimity which had been reached on that question.

46. It would be interesting to speculate on the psychological basis of the doctrine of apartheid. Those who held that doctrine spoke of a "desire for survival", and that very term reflected a fear psychosis. It was because they had a morbid fear of the non-White, or African, that the South African Whites had a blind and unacknowledged determination to initiate wars through which they could exterminate the South African Blacks. They would thus have won their "struggle for survival".

47. Although the United Nations Charter and the Universal Declaration of Human Rights bound the South African Government to promote the harmonious development of the people of South West Africa, it was doing the exact opposite. Its five-year plan for separate development was nothing but a diabolical plan of degradation and segregation. In attempting to annex South West Africa it was trying to extend the operation of the inhuman doctrine of apartheid, which, as the American author Allard K. Lowenstein said in his book *Brutal Mandate*, created perpetual fear in the minds of those who were its victims. In addition, all kinds of economic, political and social consequences flowed from the doctrine of apartheid. In a book entitled *L'Afrique du sud, cette inconnue* Andrée Viollis described the deplorable conditions in which the Blacks, a mere supply of cheap labour, were working; and from the statements made by the petitioners the Committee could estimate the wage of an African worker at twenty-four cents a day. The Reverend Michael Scott had stressed how far the apartheid system was supported by the large industries and the mining companies. Apartheid was characterized politically by the absence of any freedom for the South African Blacks, who might be arrested at any moment and accused of practically any crime. That situation resulted from the promulgation of the General Law Amendment Acts No. 76 of 1962 and No. 37 of 1963, which had amended previous laws by making them even harsher. Disastrous social consequences resulted from the economic and political manifestations of apartheid. Despite all those enormities, the system of apartheid had nevertheless been elevated to a policy by the South African authorities. In that regard he recalled the statement made by Mr. Verwoerd on 25 January 1963, which had been reported to the Committee at its 1454th meeting by the Reverend Michael Scott.

48. He had dwelt on the political aspect of apartheid in order to stress the need for snatching South West Africa from the clutches of the white colonialist minority and the grip of the Verwoerd Government. South West Africa ought to be independent and have its own government, an African government reflecting in its structure and policies the rule of law and the system of law as they had been defined by the Congress of the International Commission of Jurists at New Delhi in 1959, and later by the African Conference on the Rule of Law held at Lagos in 1961. The latter conference had stressed that the system of

law would exist only when the peoples of the dependent countries were able freely to adopt constitutions and to elect democratically representative legislative assemblies and when every country had achieved political independence.

49. The people of South West Africa should therefore obtain national independence. To achieve that goal it was essential to take effective measures, and his delegation recalled the specific proposals it had already submitted: firstly, complete and speedy revocation of the Mandate of the Republic of South Africa over South West Africa; secondly, the effective and immediate stationing of a United Nations emergency security force, which might be augmented or replaced—as the Ceylonese representative had proposed—by an international corps of volunteers for South West Africa. The expense of maintaining such a corps of volunteers would naturally fall upon the Member States. Those two steps were all the more necessary since they would prevent the South African Government from occupying South West Africa if the decision of the International Court of Justice went against it. Lastly, the United Nations should adopt other measures, including the speedy convening of a constitutional conference at which all political parties would be represented, the holding of elections based on universal suffrage in order to set up a democratic government with an African majority, and the immediate proclamation of the country's independence.

50. The results obtainable by such measures would conform, in particular, with the decisions in regard to South West Africa which the Summit Conference of Independent African States had taken at Addis Ababa in May 1963. The independent African States had just completed the first stage in the liberation of the African continent by laying the foundations of African unity at the Addis Ababa Conference. In 1964 the second and last stage in the complete liberation of the continent should begin. Depending on the wisdom or the obstinacy of men, that phase could be a period of reconstruction, or a huge conflagration in the context of the African revolutions. He hoped that men's intelligence would tip the balance on the side of peace.

