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President : Mr. A. PATIÑO (Colombia)

Present :

Representatives of the following States: Argentina, Australia, Austria, Colombia, Czechoslovakia, El Salvador, Ethiopia, France, India, Italy, Japan, Jordan, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia.

Observers for the following Member States: Algeria, Belgium, Bulgaria, Central African Republic, China, Ghana, Greece, Hungary, Iraq, Ireland, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, South Africa, United Arab Republic, Venezuela.

Observers for the following non-member States: Federal Republic of Germany, Switzerland.

Representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Monetary Fund, World Health Organization, Interim Commission for the International Trade Organization.

The representative of the International Atomic Energy Agency.

AGENDA ITEM 7

Economic and social consequences of disarmament

United Nations activities in implementation of the declaration on the conversion to peaceful needs of the resources released by disarmament (E/3736 and Add.1-8; E/L.1018, E/L.1022) (*continued*)

1. Mr. HAJEK (Czechoslovakia), introducing the draft resolution submitted jointly by the delegations of the USSR and Czechoslovakia (E/L.1022), said that the text

emphasized the fundamental importance of the declaration on the conversion to peaceful needs of the resources released by disarmament, contained in General Assembly resolution 1837 (XVII), which constituted an economic and social programme for general and complete disarmament and should serve as a basis and guide for studies on the economic and social consequences of disarmament. He would also stress the commercial aspects of the programme and the important role which the United Nations Conference on Trade and Development was called upon to play in that field, as was also indicated in paragraph 8 of the report on the economic and social consequences of disarmament (E/3736) submitted by the Secretary-General. On the basis of that programme, the work of the organs of the United Nations and, in particular, of the regional economic commissions and the specialized agencies, should be systematically intensified in accordance with the ideas contained in the declaration; it should be aimed at practical solutions and should give priority to the needs of the developing countries. Lastly, a condition of such work was a general and complete agreement on disarmament. The sponsors had therefore felt that there should be a Council resolution appealing to governments to try and reach such an agreement.

2. The PRESIDENT said that, to expedite proceedings, the United States draft resolution (E/L.1018) and the joint draft resolution (E/L.1022) would be discussed simultaneously.

3. Mr. BINGHAM (United States of America) said that, since the joint draft resolution had only just been distributed, and his own only a few hours previously, delegations might like to have the opportunity for a longer consideration of the resolutions before voting on them.

4. Though he had not had time to consider the joint draft resolution carefully, he was prepared to make a few preliminary remarks. The preamble seemed to repeat the provisions of General Assembly resolution 1837 (XVII), but there were certain linguistic modifications which he was not sure were acceptable; in any case, there seemed little purpose in repeating general material which had appeared elsewhere.

5. The first paragraph of the operative part repeated that of General Assembly resolution 1837 (XVII), but while it was fitting for the General Assembly to express such an appeal to governments, he doubted whether such action could properly be taken by the Council, which was essentially concerned with economic and social matters.



6. He was not clear about the intention of paragraph 2. It was one thing for the specialized agencies and the regional economic commissions to carry on with the studies on which they were already engaged, which were intended to help the world community to deal with the possible maladjustments to which disarmament might give rise; it was a very different thing to recommend them to prepare lists of projects which might be undertaken were general and complete disarmament achieved. It might be convenient to have such lists, but, as the Council well knew, the specialized agencies and the regional economic commissions were already heavily burdened with work, and the preparation of such hypothetical schemes was not a priority use of their time and manpower. The United States resolution supported the Secretariat's suggestion that there should be further studies of the effects which rapid progress towards disarmament might have on the export of primary commodities from the developing countries. That was not at all the same as considering what might be done with a mass of new resources released by general disarmament. He was not sure which interpretation should be given to paragraph 2 of the joint draft resolution, but the text seemed to suggest the second. He would therefore like more time in which to study it, and suggested that its consideration be postponed till a later meeting.

7. Mr. JEVTIC (Yugoslavia) said his delegation could agree with many of the things in both the United States and the joint draft resolutions; and it would, in fact, have no difficulty in supporting either of them.

