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Chairman: Mr. Adnan M. PACHACHI (Iraq).

Requests for hearings (continued)

REQUEST CONCERNING AGENDA ITEM 45 (QUESTION OF THE FUTURE OF RUANDA-URUNDI) (continued)

1. The CHAIRMAN informed the Committee that a request for a hearing concerning the question of the future of Ruanda-Urundi had been received. If there were no objections, the request would be circulated as a document.

It was so decided.^{1/}

AGENDA ITEM 43

Question of South West Africa (continued):

- (a) Report of the Committee on South West Africa (A/4464; A/AC.73/3; A/AC.73/L.14; A/C.4/447);
- (b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV).

GENERAL DEBATE (continued)

2. Mr. THAPA (Nepal) deplored the fact that the Government of the Union of South Africa had continued to disregard the decisions of international bodies on the question of South West Africa and, showing no respect for its obligations as a Mandatory Power, had persisted in its unjustified claims to annex South West Africa even though the General Assembly had firmly rejected such an idea in its resolution 65 (I). The report of the Committee on South West Africa (A/4464) unfolded a story of human misery and degradation resulting from the application of the policy of "apartheid" in the Territory, not only against the

wishes of the indigenous inhabitants but in defiance of world public opinion. The Union Government, always very unco-operative in its attitude towards the United Nations, had resorted to military and internal security measures to enforce "apartheid" and to effect the removal of people from areas where they had been living for a long time to others which were not even ready to receive them. The harrowing incidents at Windhoek in December 1959 fell into the normal pattern of things in South West Africa, where the indigenous inhabitants were being deliberately deprived of all social, economic and cultural opportunities.

3. While the action of the Governments of Liberia and Ethiopia in submitting the legal aspects of the question of South West Africa to the International Court of Justice^{2/} was to be welcomed, it was hardly necessary to recall that the South African Government continued to disregard the advisory opinion of that Court given in 1950^{3/} and paid no heed either to the United Nations Charter or to the Universal Declaration of Human Rights.

4. Year after year the General Assembly had passed pious resolutions. His delegation could not understand why, when the best minds of the East and the West, irrespective of ideologies, had unequivocally condemned the system and the practice of "apartheid". The world community had remained helpless in the face of the problem. The time for action had come and it was surely not too much for the Committee to urge the South African Government to repeal all the legislation that was contrary to the Mandate. His delegation would be ready to support any resolution which would have the effect of solving the problem of South West Africa, once and for all, in conformity with the United Nations Charter, the international status of the Territory, the interests of its inhabitants and the advisory opinion of the International Court of Justice.

5. Mr. KIZIA (Ukrainian Soviet Socialist Republic) said that, although the General Assembly had been concerning itself with the question of South West Africa for many years, poverty, police terrorism and disfranchisement continued to be the lot of the indigenous inhabitants. The South African Government had ignored the fifty or so resolutions condemning its racist activities adopted by the United Nations in the past fifteen years.

6. His delegation was convinced that racial discrimination was not a matter of the colour of skin alone, but rather a means whereby the colonialists were trying to poison the minds of the people and prevent them from uniting in the struggle against their oppressors. The fact that the racialists perse-

^{2/} I.C.J., *South West Africa Case*, Application instituting proceedings (1960, General List, No. 47).

^{3/} *International Status of South West Africa*, Advisory Opinion: I.C.J. Reports, 1950, p. 128.

^{1/} The request was subsequently circulated as document A/C.4/444/Add.6.

cuted the Reverend Michael Scott, a white man, was a case in point. His country, which had experienced Nazi occupation in the Second World War, regarded racialism not as an abstract concept but as a tragedy. The Ukrainian delegation consequently condemned racialism everywhere, as a threat to peace and freedom.

7. In his statement opposing the granting of a hearing to the petitioners, the South African representative had referred to them as communists and propagandists. Nobody, however, feared the bogey of communism any more, for everyone knew that communism was the standard-bearer of progress and expressed the dearest aspiration of the people.

8. Viewed against man's achievements in the middle of the twentieth century, the conditions in the Union of South Africa and in South West Africa, where racial discrimination had been turned into State policy, might appear intolerable. Yet on 30 December 1958 the South African Senate had congratulated the Union Government on its excellent administration of the country, which had ensured to it both its present prosperity and a happy, secure future, on a separate basis for Europeans and non-Europeans, guaranteeing the leadership of the white race in the Union and in South West Africa. The Committee was aware of the nature of that excellence. On 10 December 1959, for instance, the racialists had committed a crime at Windhoek, where machine guns and armoured cars had been used against unarmed people. It had all been done on the orders and with the direct complicity of South African officials. The Ukrainian delegation did not subscribe to the opinion of the Committee on South West Africa, which had described the brutal reprisals at Windhoek merely as "disturbances".

9. Immense changes had occurred in the world in the forty years during which South West Africa had been ruled by the Union of South Africa. The Soviet Union's colossal achievements, known the world over, testified to the success that had come the way of the peoples who had won their freedom. As could be seen from the report of the Committee on South West Africa and the statements by the petitioners, however, the forty years of South African administration had brought the Territory nothing but new suffering. The noose of colonialism had tightened on the Territory, rich in diamonds and other resources, and it was now covered with a network of concentration camps and reservations, where people, even women and children, were fired upon, where prisons overflowed and where men were sold into slavery. Paragraphs 322 and 371 of the report of the Committee on South West Africa (A/4464) were enough to show that that was indeed the case.

