



Seventeenth session  
Agenda item 87

THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

- (a) RACE CONFLICT IN SOUTH AFRICA
- (b) TREATMENT OF PEOPLE OF INDIAN AND INDO-PAKISTAN ORIGIN IN THE  
REPUBLIC OF SOUTH AFRICA

Report of the Special Political Committee

Rapporteur: Mr. Hermod LANNUNG (Denmark)

1. In a letter dated 14 August 1962 (A/5167 and Add.1-6), Afghanistan, Burma, Cambodia, Cameroon, the Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, the Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, the Philippines, Senegal, Sierra Leone, Somalia, Sudan, Syria, Thailand, Tunisia, the United Arab Republic, Upper Volta, Yemen and Yugoslavia requested that the item "The policies of apartheid of the Government of the Republic of South Africa: (a) Race conflict in South Africa; (b) Treatment of people of Indian and Indo-Pakistan origin in the Republic of South Africa" should be included in the agenda of the seventeenth session of the General Assembly. An attached explanatory memorandum stated that, at its sixteenth session, the Assembly had considered for the tenth year in succession the question of race conflict in the Republic of South Africa and had adopted by an overwhelming majority resolution 1663 (XVI). That resolution had brought out even more clearly than before the great concern felt by the United Nations and its determination to see the end to the policy of apartheid and racial discrimination pursued by the Government of the Republic. It had, however, failed to bring about any change in

the policies and action of that Government. Those policies continued with increasing ruthlessness and disregard of world opinion and of successive United Nations resolutions. Recently, the Republic of South Africa had passed a bill entitled "The General Law Amendment Bill" popularly known as the South African Government's "Sabotage Bill", a bill which had further added to existing bitterness and tension between the various racial groups in South Africa. At a time when the African people were emerging into freedom and independent nationhood, the racial conflict in South Africa was a continuing cause of international friction and seriously endangered peace and security. The same considerations were equally valid and applicable to the question of the treatment of people of Indian and Indo-Pakistan origin in the Republic of South Africa. On that subject also the General Assembly, at its sixteenth session, had adopted by an overwhelming majority resolution 1662 (XVI). Despite the fact that the question had been considered by the Assembly since 1946, no agreement could be reached, as the Government of South Africa was unwilling to implement the treaties which it had entered into on that subject. Nor had it shown any willingness to enter into negotiations with the Governments of India and Pakistan on this matter in spite of the repeated Assembly resolutions. In the circumstances, it was the Assembly's responsibility to deal with those questions and take appropriate decisions with a view to securing the observance by the Republic of South Africa of human rights and fundamental freedoms in accordance with the provisions of the Charter.

2. In a letter dated 17 August 1962 (A/5166), the representative of India referred to General Assembly resolution 1662 (XVI) and stated that, in accordance with paragraph 3 thereof, the Government of India had addressed a letter to the Government of the Republic of South Africa expressing readiness to enter into negotiations. Although the South African Government had acknowledged receipt of India's communication, there had, however, been no indication that it was prepared to comply with the United Nations resolution. The Government of India was also not aware if Member States had used their good offices to bring about such negotiations in accordance with paragraph 4 of the same resolution. Therefore, in accordance with paragraph 5 of resolution 1662 (XVI), India was obliged to report to the General Assembly that no progress had been made and that the situation continued to require the Assembly's attention and request that the question be

included in the agenda of the seventeenth session as part (b) of the item entitled "The policies of apartheid of the Government of the Republic of South Africa".

3. In a letter of the same date (A/5173), the representative of Pakistan also stated that, although the Permanent Representative of the Republic of South Africa had acknowledged the receipt of a letter sent by the Pakistan delegation in accordance with paragraph 3 of resolution 1662 (XVI), there had, however, been no indication that South Africa was prepared to comply with the resolution. The Government of Pakistan also was not aware if Member States had used their good offices to bring about such negotiations in accordance with paragraph 4 of the resolution. In accordance with paragraph 5 of resolution 1662 (XVI), the Government of Pakistan was obliged to report that no progress had been made and that the situation continued to require the attention of the Assembly. In order to enable the Assembly to do so, Pakistan was requesting separately the inclusion in the agenda of this item as part (b) of the item entitled "The policies of apartheid of the Government of the Republic of South Africa".

4. At its 148th meeting on 19 September 1962, the General Committee decided to recommend the inclusion of the item. The representative of South Africa objected to inclusion on the ground that it contravened the terms of Article 2, paragraph 7, of the Charter.