8. The possibility of a single joint draft resolution should be explored. All delegations were agreed that disarmament would offer new prospects for progress in the world, in industrialized and in developing countries alike; but the action taken should be in accordance with a consensus of opinion in the Council. The resolutions on the subject, at the thirty-fourth session of the Council and in the General Assembly, for example, had so far been adopted unanimously. He appealed to the sponsors of the two draft resolutions to amalgamate their texts: there would not, so far as he could see, be any substantial difficulties in doing so.

9. Mr. CHAKRAVARTY (India) said that after reading the two draft resolutions and learning the United States representative's statement, he wished to support the Yugoslav representative's appeal to the sponsors of the draft resolutions.

10. Mr. EL-FARRA (Jordan) also supported the Yugoslav proposal.

11. Mr. VIAUD (France), endorsing the suggestion that the two draft resolutions before the Council be combined, observed, however, that the Council was considering the economic and social consequences of disarmament, and not the question of disarmament itself, which was outside its competence. It was an optimistic assumption that was being made; but it was, after all, only an assumption. He therefore urged the sponsors of the draft resolutions to confine themselves to the question of the economic and social consequences.

12. Mr. BINGHAM (United States of America) said that his delegation was quite prepared to consult with the sponsors of the joint draft resolution with a view to preparing a combined draft.

13. Mr. HAJEK (Czechoslovakia) said that he was willing to consider, together with the sponsor of the other draft resolution, the possibility of preparing a draft on which unanimous agreement could be reached. With reference to the French representative's comment, which seemed to refer to paragraph 1 of the joint draft resolution, while he was glad to note that there was so much agreement in making what was an optimistic assumption, he must point out that the optimism of the sponsors of the joint draft resolution was an active optimism concerning which they had considered it necessary to be explicit.

#### AGENDA ITEM 12

**Reports of the regional economic commissions (E/3727/Rev.1, E/3820; E/L.1016, E/L.1017, E/L.1019, E/L.1020) (resumed from the 1290th meeting)**

14. The PRESIDENT invited the Council to resume consideration of agenda item 12, and in particular draft resolution II in part IV of the ECA report (E/3727/Rev.1), in connexion with which three draft resolutions had been submitted by Ethiopia and Senegal (E/L.1017, E/L.1019 and E/L.1020).

15. Mr. ABOU GABAL (Observer for the United Arab Republic), speaking at the invitation of the President, stressed the great importance which all African States, members and non-members of the Council alike, attached to the question of the membership of ECA. It had come into existence some years after the other regional economic commissions, and had had to make great efforts to catch up with them and with the needs of the times. It could hope to be successful only if all its members co-operated fully and identified themselves with the work in a spirit of harmony and loyalty.

16. By its resolutions 42 (IV) and 44 (IV), ECA had recommended that Portugal and South Africa be deprived of their membership in the Commission, the former because of its refusal to accept its obligations under General Assembly resolution 1466 (XIV), and the latter for its inhuman policy of racial discrimination. At the request of the Commission, and bearing in mind the attitude that the Council had expressed at its resumed thirty-fourth session, Ethiopia and Senegal had taken the logical step of jointly submitting draft resolutions E/L.1019 and E/L.1020. At its fifth session, ECA had adopted another draft resolution on the subject, which was before the Council. The adoption of the draft resolutions by the Council would enable ECA to devote its full energies and attention to the extremely urgent tasks ahead of it; failure to respect the wishes of the overwhelming majority of the Commission's membership could only delay and obstruct its work.

17. He was confident that the members of the Council would give sympathetic consideration to the feelings and interests of the African members of the Commission,



and would act as respect for the dignity and worth of the human person dictated.

18. Mr. CHANDERLI (Observer for Algeria), speaking at the invitation of the President, said that the Algerian Government took a deep interest in the matters under consideration by the Council. The question of the participation of South Africa and Portugal in the work of ECA had reached a crucial stage at which the various issues involved should be expressed with all due force and cogency.

