



Sixth session

Dual Distribution

QUESTION OF SOUTH WEST AFRICA
SECOND ADDENDUM TO THE REPORT OF THE AD HOC
COMMITTEE ON SOUTH WEST AFRICA

1. Following upon the release of its report to the General Assembly (A/1901) and of the addendum to the report (A/1901/Add.1), the Ad Hoc Committee on South West Africa held its seventeenth meeting on 15 November 1951, when it examined three communications which had been received since the adoption of the addendum to the report.
2. The General Assembly having authorized the Committee to examine petitions and any other matters relating to the Territory of South West Africa that may be transmitted to the Secretary-General, it considered the following communications addressed to the Chairman of the Committee:
 - (a) A communication, undated, from the Central Offices of the Religious Society of Friends, London.
 - (b) A communication, dated 9 November 1951, from Kvindernes Internationale Liga For Fred Og Frihed, Copenhagen.
 - (c) A communication, dated 12 November 1951, from the Anti-Slavery Society, London.
3. In the case of each of these three communications the Committee decided:
 - (a) To accept these communications as petitions;
 - (b) In accordance with the procedure of the former Mandates System, to transmit the petitions to the Government of the Union of South Africa for comment; and
 - (c) To include the petitions in the report to the General Assembly (see appendices I, II and III.)

APPENDIX I

Petition to the Ad Hoc Committee on South West Africa
of the United Nations Assembly,
from the Religious Society of Friends in Great Britain

CENTRAL OFFICES OF THE RELIGIOUS SOCIETY OF FRIENDS

Friends House, Euston Road, London, N.W.1.

To the Chairman,
Ad Hoc Committee on South-West Africa,
United Nations Assembly,
36 Rue la Perouse,
Paris.

We are concerned at the wrongfulness of social, economic and legal discrimination against any peoples on grounds of race and colour, and at the evil which must follow such discrimination. We are therefore deeply anxious that the official policy of racial discrimination in South West Africa shall not be maintained and intensified by the present mandatory Power.

We would urge your Committee to continue to do everything in its power to make effective the principle of United Nations supervision over the welfare and true interests of the non-European inhabitants of the territory of South West Africa and to reject any pressure which would attempt to set aside the recent pronouncement on this issue of the International Court of Justice.

On behalf of the Meeting for Sufferings:

(Signed) Lewis W. HEADLEY
Clerk.

APPENDIX II

Kvindernes Internationale Liga
For Fred Og Frihed
Dansk Afdeling
Kobmagergade 694, Kobenhavn K.

KOBENHAVN K, 9 November 1951

To the Chairman,
Ad Hoc Committee on South West Africa,
c/o Secretary-General
Palais de Chaillot, Paris.

The Danish section of the Women's International League for Peace and Freedom, which has followed the South West African question with deep interest and sees that the South African Government has neither accepted the repeated recommendations of the General Assembly nor the advisory opinion of the International Court of Justice, nor the recommendations of the Ad Hoc Committee, urgently asks your Committee to try to persuade the South African Government to settle the question in accordance with human rights.

(Signed) Else ZIEUTHEN
President.

APPENDIX III

THE ANTI-SLAVERY SOCIETY

(in which are incorporated the British and Foreign Anti-Slavery Society
and the Aborigines Protection Society)

Denison House,
296 Vauxhall Bridge Road
London S.W.1.

12 November 1951

To the Chairman,
Ad Hoc Committee on South West Africa,
Palais de Chaillot, Paris.

I have the honour to forward to you from the Anti-Slavery and Aborigines Protection Society of the United Kingdom a petition on South West Africa signed by twenty members of the Executive Committee of the Society including two of the Joint Presidents, namely, the Viscountess Simon, D.B.E., and the Right Honourable Lord Winster, K.C.M.G. The signatures of Mrs Margaret Alexander and of Mr W.V. Blewett are not on the petition, but I attach to it their signed statements of their willingness to sign it.

(Signed) C. W. W. GREENIDGE

PETITION FROM THE ANTI-SLAVERY AND
ABORIGINES PROTECTION SOCIETY

Denison House,
296 Vauxhall Bridge Road,
London S.W.1.