51. Mr. RANA (Nepal) recalled that the question of South West Africa had been on the General Assembly's agenda since 1946—a fact which showed, on the one hand, the importance attached to that question by the international community and, on the other, the intransigence of the Mandatory Power, which refused to comply with the recommendations of the United Nations. Since the adoption of the Declaration on the granting of independence to colonial countries and peoples, the situation in the Territory had become still worse and South Africa persisted in ignoring its obligations as Mandatory Power.

52. The work the United Nations had done over the past seventeen years, in particular the 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) and the Secretary-General's report on special educational and training programmes for South West Africa (A/5526 and Add.1), had admirably brought to light the full implications of South Africa's policies in regard to the Mandated Territory, the legitimate aspirations of the people of South West Africa to self-determination and independence, and the attitude of the international community towards that problem. He thanked the Special Committee for

its excellent work. Thanks were due also to the petitioners, who had spoken without ambiguity about the ulterior motives of the South African Government, which wished to extend and perpetuate its apartheid régime in the international Territory.

53. Nepal whole-heartedly supported the legitimate aspirations of the people. As King Mahendra had said, Nepal was firmly on the side of the forces of revolution; it believed that colonialism was an unmixed evil and rejected any social and political order involving such relationships between man and man; anti-colonial revolution, wherever it took place and in whatever form, must be supported.

54. The question of South West Africa could be viewed from four angles. Firstly, as the General Assembly had declared repeatedly and as the International Court of Justice had confirmed, South West Africa was a Mandated Territory and therefore a responsibility of the entire world community. The primary principle of the Mandate consisted in the recognition of certain rights of the people, and the Mandatory Power was authorized to administer the Territory only for the promotion of the material, moral and social well-being of the inhabitants in order to enable it in the shortest possible time to stand by itself. The Mandate imposed upon the Mandatory Power a sacred trust, the violation of which was a crime. Secondly, as the question of South West Africa was essentially a colonial question, it was fitting and proper that 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 been allotted the task formerly assigned to the Special Committee for South West Africa. In that connexion, his delegation considered three points to be particularly pertinent: acceptance by the United Nations of the general principle that all peoples had inalienable rights to national self-determination; specific reaffirmation by the General Assembly of the inalienable rights of the people of South West Africa to independence and national sovereignty; and the recognition by the world Organization of the maxim that inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence. Thirdly, the Government of South Africa was extending to South West Africa its policy of apartheid, which had been condemned by the United Nations as horrible and inhuman. Fourthly, the declared intention of the South African Government to incorporate the Mandated Territory in the Republic of South Africa was particularly alarming.

55. The attitude and policies of the Pretoria authorities constituted a serious and flagrant breach of the sacred trust placed in them. The preliminary verdict of the International Court of Justice in the action brought before it by Ethiopia and Liberia against South Africa had also made it clear that the Government of South Africa was not living up to its obligations.

56. Instead of guiding the people of South West Africa towards national self-government and independence, the South African Government had reduced them to slavery. Instead of promoting their material and moral well-being, it had introduced the policies of apartheid. Elementary personal liberty and fundamental human rights were most flagrantly violated, the inhabitants were forcibly deported, and theories of racial supremacy were established as a national principle. The South African Government had rejected the world Organization's offer of assistance and had set up a

commission entrusted with the task of implementing a so-called five-year plan for economic and social development which in reality merely enforced the apartheid policies. Moreover, South Africa had rejected the competence of the international community over an international Territory and had declared its intention of annexing that Territory.

57. There was nothing in recent developments to warrant the belief that the Pretoria authorities had budged an inch from their position. It was clear that the South African Government persistently rejected all forms of civilized thinking. The United Nations was in duty bound to take effective and constructive steps to improve the situation in South West Africa and to ensure the exercise of the inalienable rights of the people of the Territory. The first task of the international community was to see that the policies of apartheid, which were contrary to civilized thought and to fundamental human rights, were eliminated in South West Africa. The world community should also reject the ulterior claims of the South African Government and ensure that no act of aggression was committed against the international Territory. Without prejudice to the final verdict of the International Court of Justice, Nepal would support any resolution designed to guarantee the right of self-determination and independence of the inhabitants of the Mandated Territory of South West Africa.