19. The legal aspect was to some extent intelligible in view of the traditions of the General Assembly and the Council, and of a reasonable habit of caution in handling relations between nations. Ever since decolonization had become the major event of the twentieth century, however, the legal aspect had been overshadowed by the political one. But for the new nations in Africa there was a new and predominant aspect, on which he must lay stress; it was the human aspect of relations between States, to which due heed must be paid in considering the participation of South Africa and Portugal in the work of a regional commission, the remainder of whose members refused to co-operate with those States for reasons of which all members of the Council were well aware and which, basically, they appreciated. The Council had, however, deviated from its tradition of placing full confidence in the opinion of the regional economic commissions and had rejected the ECA recommendation. It was true that the way in which some members considered the Charter should be applied could be justified by certain rules of law. He could also appreciate that some members were concerned to ensure that potentially dangerous precedents were not set up, and that they considered the Council should give thought to the difficulties which might arise from intransigent positions. All such concerns were comprehensible, provided that the States in question complied with the provisions of the Charter themselves. The Charter had not been drawn up by the recently established States, which were newcomers to a world from which they had been excluded for thousands of years and which now wished to take their due part in the rights and duties of international assemblies. They had signified that wish by signing the Charter, in the conviction that it was as binding on them as on the older States. It was the spirit of the Charter which now prompted them to state — maybe with a trace of youthful impatience — that they would be able to work usefully towards the building of a better world through economic and social development only if the international organizations gave their desires, problems and difficulties the attention they deserved.

20. No one could deny that the Government of South Africa was continuously infringing the Charter. Nor could it be denied that Article 6 of the Charter provided that a State which has persistently violated the principles of the Charter might be expelled from the community of nations; that article undoubtedly applied to the Republic of South Africa. Moreover — and a legal issue was involved there — the Government of Portugal made the quite irrational claim that it was a country of Africa, whereas in fact it was merely exercising dominion over African countries. Portugal even went so far as to disso-

ciate itself from the great Powers which had always had interests in Africa and had accepted a special status within ECA. Although he appreciated that the members of the Council were in favour of universality, those considerations compelled him to state frankly that he could not acquiesce in the belief that universality must be achieved at all costs. There were infringements of human freedom which justified the exclusion from a community of nations of those who refused to assume the obligations implicit in respect for human rights.

21. Africans therefore found it hard to accept legal and even political arguments, despite their eagerness to collaborate in the work of the international community, for such collaboration would be possible only when they had freed their brother Africans. When that had been done, the Council might be assured that the African States would be second to none in the zeal with which they worked for international peace and security. Meanwhile, there were pressing problems to settle. The delegations of the African countries represented on the Council had submitted draft resolutions. Algeria, glad as it was to join with the other countries of the world after so long an absence, had agreed to sign the United Nations Charter, even though it had had no say in the drawing up of that instrument; and he hoped that those who had drafted it would interpret it in the same way as Algeria did, and that the provisions of the Charter could be strictly applied whenever human rights were imperilled.

22. As the time for voting drew nearer, he must say that while he understood the inability of some delegations to adopt the position of the African States and vote for the draft resolutions, he hoped the members of the Council would not associate themselves with a doctrine that was violently and passionately rejected by all the African States, that they would not condone it, and that they would not repudiate the stand taken by the whole African continent in a matter directly affecting human rights. If they fulfilled that hope, they could avoid provoking deplorable conflicts which could not but impede any attempt at mutual understanding. The newer African States were anxious to co-operate to the extent that the older Powers underwent the necessary change of heart and showed that they appreciated how crucial such matters as those before the Council were, not only for the African governments, but also for the peoples themselves, because they affected human rights.

23. Mr. UNWIN (United Kingdom) said that, not yet having received his government's instructions on the two joint draft resolutions submitted the previous day (E/L.1019 and E/L.1020), he would have to reserve his right to speak on their substance at a later stage.

24. It occurred to him, however, that it would be appropriate, in the draft resolution relating to the membership of the Republic of South Africa (E/L.1019), to include a specific reference to the latest development in the situation; and to that end he proposed an amendment<sup>1</sup> suggesting that the following paragraph be added at the end of the preamble: "Taking into account the communication from the Government of South Africa

<sup>1</sup> Subsequently issued as document E/L.1024.