We, the undersigned members of the Anti-Slavery and Aborigines Protection Society of the United Kingdom, address the following petition on South West Africa, in accordance with the rules of procedure of the Permanent Mandates Commission adopted on 31 January 1923, to you and your colleagues on the Ad Hoc Committee on South West Africa of the United Nations, and ask your favourable consideration of it.

2. South West Africa was a German colony. In the First World War (1914-18) it was invaded by troops from the Union of South Africa, was taken from the Germans and was administered by the Union of South Africa under martial law until 1920.

3. The representatives of the Union at the Versailles Peace Conference demanded that South West Africa should be ceded to the Union, but the principle of no annexation by any nation of ex-enemy colonies was affirmed by the peacemakers at the Conference, and the demand by the Union was refused. Instead, all ex-enemy colonies were ceded to the Principal Allied Powers (France, Great Britain, Italy, Japan and the United States of America), and they granted Mandates to member States of the League of Nations to administer the ex-enemy colonies under the supervision of the League of Nations, until the inhabitants of those countries should be able to govern themselves.

4. A Mandate to administer South West Africa was granted by the Principal Allied Powers in 1920 "to His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa", and the Union has ever since done so.

5. The principle of no annexation of ex-enemy colonies, adopted by the peacemakers in 1919, was re-affirmed by the peacemakers after the Second World War, and has been incorporated in the Charter of the United Nations. Chapter XII of the Charter established the International Trusteeship System, in substitution for the Mandates System, and Article 77 thereof provides that "the trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

a. territories now held under mandate,"

among others, and Article 80(2) provides that there shall be no undue delay in negotiating and concluding agreements for placing mandated and other territories under the trusteeship system.

/6. Notwithstanding

6. Notwithstanding the clear intention of the Charter of the United Nations, to which the Union of South Africa is a party, that all mandated territories shall be put under international trusteeship, the Union of South Africa alone of all the Mandatories has refused to put South West Africa under international trusteeship. On the contrary, at the first meeting of the General Assembly of the United Nations in 1946, the Union proposed to annex South West Africa. This proposal was rejected by the United Nations, and by two-thirds majorities they have requested the Union for five successive years to put South West Africa under international trusteeship. The Union of South Africa has, moreover, enacted legislation (the South West Africa Affairs Amendment Act), which has had the effect of making South West Africa a fifth province of the Union, by giving the European population of South West Africa representation in the Union Parliament, and resolutely refuses to furnish the United Nations with information on the administration of South West Africa by the Union.

7. In 1949, the General Assembly of the United Nations decided to seek the advisory opinion of the International Court of Justice on the issue. On 11 July 1950, the Court gave as its opinion that South West Africa is still under the international mandate assumed by the Union of South Africa on 17 December 1920, that the international obligations resulting from the mandate are still incumbent on the Union, including the obligation to submit reports on its administration, and to transmit petitions from the inhabitants, that the United Nations Charter does not impose on the Union a legal obligation to place the territory under trusteeship, and that South Africa is not competent to modify the international status of South West Africa without the consent of the United Nations. The advisory opinion was accepted by the United Nations by 45 votes to 6, with 5 abstentions, and a resolution was passed urging the Union, among other things, to take the necessary steps to give effect to the Opinion of the Court. The Union's past policy has, however, remained unaltered.

8. Administration of South West Africa is being conducted by the Union in flagrant disregard of Article 73 of the Charter of the United Nations, by which Member States, including the Union, administering backward territories, undertook to recognize the principle that the interests of the inhabitants of those territories should be paramount, and to promote the political, economic, social and educational advancement of the inhabitants and their just treatment and protection from abuses. Under the South West Africa Affairs Amendment Act, while the European population of South West Africa, numbering one tenth of the whole, have been given the franchise to elect representatives to the Union Parliament, the African population, numbering the other nine-tenths, have been given no form of elected representation, although they were alleged by the Union Government to have been competent to take part in a referendum on whether South West Africa should be annexed by the Union. Their only form of representation is by a single **European** appointed by the Union Government to the Upper Chamber of the Union Parliament. The Union Government has, moreover, dispossessed large numbers of the African population of their land, and given it to Europeans. This has been done in a country scantily provided with water, and for the most part unsuitable for agriculture. Today, 30,000 Europeans have 58 per cent of the land, and some 300,000 Africans have 42 per cent. Scanty provision is made for the education of Africans, and less for their economic development. It is, therefore, incumbent on the United Nations to see that the provisions of Article 73 are not so flagrantly ignored.