10. The attitude of the United Nations was of great importance. The representative of Nepal had rightly said that the time had come for action. It was high time to put an end to the racist outrages in South West Africa. While the question of the complete elimination of colonialism had been placed on the agenda of the General Assembly, the South African Government—as the Union Prime Minister had clearly stated—did not even entertain the thought of granting independence to South West Africa. The vacillations of the United Nations, the direct or indirect support given to the colonialists, undermined the Organi-

zation's prestige in the eyes of the oppressed peoples. The time was ripe for the United Nations to take effective action in support of the people of South West Africa, bringing into play the entire arsenal of measures provided for in the Charter. The Union of South Africa might be relying on the protection of the North Atlantic Treaty Organization (NATO), but the storm of the struggle for national liberation would reach South West Africa and would sweep away colonial rule in the Territory.

11. The Ukrainian delegation supported the petitioners' claim for immediate independence for the people of South West Africa, without waiting for the development of the famous infrastructure. The people of South West Africa, once free of their chains, would find within themselves the strength to build an independent State and to put an end to the backwardness inflicted upon the Territory by the colonialist system.

CONSIDERATION OF DRAFT RESOLUTIONS (A/4464, ANNEXES I, III AND IV)

12. The CHAIRMAN said that, as there were no further speakers on his list, he would invite the Committee to turn its attention to the draft resolutions in Annexes I, III and IV of the report of the Committee on South West Africa (A/4464).

13. Mr. SMITHERS (United Kingdom) recalled that at the outset of the debate (1049th meeting) his delegation had expressed the view that, since the subject matter of the proceedings was sub judice with the International Court of Justice, in the interests of all concerned the utmost restraint should be exercised in discussing it. The evidence given and the speeches made during the debate contained material which might well be held to prejudge the outcome of the Court's proceedings and his delegation therefore intended to abstain in the vote on the draft resolutions annexed to the report. Hence its vote would not be an expression of opinion on the subject matter of the debate or of the draft resolutions.

14. Mr. BLUSZTAJN (Poland) said that his delegation had not had time to study the draft resolutions. There was one point on which he would like elucidation from a member of the Committee on South West Africa: namely, the meaning of the phrase in operative paragraph 6 of the draft resolution in Annex I to the effect that housing developments in urban areas of the Territory should be carried out "in a manner more compatible with the Mandate".

15. Mr. KENNEDY (Ireland) said that in inserting that phrase the members of the Committee had had in mind article 2 of the Mandate, which said: "the Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present Mandate."

16. Mr. BOUZIRI (Tunisia) said that, while endorsing it as a whole, his delegation felt that the draft resolution should condemn the activities of those who had been responsible for the death of eleven Africans and for many other casualties and should call upon the Union Government to punish them.

17. Mr. GRINBERG (Bulgaria) said that, although he had not had much time to study the draft resolution in Annex I, his delegation would be able to vote for it subject to one or two slight reservations.

18. With regard to operative paragraph 6, which recommended that housing developments in urban areas should be carried out in a manner more compatible with the Mandate, he pointed out that in the course of the general debate several delegations had proposed that the Mandate should be revoked. If a draft resolution to that effect were to be submitted, the Committee would then have before it two draft resolutions, one calling for an action compatible with the Mandate and the other revoking the Mandate. He would therefore suggest, either that the draft resolution in Annex I should be voted upon at the same time as any other draft resolutions which might be forthcoming, or that the last words of operative paragraph 6 "and in a manner more compatible with the Mandate" should be deleted. His delegation would prefer the second alternative, because it felt that that phrase gave the impression that the events which had taken place in the Territory had been to a certain degree compatible with the Mandate. If neither of those suggestions were accepted he would like a separate vote to be taken on the phrase in question.

19. The wording of operative paragraph 2 might seem to imply some doubt of the veracity of the petitioners. He therefore suggested that the beginning of the paragraph should be amended to read: "deplores the fact, reported by petitioners, that the Mandatory Power . . ."

Mr. Boeg (Denmark), Rapporteur, took the Chair.

20. Mr. CAMARA Maurice (Guinea) moved the adjournment of the debate on the draft resolutions annexed to the report of the Committee on South West Africa.

21. The CHAIRMAN said that in accordance with rule 117 of the rules of procedure two representatives might speak in favour of, and two against, the motion,

after which the motion would be immediately put to a vote.

22. Mr. KUCHAVA (Union of Soviet Socialist Republics) supported the motion for adjournment. The members of the Committee needed time to analyse the draft resolutions.

23. Mr. KENNEDY (Ireland) opposed the motion. He saw no reason to postpone the debate on the suggestion made by the representative of Bulgaria for the amendment of paragraph 6 of the draft resolution in Annex I. The Mandate was a most important element in the question of South West Africa and was referred to repeatedly in the Committee's report. Paragraph 85, for example, quoted the unanimous opinion of the International Court of Justice: "that South West Africa is a territory under the international Mandate assumed by the Union of South Africa on December 17th, 1920". In the draft resolution in Annex I, the Mandate was referred to not only in operative paragraph 6 but in particular in the penultimate preambular paragraph. In his opinion the Committee had done wisely to make frequent references to the terms of the Mandate.

24. In reply to the suggestion made by the representative of Tunisia that the Committee should condemn the action taken by the police, he felt that that was already covered by the wording of operative paragraph 1, which expressed deep regret at the action taken.

25. Mr. ALWAN (Iraq) supported the motion for adjournment.

The motion was adopted by 31 votes to 2, with 26 abstentions.

The meeting rose at 4.45 p.m.