(E/3820) to the effect that it will no longer participate in meetings or other activities of the Economic Commission for Africa.”

25. Mr. BINGHAM (United States of America), endorsing the amendment proposed by the United Kingdom, said that some reference should be made to the South African communication, which had a very important bearing on the situation with which the Council was dealing. On behalf of the delegations of Argentina and the United States, he would also like to propose some additional amendments<sup>2</sup>. First, he would suggest that the following paragraph be added at the end of the preamble, i.e. after the paragraph proposed by the United Kingdom, if accepted: “Further noting that the root cause of the incompatibility which makes impossible any co-operation between the Government of South Africa and other governments in the Economic Commission for Africa is the current racial policy of the Government of South Africa which the General Assembly has found to be in violation of the Charter of the United Nations;” His second proposal was that operative paragraph 2 be amended to read: “Decides that the status of non-participation of the Government of South Africa shall continue until the Council finds that conditions for constructive participation have been restored.”

26. It would be apparent that, while agreeing that the communication from South Africa should be mentioned, his delegation was of the opinion that the draft resolution should also make it clear that the Council did not accept the explanation given in that communication as the reason for the incompatibility. The suggested new wording for paragraph 2 was a more precise statement of the situation, and would be entirely in conformity with the understandable desire that the Government of South Africa should no longer be a participating member of ECA.

27. The United States position on the racial policies of the Government of South Africa had been clearly stated when the question of South-West Africa had been discussed in the Fourth Committee at the resumed fifteenth session of the General Assembly early in 1961. For the moment, it would be enough to recall a statement made at a news conference on 17 July in which President Kennedy, referring to an earlier statement that the United States did not believe in the expulsion of Member States from the United Nations, had said that the United States condemned the racial policy of South Africa and found it repugnant.

28. The Council should note the action taken by the South African Government, and at the same time declare that that action was not reversible without the Council's approval. If the amendments he had proposed, together with the United Kingdom amendment, were accepted, the United States would be in a position to support the joint draft resolution.

29. Mr. WAKWAYA (Ethiopia) said he wished first to have some explanation of the legal status of the South African communication before taking a stand on the proposed amendments. To his mind, the inclusion of a

specific reference to the communication would imply that the Council had accepted and endorsed the reason given for withdrawal, namely, that the African countries were hostile to South Africa. The amended version of operative paragraph 2 would strengthen that interpretation.

30. There had as yet been no confirmation that ECA had received the communication, and the new developments to which reference was made in the original draft resolution related to the demands for South Africa's expulsion made in the ILO and other specialized agencies.

31. Mr. MIGONE (Argentina) said his delegation gladly co-sponsored the amendments introduced by the United States and would likewise support the amendment submitted by the United Kingdom. Argentina had never practised discrimination of any kind and considered that it was thereby adhering to the general principles of the Declaration on Human Rights as well as to the decisions of the General Assembly on the subject.

32. The amendments were strictly limited to the recognition of an actual fact, and they in no way prejudiced the political decisions which the General Assembly or the Security Council might wish to take.

33. Mr. ARKADIEV (Union of Soviet Socialist Republics) said that he took strong exception to the United Kingdom amendment. He supported the Ethiopian representative in questioning the legal validity of the South African communication; and the effect of the United Kingdom amendment would be to include in a draft resolution depriving South Africa of ECA membership a reference to a statement by that country alleging that it was the victim of a hostile attitude on the part of the African States. That would be a strange and inconsistent course for the Council to take, since the real state of affairs was exactly the opposite; ECA was asking for South Africa's expulsion because of the South African Government's oppression of the African population. The General Assembly would undoubtedly ask for an explanation of such a completely illogical procedure, to which the United States delegation, without providing any explanation, was giving its support.

34. Secondly, the logical course for the United States to adopt, in view of its contention that South Africa deserved to be deprived of ECA membership because of the crimes it had committed against the African peoples, should be unequivocal support of the joint draft resolution as submitted. There was an undoubted contradiction between the position which the United States professed to hold and the amendments proposed, for the effect of the latter would be to enable South Africa to pose as a victim until such time as conditions made its return to ECA possible. In other words, everything hinged on whether or not the South African Government would desire to participate once again in the work of ECA.