5. At its 1129th plenary meeting on 24 September 1962, the General Assembly decided, over the objection of the representative of the South African Republic, who again stated that inclusion contravened the terms of Article 2, paragraph 7, of the Charter, to include the item in its agenda and referred it to the Special Political Committee for consideration and report.

6. The Special Political Committee considered the question at its 327th to 342nd meetings held between 8 October and 2 November 1962.

7. On 26 October, Afghanistan, Algeria, Cameroon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Liberia, Mali, Mauritania, Mongolia, Morocco, Nigeria, Pakistan, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Tunisia and the United Arab Republic submitted a draft resolution (A/SPC/L.83) whereby the General Assembly, after recalling, inter alia, its previous resolutions on the

question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa, and its resolutions on the question of the treatment of peoples of Indian and Indo-Pakistan origin, and noting the reports of the Governments of India and Pakistan on the subject, further recalling that the Security Council in its resolution of 1 April 1960 (S/4300), after recognizing that the situation in South Africa was one that had led to international friction and if continued might endanger international peace and security, had called upon the Government of the Republic of South Africa "to initiate measures aimed at bringing about racial harmony based on equality in order to ensure that the present situation does not continue or recur and to abandon its policies of apartheid and racial discrimination", and regretting that the actions of some Member States indirectly provided encouragement to that Government to perpetuate its policy of racial segregation which had been rejected by the majority of its population, would: (1) deplore the failure of the Government of the Republic to comply with the repeated requests and demands of the General Assembly and of the Security Council and its flouting of world public opinion by refusing to abandon its racial policies; (2) strongly deprecate the continued and total disregard by that Government of its Charter obligations and furthermore its determined aggravation of racial issues by enforcing measures of increasing ruthlessness involving violence and bloodshed; (3) reaffirm that the continuance of those policies seriously endangered international peace and security; (4) request Member States to take the following measures, separately or collectively in conformity with the Charter of the United Nations to bring about the abandonment of those policies:

(a) Breaking off diplomatic relations with the Government of the Republic of South Africa, or refraining from establishing such relations;

(b) Closing the ports of each State to all vessels flying the South African flag;

(c) Enacting legislation prohibiting the ships of each State from entering South African ports;

(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

(e) Refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under laws of the Republic of South Africa; (5) decide to establish a special committee consisting of representatives of Member States nominated by the President of the General Assembly with the following terms of reference:

(a) to keep the racial policies of the Government of the Republic of South Africa under review when the Assembly is not in session, and

(b) to report either to the Assembly or to the Security Council or both as might be appropriate from time to time;

(6) request all Member States:

(a) to do everything in their power to help the special committee to accomplish its task, and

(b) to refrain from any act likely to delay or hinder the implementation of the present resolution;

(7) invite Member States to inform the General Assembly at its next session on actions taken separately or collectively in dissuading the Government of the Republic of South Africa from pursuing its policies of apartheid; and (8) request the Security Council to take appropriate measures, including sanctions, to secure South Africa's compliance with the resolutions of the Assembly and of the Council on this subject and, if necessary, to consider action under Article 6 of the Charter. Niger, Libya and the Central African Republic subsequently joined as co-sponsors of the joint draft resolution (A/SPC/L.83/Add.1-3).

8. At the 340th meeting on 31 October, Guatemala submitted amendments (A/SPC/L.85) to the 34-Power joint draft resolution (A/SPC/L.83 and Add.1-3), according to which

(a) The fifth preambular paragraph would read as follows:

"Recalling further that both the General Assembly and the Security Council have called upon the Government of the Republic of South Africa to initiate measures aimed at bringing about racial harmony based on equality with a view to ending the present situation and to abandon its policies of apartheid and racial discrimination";

(b) The first part of operative paragraph 4 would read:

"Requests Member States to take all measures, separately or collectively in conformity with the Charter of the United Nations which they consider appropriate to bring about the abandonment of those policies, including ...".

Guatemala also proposed the deletion of the phrase "including all arms and ammunition" from sub-paragraph (d) of paragraph 4 and the inclusion of a new operative paragraph between paragraphs 3 and 4 to read as follows:

"Urges Member States to refrain from furnishing the Republic of South Africa with any arms, ammunition and military equipment or supplies whatsoever".

