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CONTENTS

	Page
Agenda item 76: <i>Question of race conflict in South Africa resulting from the policies of "apartheid" of the Government of the Republic of South Africa (continued)</i>	41

Chairman: Mr. Yordan TCHOBANOV (Bulgaria).

AGENDA ITEM 76

The question of race conflict in South Africa resulting from the policies of "apartheid" of the Government of the Republic of South Africa (A/4804 and Add.1-5) (continued)

1. Mr. PLIMPTON (United States of America) wished to state in the strongest possible terms the United States' abhorrence of, and active opposition to, the policy of "apartheid". All Members of the United Nations knew that the United States had expressed its uncompromising opposition both in the Security Council^{1/} and in the Special Political Committee (243rd meeting) to the South African Government's policy of racial discrimination. It was perhaps not so well known that the United States had put forward its public views in the strongest terms in private diplomatic approaches to the South African Government, and had called officially, though privately, for a change in that policy.

2. The opposition of the United States sprang from the spirit of its Declaration of Independence. The United States firmly believed that all men were created equal in the eyes of God and should be treated as equal in the eyes of the law. Its deeply felt opposition to "apartheid" was based not only on principle but also on concern for the present and future life of millions of human beings now suffering under the harsh application of "apartheid". Deliberate deprivations of human rights had always been and must continue to be the legitimate concern of the United Nations, whether the victims were black South Africans, Hungarian patriots, Tibetan nationalists, East Germans hemmed in behind barbed wire fences and concrete walls, or others who had been systematically deprived of freedom.

3. Mr. HORVATH (Hungary), speaking on a point of order, objected to the references to the history of Hungary in the statement of the United States representative and in the statement made previously (267th meeting) by the representative of South Africa. The question on the Committee's agenda was the future of the South African people and not the past of another people. There was no racial discrimination in Hungary.

^{1/} See Official Records of the Security Council, Fifteenth Year, 855th meeting, para. 12.

4. Mr. PLIMPTON (United States of America) felt that deprivation of human rights was a proper subject for discussion at any place and at any time. The United States also opposed "apartheid" on the grounds that it violated Articles 55 and 56 of the Charter, under which all Members of the United Nations had pledged themselves to promote universal respect for, and observance of, human rights and fundamental freedoms for all. The Government of South Africa had broken that pledge but even had there been no Charter and had South Africa not been a Member of the United Nations, the United States would have condemned the policy of "apartheid". Nevertheless, the provisions of the Charter reinforced his country's disapproval. The United Nations must concern itself with national policies which deliberately flouted the Charter, and the United States did not consider that the inclusion of the "apartheid" item on the agenda constituted intervention in the internal affairs of a Member State within the meaning of Article 2, paragraph 7 of the Charter.

5. A distinguished South African, Chief Albert Luthuli, had just been awarded the Nobel Peace Prize for his peaceful fight against "apartheid" and on behalf of racial justice. His wisdom, moderation and courage should be an example to all. The United States found some encouragement in the presence in the Committee of the South African Foreign Minister. The fact that after so many years South Africa was once more participating in the debates on "apartheid" might be a hopeful sign. The Foreign Minister could not help but realize the depth and unanimity of the world community's opposition to "apartheid", and it was to be hoped that he would report it to his Government, thus perhaps piercing the mental barrier which seemed to separate the Government of South Africa from all other Governments, as far as "apartheid" was concerned. It must surely begin to realize that its course was contrary to the accumulated experience of mankind, and feel some doubt of the rightness and viability of a policy that was universally denounced.

6. The United States Government was not convinced by attempts to justify "apartheid" as benefiting the disenfranchised millions of non-white South Africans, when it was obviously designed to maintain white supremacy. Carried to its logical conclusion, "apartheid" would result in real partition, with the negro and other non-white inhabitants having their own territory and independent government, and the white South Africans gathered in their own independent enclave. That, however, did not appear to be South Africa's intention and it seemed unlikely that the Government would ever grant full independence to the so-called Bantu States. Its intention seemed rather to be to keep the non-white population in a subordinate status in enclaves within its territory, for ever, and exploit them as a source of labour. In the recent elections for a government which would

determine the fate of all 14 million South Africans, only 1.5 million inhabitants of South Africa had been eligible to vote.