35. The issues were plain. The African countries were proposing that South Africa be deprived of membership, and the United States was proposing that its membership be preserved through temporary acceptance of the status of non-participation. That was no fit punishment for

<sup>2</sup> Subsequently issued as document E/L.1025.



the crime; indeed it was tantamount to approval of the policy of genocide practised by the South African Government against its African population. In the event of the Council's adopting such an attitude, the Government of South Africa would be entitled to claim — and would undoubtedly claim in the General Assembly — that it had not been condemned and was on the contrary the victim of a hostile attitude on the part of the other African States. The representative of African States in the Council should give close consideration to those illogical proposals for amendment, for their effect would be to destroy the true meaning of the original draft.

36. Mr. WAKWAYA (Ethiopia) said he wished to make it plain that the sponsors of the joint draft resolution had no intention of accepting the amendments proposed by the United Kingdom and by Argentina and the United States of America.

37. Mr. PASTORI (Uruguay) asked for the text of the amendments to be circulated as soon as possible; if they were not received until the following morning there would be too little time to study their provisions before proceeding to the vote.

38. The PRESIDENT pointed out that it was desirable for the Council to dispose of the outstanding draft resolutions under item 12 at the following meeting. The English texts of the amendments would be made available to the representative of Uruguay immediately, and he suggested that it might serve the purpose.

39. Mr. DUCCI (Italy) said it would be most helpful if some indication could be given of the order in which the various draft resolutions would be voted on. At the 1289th meeting it had been suggested by the Ethiopian representative that joint draft resolution E/L.1017 should be given priority over ECA draft resolution II.

40. Mr. WAKWAYA (Ethiopia) explained that, in view of the majority opinion that the Council was competent and ready to deal with the substance of the issue, his delegation, in conjunction with the delegation of Senegal, had submitted the two draft resolutions relating to South Africa and Portugal (E/L.1019 and E/L.1020 respectively), which reflected the position taken by ECA. Accordingly, the original draft resolution which the two delegations had submitted (E/L.1017) was withdrawn in favour of ECA draft resolution II.

41. The PRESIDENT said the position would therefore be that the Council would have to decide the order of voting on the various draft resolutions and amendments before it.

42. Mr. DUCCI (Italy) said that the question of priority in voting called for careful consideration. The observer for Algeria had made a reasoned statement appealing to the Council to endorse ECA draft resolution II, and the USSR representative had claimed that ECA had already made a decision. In fact, ECA had made no decision, but was merely unanimously recommending that certain steps be taken. Furthermore, two of the mem-

bers which had endorsed the ECA draft resolution were suggesting action on different lines.

43. Mr. EL-FARRA (Jordan) said that there was some inconsistency between the two joint draft resolutions and the ECA draft resolution: the provisions of operative paragraph 2 of the last-mentioned were not to be found in either of the joint draft resolutions. He would like to be informed of the implications of the Council's adoption of all three draft resolutions. He pointed out that the observer for Algeria had urged the Council to adopt both the ECA draft resolution and those submitted by Ethiopia and Senegal.

44. Mr. WAKWAYA (Ethiopia) stated that the position so far as concerned draft resolution II was clear, draft resolution E/L.1017 having been withdrawn. The operative parts of the two joint draft resolutions were identical with the relevant provisions of ECA resolutions 42 (IV) and 44 (IV), the only difference being in the preambles, which took account of developments subsequent to the fourth session of ECA.

45. Mr. VIAUD (France) said he thought the Italian representative would find the reply to his question in paragraph 199 of the ECA report (E/3727 Rev.1). It had been recommended in the Commission that the Council should reconsider its decision relating to Portugal and South Africa, or that the matter should be referred to the General Assembly. The two paragraphs in draft resolution II were not, therefore, complementary, but alternative. If the Council decided to reconsider the matter, it need not refer it to the General Assembly. The Council should therefore first decide whether it would reconsider its decision and then consider draft resolutions E/L.1019 and E/L.1020. Depending on the result of the vote, it might perhaps be unnecessary to transmit the Commission's views and recommendation to the General Assembly.

