



- Eighth session  
Agenda item 21

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING  
FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE  
UNION OF SOUTH AFRICA: REPORT OF THE COMMISSION  
APPOINTED TO STUDY THE RACIAL SITUATION IN THE UNION OF  
SOUTH AFRICA

Report of the Ad Hoc Political Committee

Rapporteur: Mr. W.D. FORSYTH (Australia)

1. On 5 December 1952, during its seventh session, the General Assembly adopted resolution 616A (VII) establishing a Commission, consisting of three members, to study the racial situation in the Union of South Africa in the light of the purposes and principles of the Charter, with due regard to the provision of Article 2, paragraph 7, as well as the provisions of Article 1, paragraphs 2 and 3, Article 13, paragraph 1b, Article 55 c and Article 56 of the Charter, and the resolutions of the United Nations on racial persecution and discrimination, and to report its conclusions to the General Assembly at its eighth session.
2. On 30 March 1953, the General Assembly decided, at the suggestion of the President, that the Commission should consist of Mr. Dantes Bellegarde, Mr. Henri Langier and Mr. Hernan Santa Cruz.
3. By a letter dated 6 January 1953, the Secretary-General had transmitted the text of the resolution to the Government of the Union of South Africa. By a communication dated 8 July 1953, the Deputy Permanent Representative of the Union of South Africa to the United Nations replied to the Secretary-General that since the Union Government had consistently regarded the question of the Union's

racial policy as a domestic matter, it regarded resolution 616A (VII) as unconstitutional and that they could not therefore recognize the Commission established thereunder.

4. In accordance with resolution 616A (VII), the item was placed on the provisional agenda of the eighth session of the General Assembly.

5. On 17 September 1953, at its 435th meeting, the General Assembly, after considering the recommendation of the General Committee, decided to include the item in the agenda, and referred it to the Ad Hoc Political Committee for consideration and report.

6. On 3 October 1953, the Commission submitted to the eighth session of the General Assembly a report (A/2505 and Add.1) in accordance with resolution 616A (VII).

7. The Ad Hoc Political Committee considered the question at its 31st to 43rd meetings, held between 20 November and 5 December 1953.

8. At the 31st meeting on 20 November, Mr. Hernan Santa Cruz, the Chairman-Rapporteur of the United Nations Commission on the Racial Situation in the Union of South Africa, with the consent of the Committee, was invited to take a seat at the Committee table. In this connexion, the representative of the Union of South Africa had stated that, if the Commission were represented at the discussions of the Committee, the presence of his delegation must not be construed as recognition by the Union Government of the Commission, which it continued to regard as unconstitutional. At that meeting, the Chairman-Rapporteur made a statement introducing the Commission's report; at subsequent meetings he gave certain clarifications of the report and replied to references to it made by various members of the Committee.

9. At the 32nd meeting on 23 November, the Union of South Africa introduced a draft resolution (A/AC.72/L.13) whereby the Ad Hoc Political Committee, (1) noting that the matters to which the item related and which were referred to in documents A/2183 and A/2505, such as the policies and legislation of a Member State in regard to land tenure, conditions of employment in public services, regulation of transport, suppression of Communism, combat service in the armed forces, nationality, the franchise, movement of population, residence, immigration, the

work and practice of the professions, social security, education, public health, criminal law, taxation, housing, regulations of the liquor traffic, regulation of labour and wages, marriage, food subsidies, local government, pensions, workmen's compensation, were among matters which were essentially within the domestic jurisdiction of a Member State; (2) noting, further, that by Article 2, paragraph 7, of the Charter nothing contained in the Charter should authorize the United Nations to intervene in matters which were essentially within the domestic jurisdiction of any State; (3) would decide that the Ad Hoc Political Committee had no competence to intervene in the matters listed above to which the said item related.

10. At the 33rd meeting on 24 November, the representative of India introduced a seventeen-Power joint draft resolution (A/AC.72/L.14) sponsored by Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Syria, Saudi Arabia and Yemen. Under the operative part of that resolution the General Assembly would (1) express appreciation of the work of the Commission; (2) request the Commission (a) to continue its study of the development of the racial situation in the Union of South Africa: (i) with reference to the various implications of that situation on the populations affected; (ii) in relation to the provisions of the Charter and in particular to Article 14; and (b) to suggest measures which would help to alleviate the situation and promote a peaceful settlement; (3) invite the Union Government to extend its full co-operation to the Commission; (4) request the Commission to report to the General Assembly at its ninth session.

11. At the 37th meeting on 1 December 1953, Chile introduced an amendment (A/AC/72/L.15) to the seventeen-Power joint draft resolution (A/AC.72/L.14) which would add, after the preamble and before paragraph 1 of the operative part, a new paragraph reaffirming resolutions 103 (I) of 19 November 1946, 377A (V), section E, of 3 November 1950, and 616B (VII) of 5 December 1952.