58. Mr. PUREVJAL (Mongolia) said that his delegation had carefully studied the Special Committee's report on South West Africa (A/5446/Rev.1, chap. IV) and considered that it provided a very accurate picture of the situation in that Territory. His delegation had listened with attention and sympathy to the statements of the petitioners from South West Africa, and it wished to assure them of the solidarity of the Mongolian people with the people of South West Africa in their struggle to throw off the colonial yoke.

59. The question of South West Africa had been under study for many years and the General Assembly had adopted numerous resolutions in an effort to solve that problem in conformity with the principles of the Charter. Unfortunately, South Africa had not complied with any of those resolutions and all the efforts made by the United Nations had been in vain. That situation was the result of South Africa's aggressive attitude, strengthened by the negative position adopted by the Western Powers, which, guided by their selfish interests, were thus sabotaging the action of the General Assembly.

60. The Mandate over South West Africa had been entrusted to South Africa, but that country actually intended to annex the Territory, in violation of the Charter and the resolutions of the United Nations. As the petitioners had said, the South African Government had transformed South West Africa into a South African province, where it imposed the laws and practices of South Africa. Over and above the cruel colonial régime that had been imposed there, the South African Government was now applying its policy of apartheid, which had been condemned by the United Nations. The people of South West Africa were the victims of rapacious exploitation and lived in extremely difficult conditions, as the Special Committee pointed out in paragraph 2 of its report. The indigenous inhabitants of South West Africa had no rights and were not allowed any means of expressing their legitimate aspirations to freedom. Nationalists were cruelly persecuted and all the people were subjected to the arbitrary rule of a police régime

which, for example, permitted the arrest without warrant of any suspected person. Even freedom of correspondence was violated, and the inhabitants of South West Africa had not even adequate means of subsistence, since the best land was given to settlers and foreign monopolies. The petitioners who had been heard by the Committee had completed the picture of the situation by providing additional information on the racial discrimination practised in employment, education and public health.

61. The situation had been made still worse by the fact that South Africa was arming the white settlers in the hope of maintaining its hold on the Territory by force and of annexing it, thereby trampling under foot the principles of the Charter and the decisions of the United Nations. Such a policy represented a serious threat to peace in Africa. Under the Verwoerd régime, South Africa was becoming the stronghold of colonialism and was preparing to wage war against the nationalist movements and against the independent States of Africa. As was indicated in the report of the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa (A/5497 and Add.1), South Africa's military expenditure had risen from 44 million rands in 1961-1962 to 129 million in 1962-1963.

62. The South African Government could not proceed with its arms build-up without the material and moral assistance of the Western Powers which had close economic and political ties with South Africa. The American periodical Foreign Affairs had stated in October 1963 that British investments in South Africa at present amounted to \$2,800 million. Despite the repeated appeals of the United Nations, the protectors of the South African Government continued to furnish arms to that country. It was known, for example, that the United Kingdom was again going to accept an important order for military equipment in the current year. Mr. Garoeb, one of the petitioners, had informed the Committee that there was an agreement between the United Kingdom and South Africa concerning the United Kingdom military bases in South Africa. In addition, the statement by the United States representative at the 1456th meeting had confirmed the fact that that country was sending arms to South Africa, claiming that only strategic weapons were involved. Lastly, the Reverend Michael Scott and the other petitioners had stated that weapons were being supplied to South Africa by Belgium, France, the United States and the United Kingdom, a fact which showed clearly that the countries of the North Atlantic Treaty Organization were continuing to give South Africa all the support it needed to enable it to continue to oppose the decisions of the United Nations.