9. The Union of South Africa, having repeatedly refused to heed resolutions of the General Assembly of the United Nations, the matter now seems to merit the attention of the Security Council.

The world's attention has been so rivetted on Korea that the Union's aggression in South West Africa has escaped notice. There are several similarities between the two cases. Both South West Africa and Korea were ex-enemy colonies; both became international territories, and government was established in each by international agreement. The Government of the Union has challenged the right of the United Nations to exercise any supervision over South West Africa, as the Government of North Korea excluded a United Nations Commission from North Korea. The Government of the Union has annexed South West Africa, as the Government of North Korea set out to occupy and annex South Korea.

The difference is that the Government of North Korea was adjudged by the Security Council to be an aggressor, and United Nations forces have taken the necessary active measures to repel their aggression. The aggressive action of the Union, since it was carried out by a trustee in possession, was especially heinous, but did not appropriately impress world opinion because no active military force was needed, whereas the aggression against South Korea took the form of an imposing display of military force. The aggression of the Union has indeed been censured by the United Nations, but no further measures have been taken, while the necessary military measures have been taken to repel the aggression of North Korea.

In either case the United Nations have been defied, and many in the world are looking to the United Nations to take stern appropriate action against the Union of South Africa also. Otherwise it is feared that the continuance of successful defiance will undermine the authority of the United Nations, as happened so tragically to the League of Nations some fifteen years ago.

In the Far East the bitter lessons of past appeasement have been learned, and defiance of international law has been met promptly and without equivocation. But we still await any resistance of this second act of defiance. When Hitler marched into the Rhineland, one of the arguments for non-intervention was that the affair was managed without bloodshed. That argument is now seen to be obtuse. We can forget too easily that a weak attitude in regard to "cold wars", whether waged by communists against democrats or by white men against black men, run end in "hot wars". The "cold war" in Africa has been ignored long enough. Non-intervention by the United Nations can be fatal, not merely to white supremacy but to white survival in Africa. Large numbers of Africans are watching.

10. Assuming that the Union of South Africa may be induced by practical measures to return to a proper sense of their responsibilities, an adjustment of the position may be possible. Inasmuch as the majority of the inhabitants in the southern part of South West Africa, who are Europeans, desire to be nationals of the Union of South Africa, it may be feasible to arrange to partition South West Africa (as Palestine was partitioned), the Union annexing the part south of a line drawn south of Walvis Bay, which would then be recognized by the United Nations as Union territory. The remaining northern part, in which most of the 300,000 Africans live, would then be given up by the Union to the United Nations, to be put under international trusteeship.

/(Signed)

(Signed) Henry J. Tapscott
K. Simon
D.A.J. Buxton
J. Polak (?)
R.G. Pim
M. Carey Morgan
W.A. Menaowitz
Eglantyne Buxton
Edith Jones
Gordon Lethem
Freda White
C. Belfield Clarke
A.P. Harris
Anne L.M. Buxton

Winster
Hastings K. Banda
C.W.W. Greenidge
R.W. Lorensen

THE ANTI-SLAVERY SOCIETY.
49 Denison House,
296 Vauxhall Bridge Road,
London, S. W. 1.

9 October 1951

Dear Sir or Madam,

The Committee of the Anti-Slavery Society has decided to address a petition on South West Africa to the United Nations.

The accompanying petition has been drafted, and they would be grateful to you if you would indicate whether you would sign it. If you would, the original petition would be sent to you for your signature.

The rules of the United Nations provide for transmission to them of petitions by organizations outside territories in respect of which the petition is made.

(Signed) C. W. W. GREENIDGE

To the Secretary of the Anti-Slavery Society.

I am willing to sign the petition on South West Africa addressed by the Society to the United Nations, a copy of which I have read and approve.

(Signed) W. V. BLEWETT

/Could

Could Mr Greenidge sign for me with this authority as I shall be away until Xmas

(Signed) W. V. BLEWETT

To the Secretary of the Anti-Slavery Society.

I am willing to sign the petition on South West Africa addressed by the Society to the United Nations, a copy of which I have read and approve.

(Signed) Margaret ALEXANDER