46. Mr. ARKADIEV (Union of Soviet Socialist Republics) said he failed to understand the Italian representative's contention that the ECA had taken no decision to exclude Portugal and South Africa from membership. Facts were facts. The Council had had before it at its thirty-fourth session a request for approval of that decision and at the current session a request to reconsider the stand it had then taken.

47. Secondly, there was no question of any alternative action in regard to South Africa, as France had maintained. Draft resolution II specifically provided for reconsideration of the Council's previous decision and for the transmission of the ECA views and recommendation to the General Assembly. Irrespective of the action taken by the Council — whether or not it tried to dodge the issue — the African States could not be prevented from raising the matter in the General Assembly at its forthcoming session.

48. Mr. JEVTIC (Yugoslavia) observed that the discussion was turning on procedural matters that had been settled the day before. A review of the course of events showed that the question of voting order had already

been decided; there was no doubt that the two joint draft resolutions (E/L.1019 and 1020) should be voted upon first, followed by ECA draft resolution II.

49. Mr. DIOP (Senegal) said the assumption had been that the Council had in fact decided to examine the ECA recommendation that Portugal and South Africa should be expelled. That was why the sponsors of draft resolution E/L.1017 had withdrawn the draft, while maintaining draft resolutions E/L.1019 and E/L.1020. If the Council refused to reconsider its position and merely transmitted the ECA recommendation to the General Assembly, the two draft resolutions would no longer be relevant; while if the Council decided to reconsider its position it would have to consider them.

50. Mr. BINGHAM (United States of America), commenting on the amendments to the joint draft resolution (E/L.1019), said it was unreasonable to interpret the United Kingdom amendment as indicating approval of the content and reasoning of the South African communication: the Council and other United Nations organs did not necessarily agree with all the documents of which they took note in their resolutions. Secondly, it had been suggested that the first Argentine and United States amendment (E/L.1025) was inconsistent with the United Kingdom amendment; in actual fact, however, there was no inconsistency in both taking the South African communication into account and stating that the racial policy of the South African Government was the cause of the incompatibility which made co-operation between that government and other African governments impossible. On the contrary, the juxtaposition of the two paragraphs implied that the Council did not accept the content of the South African communication. Thirdly, with regard to the Argentine and United States amendment to operative paragraph 2, the existing text did not exclude South Africa from membership of ECA for all time and, in fact, was more in the nature of a suspension than an exclusion. He urged the sponsors of the draft resolution to give earnest consideration to the amendments, which would not alter the practical effect of the resolution, but would make a considerable difference to the degree of support it would receive in the Council.

51. Mr. DUCCI (Italy) fully endorsed the Senegalese representative's clear interpretation of the procedural situation. When the Council decided to act on the ECA resolutions, it would naturally report to the General Assembly and would thus bring the views and recommendations of ECA to the Assembly's attention.

52. Mr. WAKWAYA (Ethiopia) drew attention to operative paragraph 4 of ECA resolution 44 (IV), which recommended the Economic and Social Council to deprive the Republic of South Africa of membership of the Commission until it set a term to its policy of racial discrimination. The Council had taken no decision on the non-participation of South Africa in ECA and was therefore not in a position to decide if that status should or should not continue. Moreover, if the Council adopted the United Kingdom amendment, it would be giving its support to the action South Africa had taken.

53. Mr. BINGHAM (United States of America) said that the joint amendments were closely linked with the United Kingdom amendment; if the latter were rejected, the wording of the joint amendments to operative paragraph 2 would have to be changed. The fact that South Africa was not participating in ECA was incontrovertible and was stated in the South African communication; and the intention of the amendment to paragraph 2 was to render South Africa's decision irreversible. Without such a proviso, South Africa could theoretically simply change its mind about participation; but the purpose of the new paragraph was to ensure that the status of non-participation lasted until the Council decided otherwise.