7. The United States approached the problem of racial discrimination with a certain humility, for it was well aware of its complexities and difficulties. Nevertheless, the United States Government was dedicated to the high principle that all men were created equal and should be treated equally, and was moving firmly and patiently, with the support of the vast majority of United States citizens, towards the implementation of that high principle in all aspects of national life. South African legislation in the last decade, on the other hand, was clear and irrefutable evidence of the South African Government's failure to carry out its obligations under the Charter and its deliberate flouting of those obligations and its obligations to its own people. The Population Registration Act of 1950 had been the first major step in a series of discriminatory and restrictive legislative acts aimed at perpetuating an inferior status for the non-white population. It had been followed by the Group Areas Act of 1950 and the humiliating pass laws, which had been largely responsible for the deaths at Sharpeville in 1960, the Bantu Education Act of 1953, and the Extension of University Education Act of 1959. Legislation enacted in 1956 and 1959 had further restricted the rights of the non-white population to vote, removing them from the common rolls and denying them a representative voice in determining their future. They were now forced to accept Government legislation and regulations without any opportunity of participating in their formulation. The Bantu Self-Government Act of 1959 had eliminated the last vestige of African representation from the South African Parliament. Taken together, those acts denied the non-white population equal opportunities with the white population, and robbed them of the chance to develop their potentialities and to become useful, constructive members of the society of South Africa and the civilization of the world.

8. The South African Government had fought and won the recent electoral campaign on the issue of the continuation of its policy of "apartheid". Nevertheless, a continuation of the policies and practices of the last ten years might well produce a situation which would rock the entire continent of Africa, for, at the same time that the rights of the non-white population of South Africa had been diminishing, the aspirations of all Africans had rightly been increasing. The wave of freedom that had swept over Africa in the past decade had inevitably made the non-white South Africans aware of all their deprivations. They had shown clearly that they wanted the same freedoms and opportunities as the rest of the peoples of Africa. They also realized that their rights were being, and apparently would continue to be, denied them by the Government of the country in which they lived, in which they had no voice.

9. The United Nations had first considered the question of "apartheid" in 1952, at the seventh session of the General Assembly, when the United Nations Commission on the Racial Situation in the Union of South Africa had been appointed by resolution 616 A (VII) to study the matter. Every year since 1952 the Assembly had noted that "apartheid" was inconsistent with Members' obligations under the Charter and had called on all Member States to bring their racial policies into conformity with the Charter. Although it had been refused admittance by South Africa, the

United Nations Commission on the Racial Situation in the Union of South Africa had prepared three excellent reports on "apartheid", which it had delivered to the eighth, ninth and tenth regular sessions of the General Assembly.^{2/} Its conclusions had been accepted by virtually all Members of the United Nations and certainly by the Government of the United States.

10. In the spring of 1960, the Security Council had taken up the situation in the Union of South Africa, after the violent incidents at Sharpeville and Langa.^{3/} At its 856th meeting, on 1 April 1960, the Security Council had adopted a resolution^{4/} calling upon South Africa to initiate measures aimed at bringing about racial harmony based on equality and recognizing that the situation in South Africa might, if continued, endanger international peace and security. The resolution had also requested the Secretary-General, in consultation with the Government of the Union of South Africa, to make such arrangements as would adequately help in upholding the Purposes and Principles of the Charter. The Council's recommendations had been acknowledged to the extent of a Government invitation to the late Secretary-General to visit South Africa. In his subsequent report,^{5/} the Secretary-General had spoken of his visit as frank, constructive and helpful, but he had not claimed that there had been any progress in moderating the policy of "apartheid". The South African Prime Minister had agreed that the visit had been helpful, but had stated that his talks with the Secretary-General did not imply his Government's recognition of United Nations authority in the matter. Ten months had elapsed since the Secretary-General's visit and, unfortunately, all indications were that the South African Government was continuing and even intensifying its policy of "apartheid". Nor had there been any indication that the South African Government intended to acknowledge the legitimate interest of the United Nations in a situation which not only involved the conscience of mankind but was a clear violation of the Charter.