9. In a note (A/SPC/L.84) on the financial implications of the 34-Power joint draft resolution, the Secretary-General stated that he believed that the establishment of the special committee envisaged in that draft would not give rise to the need for any additional provision in the 1963 budget estimates.
10. At the 341st meeting on 1 November, the Committee proceeded to vote on the amendments of Guatemala (A/SPC/L.85) to the 34-Power joint draft resolution (A/SPC/L.83 and Add.1-3).
11. The Guatemalan amendment to the fifth paragraph of the preamble was rejected by 42 votes to 38, with 15 abstentions. The amendment to operative paragraph 4 was rejected by a vote of 56 votes to 10, with 28 abstentions. The Guatemalan proposal to add a new operative paragraph was rejected by 44 votes to 18, with 30 abstentions.
12. The Committee then proceeded to vote on the 34-Power joint draft resolution (A/SPC/L.83 and Add.1-3). Requests by Mexico and the United Kingdom for separate votes on various parts of the draft were opposed by Ghana. By a roll-call vote of 46 to 39, with 11 abstentions, the Committee decided to reject the motions for division. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Cuba, Czechoslovakia, Ethiopia, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, El Salvador, Finland, France, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Burma, Cambodia, Ceylon, Federation of Malaya, Haiti, Iran, Israel, Laos, Nepal, Portugal, Trinidad and Tobago.

The draft resolution (A/SPC/L.83 and Add.1-3) as a whole was adopted by a roll-call vote of 60 to 16, with 21 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chad, China, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Rumania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Dominican Republic, France, Greece, Ireland, Japan, Luxembourg, Netherlands, New Zealand, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bolivia, Brazil, Chile, Colombia, Costa Rica, Denmark, El Salvador, Finland, Guatemala, Honduras, Iceland, Italy, Norway, Panama, Peru, Sweden, Thailand, Trinidad and Tobago, Venezuela.

Recommendation of the Special Political Committee

13. The Special Political Committee, therefore, recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling its previous resolutions on the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa,

Further recalling its resolution 44 (I) of 8 <sup>December</sup> September 1946, resolution 395 (V) of 2 December 1950 and resolution 615 (VII) of 5 December 1952, resolution 1179 (XII) of 26 November 1957, resolution 1302 (XIII) of 10 December 1958, resolution 1416 (XIV) of 10 December 1959, resolution 1579 (XV) of 13 April 1961, and resolution 1662 (XVI) of 28 November 1961, on the question of the treatment of peoples of Indian and Indo-Pakistan origin,

/...

Noting the reports of the Governments of India and Pakistan on that subject,

Recalling that the Security Council in its resolution of 1 April 1960 (S/4300) recognized that the situation in South Africa was one that had led to international friction and if continued might endanger international peace and security,

Recalling further that the Security Council in its aforesaid resolution called upon the Government of the Republic of South Africa "to initiate measures aimed at bringing about racial harmony based on equality in order to ensure that the present situation does not continue or recur and to abandon its policies of apartheid and racial discrimination",

Regretting that the actions of some member States indirectly provide encouragement to the Government of the Republic of South Africa to perpetuate its policy of racial segregation which has been rejected by the majority of its population,

1. Deplores the failure of the Government of the Republic of South Africa to comply with the repeated requests and demands of the General Assembly and of the Security Council and its flouting of world public opinion by refusing to abandon its racial policies;

2. Strongly deprecates the continued and total disregard by the Government of the Republic of South Africa of its Charter obligations and furthermore its determined aggravation of racial issues by enforcing measures of increasing ruthlessness involving violence and bloodshed;

3. Reaffirms that the continuance of those policies seriously endangers international peace and security;

4. Requests Member States to take the following measures, separately or collectively in conformity with the Charter of the United Nations, to bring about the abandonment of those policies,

(a) Breaking off diplomatic relations with the Government of the Republic of South Africa, or refraining from establishing such relations,

(b) Closing the ports of each State to all vessels flying the South African flag,



(c) Enacting legislation prohibiting the ships of each State from entering South African ports,

(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa,

(e) Refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under laws of the Republic of South Africa;

5. Decides to establish a Special Committee consisting of representatives of Member States nominated by the President of the General Assembly with the following terms of reference:

(a) To keep the racial policies of the Government of the Republic of South Africa under review when the United Nations General Assembly is not in session, and

(b) To report either to the General Assembly or to the Security Council or both as may be appropriate from time to time;

6. Requests all Member States:

(a) To do everything in their power to help the Special Committee to accomplish its task, and

(b) To refrain from any act likely to delay or hinder the implementation of the present resolution;

7. Invites Member States to inform the next session of the General Assembly on actions taken separately or collectively, in dissuading the Government of the Republic of South Africa from pursuing its policies of apartheid;

8. Requests the Security Council to take appropriate measures, including sanctions, to secure South Africa's compliance with the resolutions of the General Assembly and of the Security Council on this subject and, if necessary, to consider action under Article 6 of the Charter.