54. Mr. ARKADIEV (Union of Soviet Socialist Republics) said he could see no logic in referring to the South African communication in the preamble merely in order to refute that communication in the operative part. Furthermore, if the amendments did not modify the original resolution, there would seem to be no reason for them; they had in fact been introduced because they would affect the results. If the original draft resolution were adopted, South Africa would be deprived of membership of ECA because of its flagrant crimes against the peoples of Africa; but the situation would be quite different if the resolution were amended. In the first place, the term "status of non-participation" had no legal meaning; participation in the Commission was thus made dependent on the will of the Government of South Africa. Secondly, the provision that that nebulous status should continue until the Council found that conditions for constructive participation had been restored was also suspect, for South Africa ascribed its non-participation to the hostile attitude of other African States. The implication of the amendment to paragraph 2 was that the Council should follow the reasoning of the Government of South Africa and create conditions for its constructive participation; and that the African States should apologize to South Africa for their hostile attitude. He failed to see why the United States delegation supported the United Kingdom amendment, particularly since United States representatives to the General Assembly had unequivocally censured the racial policies of the South African Government.

55. Mr. MIGONE (Argentina) observed that in legal organs of the United Nations, and in all legal proceedings, the arguments for the defence were cited, even if they were subsequently refuted in the conclusions. In the law of all western countries, at any rate, the right of defence was sacrosanct, and it was perfectly logical to mention such arguments, without prejudging any decision on them.

56. By maintaining South Africa's status of non-participation on the grounds that that country's racial policies were censurable, the Council would in fact be indicating that it supported the ECA decisions. The amendments could not be held to support the allegation that South Africa was being victimized: on the one hand, ECA did not wish to accept the participation of South Africa, and on the other hand South Africa had itself decided not to participate in the Commission; both those facts must be taken into account.

57. As to the question of competence, it was the Council's duty to take practical measures to ensure the proper progress of its own work and that of its subsidiary bodies, but it could not impose sanctions; that step could be taken only by the Security Council and the General Assembly. Moreover, supposing that ECA had not brought its charge and South Africa had not made its statement of withdrawal but had continued its policy of *apartheid*, it would hardly have been logical or practical for the Council to intervene in the relations between ECA and South Africa in order to maintain the principles of the United Nations.

58. Furthermore, the use of the words "expulsion" and "deprivation of membership" implied a diminution of the political attributes of a State. South Africa was a Member State of the United Nations and, as such, was entitled to participate in the appropriate regional economic commission; no one could possibly deny that South Africa was an African State. A special kind of suspension of its membership of the Commission would be more constructive, more logical and more in the spirit of the United Nations than expulsion. It was therefore much wiser to assume that South Africa had accidentally violated the United Nations Charter and would ultimately be reintegrated in the community of nations in accordance with what might be called the law of international gravity. It was to be hoped that South Africa would take the amended draft resolution, if adopted, as a warning and would return to the path of normal international co-operation.

59. The wording of the Argentine and United States amendments was consequential upon that of the United Kingdom amendment. In the final analysis, it was wiser to refer to a kind of suspension rather than to exclusion, in order to give the member States of ECA full satisfac-

tion and to enlist wider support, which could not be obtained if the wording was too harsh.

60. Mr. WAKWAYA (Ethiopia) pointed out that thirty-two African States had voluntarily withdrawn from the most recent ILO Conference, having issued a statement that they would not take part in the proceedings of the Conference. That decision had been duly reported to the Council. The sponsors of the amendments should ponder whether the Council was entitled to decide that the non-participation of those African States should continue until it decided that the conditions prevailing at the time of their withdrawal had changed.

61. Mr. CHAKRAVARTY (India) said he had some doubts concerning the meaning of the term "status of non-participation". South Africa's non-participation in ECA was a voluntary act by one government, and it was doubtful whether the Council had the authority to rule that a State which had thus decided not to participate in the Commission's activities could not do so until the Council decided otherwise. The Charter provided for cases of suspension or expulsion, but not of non-participation, and the Council should not adopt a resolution which might give South African delegations to other United Nations bodies a valid reason for questioning its competence.

62. The PRESIDENT said that, in the light of the statements made by the Yugoslav and Senegalese representatives, the Council would vote first on the Ethiopian and Senegalese draft resolutions (E/L.1019 and E/L.1020), and then on resolution II in part IV of the ECA report.

The meeting rose at 6 p.m.