11. Outside the United Nations, a number of States had tried, some over a period of years, to convince the South African Government of the desirability and, indeed, the necessity, of changing its racial policies. The United States would continue its efforts in that regard. No Government was strong enough to resist indefinitely the conscience of mankind. It was not yet clear when and how the South African Government would abandon its hateful policy, but sooner or later it must. The work of the Special Political Committee should and must play an important and responsible part in ending a bleak and unhappy chapter in the history of the African continent, and in opening up a brighter future for all Africans.

12. Mr. Mohammad RIAD (United Arab Republic) reviewed the history of the item under discussion, that had led in 1960 to the adoption of the Security Council resolution recognizing the situation in South Africa as one which if it continued might endanger international peace and security and in 1961 had led to the

^{2/} Official Records of the General Assembly, Eighth Session, Supplement No. 16; ibid., Ninth Session, Supplement No. 16; ibid., Tenth Session, Supplement No. 14.

^{3/} Official Records of the Security Council, Fifteenth Year, 851st to 856th meetings.

^{4/} Ibid., Supplement for April, May and June 1960, document S/4300.

^{5/} Ibid., Sixteenth Year, Supplement for January, February and March 1961, document S/4635.

adoption of General Assembly resolution 1598 (XV) that once again called upon the Government of South Africa to bring its policies into conformity with its obligations under the Charter. Outside the United Nations, South Africa's racist policies had been condemned by the Conference of African and Asian States, held at Bandung from 18-25 April 1955, the several Conferences of Independent African States held since 1958 and the Conference of Non-Aligned Countries held at Belgrade in 1961. He read a passage from President Nasser's statement at Belgrade concerning the efforts made during the General Assembly's fifteenth session to persuade South Africa to discontinue its racist policies. Even white people within South Africa itself had expressed indignation at those policies and called their Government to abandon them. Yet instead of heeding those appeals the Government was persisting in its policies and even seeking to defend them in the General Assembly. He noted as an indication of the prevailing attitude in that country that according to newspaper reports, a minister of the South African Dutch Reformed Church had been charged with heresy for having opposed racial segregation and having stated that the official policy of racial separation had no Biblical basis. The Church trial was to begin on 24 October 1961, United Nations Day.

13. In addressing the General Assembly the South African Minister of Foreign Affairs had spoken of "great progress" in his country and of "peaceful coexistence" under a general plan for "separate development". The facts of the situation were that under the series of discriminatory laws enacted in South Africa most of the inhabitants of the country were ineligible for election to Parliament, were excluded from all important positions in the civil service, were restricted by the pass system to certain localities and did not enjoy freedom of expression. After relaxing the pass laws, the Government had put them into force again on 31 March 1961 and declared a state of emergency in the main districts. The emergency regulations provided that persons could be arrested without a warrant and held indefinitely, that disclosure of the names of persons arrested, even to their families, was an offence, and that the Commissioner of Police could impose curfews, close any public or private place and order persons to move into or out of any areas he specified. All leaders of liberal opinion had been arrested and from April to July 1961 about 20,000 violators of the pass law had been either imprisoned or forced to work building a prison from which white farmers would be permitted to select Africans convicted of pass offences to work on their farms. In return for the services of such workers the farmers would pay to the Government a sum amounting to less than one-third the cost of ordinary farm labour. The African Members of the United Nations, knowing those facts, had rightly taken offence at the remarks made by the South African Minister of Foreign Affairs at the 1033rd plenary meeting to the effect that as far as political equality, material needs, social services and education were concerned, more was being done for the non-white population in his country than in any other part of Africa. In support of his position the Minister had invoked a legal argument that the United Nations was not competent to discuss the item; that argument had, however, been refuted time and again by the General Assembly and in 1960 by the Security Council. He had also stated in the Special Political Committee (267th meeting) that the position

of the sponsors of the item was immoral. The Committee could decide for itself whether it was immoral to defend the principles of freedom and human rights and to call for concerted action to put an end to the sufferings endured by the majority of South Africa's population.