63. The petitioners had told the Committee that the situation in South West Africa had become extremely serious. The United Nations should no longer tolerate the continued violation of the principles of the Charter and the flouting of General Assembly decisions by a Member State. The time had come for the United Nations to take effective steps to fulfil its obligations towards South West Africa and to enable the people of the Territory to satisfy their legitimate aspirations. The Special Committee had indicated the steps it regarded as indispensable, among them the adoption of sanctions, in order to prevent South Africa from annexing South West Africa and to enable the Territory to attain independence. The Mongolian delegation was glad that the participants in the Summit Conference held at Addis Ababa had decided to give practical

assistance to national liberation movements in Africa. The provisions of General Assembly resolution 1514 (XV) were applicable to South West Africa, and the General Assembly, which had recognized the right of the people of that Territory to independence, should bring pressure to bear upon South Africa to compel it to grant the Territory independence.

64. Before concluding its discussion of the situation in South West Africa, the Special Committee had adopted a resolution (A/5446/Rev.1, chap. IV, para. 213) which should serve as a basis for the Fourth Committee's decisions. The General Assembly, after approving the Special Committee's report, should request that Committee to continue the tasks entrusted to it in resolution 1805 (XVII). The Assembly should also request the Special Committee to make a thorough study of the influence of international monopolies on South Africa's policies.

65. The South African Government was trying to delay the solution of the question of South West Africa by dilatory measures which would prevent the International Court of Justice from ruling on the case before it. Since the problem of South West Africa was essentially a political question related to the implementation of the provisions of resolution 1514 (XV), the Mongolian delegation considered it essential for the General Assembly to take vigorous steps at the current session, without awaiting the Court's decision. The Fourth Committee's decision should be taken also in the light of the provisions of General Assembly resolution 1761 (XVII), on apartheid, with which neither South Africa nor the Western Powers had complied.

66. In its desire to help resolve the problem arising from the policy of South Africa and to put an end to the threat to international peace and security which that policy represented, the Mongolian delegation had prepared a draft resolution which it intended to submit to the drafting committee of the African-Asian group, which would undertake to prepare a text to be placed before the Committee.

67. Mr. KUNDYA (Tanganyika) said that the question of South West Africa, which had been discussed time and time again at national and international conferences, was a tragic problem. Although it had settled many issues in other fields, the United Nations had so far been unable to rescue the people of South West Africa from the brutality and tyranny of a Government imposed by racist minority; moreover, the supporters of the apartheid régime had strengthened their measures of oppression in the Territory.

68. The distressing situation in the Territory had been described by the petitioners who had appeared before the Committee, in particular by the Reverend Michael Scott. They had all, without exception, stated that the people could not be expected to put up indefinitely with conditions which were tantamount to slavery. Like the majority of delegations, the delegation of Tanganyika was fully convinced that South Africa had failed to carry out the sacred trust conferred upon it by the League of Nations.

69. During a tour of South West Africa which had been fraught with danger, Mr. Allard K. Lowenstein and his colleagues had collected evidence of exploitation and oppression which they had compiled in a book entitled Brutal Mandate. He read out some passages from the book which showed that the indigenous inhabitants lived under a régime of discrimination which barred them from any but the most menial kinds of

labour, prevented them from owning land, receiving a proper education, voting and moving about the streets without a permit. According to the author, unless the situation improved rapidly it would lead to serious disturbances. He also quoted extracts from a speech that the President of Tanganyika had made to the Press Club in Washington on 15 July 1963, summing up the position of the Government and people of Tanganyika: the President of Tanganyika had said that South Africa's policy of apartheid was in fact a particularly dangerous form of colonialism, not only for South Africa but for the whole world, and that it was a matter on which all mankind had to take sides.

70. At the 1457th meeting, the delegation of Tanganyika had expressed reservations concerning a statement by the representative of South Africa, who spoke only for a racist minority and whose conciliatory words did not represent any real change of attitude. The theory and practice of racial superiority which South Africa continued to profess must be abandoned before there could be any solution of the problem.