12. At the 42nd meeting on 5 December 1953, the representative of Uruguay introduced another amendment, sponsored by Chile and Uruguay, to the seventeen-Power joint draft resolution (A/AC.72/L.14) which would add after paragraph 2 of the operative part a new paragraph deciding that members of the Commission

unable to continue their membership should, if the General Assembly were not sitting, be replaced by the President of the General Assembly in consultation with the Secretary-General. The representative of Uruguay subsequently withdrew the amendment in agreement with the representative of Chile with the explanation that the problem could be dealt with when the General Assembly took up the Committee's report.

13. The Committee proceeded to vote on the draft resolutions and the amendments to the seventeen-Power draft resolution.

14. The representative of Bolivia proposed under rule 128 of the rules of procedure that the draft resolution (A/AC.72/L.13) submitted by the Union of South Africa should be voted on paragraph by paragraph. The motion was rejected by 20 votes to 15, with 16 abstentions.

15. The draft resolution submitted by the Union of South Africa was then rejected by a roll-call vote of 42 to 7, with 7 abstentions. The voting was as follows:

In favour: Australia, Belgium, Colombia, France, Greece, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Against: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republics, United States of America, Uruguay, Yemen, Yugoslavia.

Abstaining: Argentina, Canada, Netherlands, New Zealand, Peru, Turkey, Venezuela.

16. The seventeen-Power draft resolution (A/AC.72/L.14) and the amendment thereto were then voted on, paragraph by paragraph, with the following results:

Preamble

The first paragraph of the preamble was adopted by 41 votes to 7, with 7 abstentions.

The second paragraph was adopted by 38 votes to 9, with 9 abstentions.

Sub-paragraph (a) of the third paragraph was adopted by 40 votes to 8, with 6 abstentions.

Sub-paragraph (b) of the third paragraph was adopted by 33 votes to 8, with 14 abstentions.

The fourth paragraph was adopted by 40 votes to 8, with 7 abstentions.

The fifth paragraph was adopted by 36 votes to 10, with 7 abstentions.

The sixth paragraph was adopted by 37 votes to 10, with 8 abstentions.

The amendment of Chile (A/AC.72/L.15) was adopted by 41 votes to 4, with 7 abstentions.

Operative part

Paragraph 1 of the operative part was adopted by a roll-call vote of 59 to 7, with 10 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Greece, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Canada, Colombia, Denmark, France, Norway, Peru, Sweden, Turkey, United States of America, Venezuela.

Sub-paragraph (a) (1) of paragraph 2 was adopted by a roll-call vote of 37 to 14, with 5 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, China, Colombia, Denmark, France, Greece, Netherlands, New Zealand, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Norway, Peru, Turkey, Venezuela.

The first part of sub-paragraph (a) (ii) of paragraph 2, "In relation to the provisions of the Charter", was adopted by 36 votes to 11, with 5 abstentions.

The second part of sub-paragraph (a) (ii) of paragraph 2, "and in particular to Article 14; and", was adopted by a roll-call vote of 29 to 14, with 13 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Egypt, Ethiopia, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, China, Colombia, Denmark, France, Greece, Israel, Netherlands, New Zealand, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Argentina, Brazil, Costa Rica, Cuba, Ecuador, El Salvador, Honduras, Iceland, Norway, Peru, Turkey, United States of America, Venezuela.

Sub-paragraph (b) of paragraph 2 was adopted by a roll-call vote of 35 to 14, with 7 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Colombia, Denmark, France, Greece, Netherlands, New Zealand, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Argentina, Israel, Norway, Peru, Turkey, United States of America, Venezuela.

Paragraph 3 was adopted by 36 votes to 10, with 7 abstentions.

Paragraph 4 was adopted by 37 votes to 11, with 7 abstentions.

The draft resolution as a whole, as amended, was adopted by a roll-call vote of 37 to 10, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, France, Greece, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Argentina, China, Denmark, Norway, Peru, Sweden, Turkey, United States of America, Venezuela.

1. Reaffirms its resolutions 103 (I) of 19 November 1946, 377A (V), section E, of 3 November 1950 and 616 B (VII) of 5 December 1952, particularly the passages in those resolutions which state respectively that "it is in the higher interests of humanity to put an immediate end to religious and so-called racial persecution and discrimination"; that "enduring peace will not be secured solely by collective security arrangements against breaches of international peace and acts of aggression, but that a genuine and lasting peace depends also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the Security Council, the General Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security, and especially upon respect for and observance of human rights and fundamental freedoms for all and on the establishment and maintenance of conditions of economic and social well-being in all countries"; and that "in a multi-racial society harmony and respect for human rights and freedoms and the peaceful development of a unified community are best assured when patterns of legislation and practice are directed towards ensuring equality before the law of all persons regardless of race, creed or colour, and when economic, social, cultural and political participation of all racial groups is on a basis of equality";

2. Expresses appreciation of the work of the United Nations Commission on the Racial Situation in the Union of South Africa;

3. Requests the Commission

(a) To continue its study of the development of the racial situation in the Union of South Africa:

(i) With reference to the various implications of the situation on the populations affected;

(ii) In relation to the provisions of the Charter and in particular to Article 14; and

(b) To suggest measures which would help to alleviate the situation and promote a peaceful settlement;

4. Invites the Government of the Union of South Africa to extend its full co-operation to the Commission;

5. Requests the Commission to report to the General Assembly at its ninth session.