71. The delegation of Tanganyika was convinced that the racist régime of South Africa was able to maintain its attitude of defiance of the United Nations and world opinion because of the support it received from such Powers as the United States, the United Kingdom, France and Belgium. It was common knowledge that South Africa was armed to the teeth and ready to crush the majority of the population, which was opposed to apartheid. In that connexion he drew attention to an article published in The New York Times of 28 October 1963, which indicated that the South African Government intended to set up a rocket research institute near Pretoria with a view to developing a ground-to-air guided missile. Moreover, it was known that certain large mining companies were involved in the building of arms factories in South Africa. Those companies had established a powerful economic empire which collaborated with the racist régimes that supplied them with cheap labour. There was a great deal that was still unknown about that collusion between the big mining companies and the racist régimes and it would be useful to countries like Tanganyika, which had decided to apply economic and trade sanctions against the South African Republic, if an investigation could be made of the economic and military activities of those accomplices in crime.

72. The Tanganyikan delegation was concerned about another development: the action taken by the disciples of apartheid in Central and Southern Africa to prevent the oppressed peoples from emigrating to Tanganyika and other independent African States. An article in the magazine Africa Report pointed out that it was becoming increasingly difficult to get across the frontiers of South Africa because of the special steps taken in co-operation with the authorities of Bechuanaland and the Federation of Rhodesia and Nyasaland.

73. The historic Summit Conference of Independent African States held at Addis Ababa in May 1963 had adopted specific resolutions on South Africa and South West Africa. The participants in the Conference had viewed the deteriorating situation with grave concern and had made it absolutely clear that any annexation of the Territory of South West Africa by South Africa would be regarded by them as an act of aggression. Tanganyika hoped that that decision would be endorsed by the United Nations, as requested by the Special Committee in its resolution of 10 May (A/5446/Rev.1, chap. IV, para. 213).

74. In addition, the General Assembly should take firm steps during the current session to ensure the establishment of an effective United Nations presence in South West Africa. In the light of resolution 1805 (XVII), South Africa should be condemned for refusing to accept a United Nations Technical Assistance Resident Representative for South West Africa. Finally, the Assembly should urge all Member States to join in imposing sanctions against South Africa. Those countries and groups which placed their selfish economic or ideological gains above fundamental human rights should be warned that their illegal advantages were only temporary and that, sooner or later, the people of South West Africa would triumph in their struggle for emancipation and independence.

75. The delegation of Tanganyika would support any resolution reflecting its position on South West Africa in clear terms. Meanwhile, the African States and the other States which opposed apartheid would continue to apply the measures upon which they had decided with more and more vigour, until racism was permanently stamped out.

76. Mr. RATSITOHARA (Madagascar) said that the Committee was only too familiar with the alarming aspects of the question of South West Africa. In many resolutions, the General Assembly had expressed in categorical terms the indignation of the whole world at the policy of the Republic of South Africa. It was high time that the South African Government realized that it could not use its power to occupy a territory arbitrarily and to subjugate its unfortunate inhabitants. The people of South West Africa were thirsting for

freedom, equality and justice. Although they had been conquered, they were waging a fierce struggle against a hateful colonization. In a world which sought to attain peaceful co-existence and equal rights, South Africa still believed that there was such a thing as a superior race. The delegation of Madagascar strongly protested against that attitude.

77. The statements of the petitioners and the many speeches made in the Fourth Committee provided copious material on the situation in South West Africa. The delegation of Madagascar condemned the hateful and tyrannical attitude of the South African Government, which was championing a revolting philosophy in the face of world opinion. The indifference of the Republic of South Africa to the repeated appeals from Member States and from the General Assembly was a gesture of defiance of the United Nations.

78. His delegation, which had actively supported the various General Assembly resolutions, considered that the course followed thus far to dissuade the South African leaders from their inhuman attitude was still just and wise. It would be very glad to see the people of South West Africa attain independence in the very near future. It therefore appealed urgently to all delegations to support the claims of the people of the Territory, who were asking for the support of all peoples dedicated to freedom and justice. His delegation would contribute to any effort that was designed to bring about the independence of the colonial peoples.

The meeting rose at 6.15 p.m.