14. In July 1961 the United Arab Republic had severed diplomatic relations with the Republic of South Africa. Its decision to do so had been based on several considerations, including the following: that South Africa, in defiance of world public opinion, was continuing to pursue a policy depriving the vast majority of its inhabitants of their fundamental human rights; that of participation in both the plebiscite to determine the new form of government and the election of a president had been confined to the white minority the resulting Government did not have the confidence of the population as a whole and could not be considered the legitimate government of the country.

15. In conclusion, he expressed the view that the time had come for the United Nations to take resolute action to induce the Government of South Africa to show its respect for the Purposes and Principles of the United Nations Charter by abandoning its "apartheid" policy, which was a disgrace to humanity.

16. Mr. COMPAH (Mali) said that his delegation was glad to have been a signatory to the letter requesting the inclusion in the agenda of the present item (A/4804 and Add.1-5) and manifest its solidarity with a martyr people and bear witness against the "apartheid" policy of the Pretoria Government. At the previous meeting, the representative of South Africa had mentioned several Articles of the United Nations Charter. He wished to recall that paragraphs 2 and 3 of Article 1 of the Charter spoke of respect for the principle of equal rights and self-determination of peoples, and of respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. It was in the name of those sacred principles that the United Nations had decided to include the question of racial discrimination in South Africa in its agenda.

17. The South African representative had claimed that the United Nations was intervening in the internal affairs of his country, in violation of the Charter, and that it was guilty of discrimination against his country; in support of that statement he had made certain allegations which had been easily refuted by the representatives of the accused countries. As far as intervention was concerned, the representative of the Congo (Leopoldville) had rightly drawn attention (267th meeting) to the subversive activities of white mercenaries from South Africa in Katanga, activities aimed at robbing the Congolese of their mineral wealth. At a time when the United Nations was attempting to restore order in the Congo, South Africa and other Member States were attempting to sabotage its operations, from selfish motives. The Assembly's consideration of the "apartheid" question, on the other hand, was inspired by humanitarian considerations. As for discrimination, it might be pointed out that, at a time when the Committee was dealing with a problem which affected the great majority of the population of South Africa, representatives of the South African minority only were present to speak for South Africa.

18. It was tempting to allow oneself to be overcome by a sense of impotence and to ask whether it was

worthwhile to take up once again a question which long and patient efforts had not succeeded in solving. Whatever the obstacles, however, no difficulty was insoluble if all worked wholeheartedly and unreservedly for its solution. The world had united against Hitler when he had attempted to ensure the supremacy of a so-called master race and had destroyed a large part of another race which he termed inferior. Yet Hitler's armies had been crushed, and it had been shown that there were no inferior or superior races, although some peoples were technologically and scientifically in advance of others. In his delegation's view, the moral worth of each individual alone counted.

19. In Mali, all racial discrimination was punished by law, under article 4 of the Constitution. In South Africa, the notion of racial supremacy was the very basis of the Government's policies. In the middle of the twentieth century, in the age of space travel and of great scientific and technical progress, South Africa had given racial discrimination the status of an official policy, in complete contempt for human dignity and for the purposes of the United Nations. The aims of the Charter were diametrically opposed to those of South Africa, which had nevertheless freely and voluntarily ratified that Charter. Moreover, practically all the Governments of the world and all international organizations had firmly condemned the retrograde policies of the reactionary Government of Pretoria. In the General Assembly, the cynical attitude expressed by the representative of that Government had led the Assembly to pass a motion of censure, which even those who tacitly supported the South African Government had not felt able to oppose.

20. The Government of Mr. Verwoerd, whose party had just won another victory at the polls, had been requested by the International Labour Organisation (ILO), at its last session,^{6/} to withdraw from that organization in view of the fact that its objectives were fundamentally irreconcilable with those of the

^{6/} International Labour Organisation, Records of Proceedings, Forty-fifth Session, resolution I.

ILO. South Africa had also decided to withdraw from the Commonwealth in which it had considerable interests, in order to be able to carry on its policies of the degradation and humiliation of man undisturbed. It was persisting in those policies in spite of the economic boycott measures adopted against it by some States. Finally, it had recently refused^{7/} to admit the Committee on South West Africa appointed by the United Nations, into its territory.

21. He was confident that the continued attempt of South Africa to resist the tide could not go on forever, and that the positive forces to be found in every continent, and even among the white people of South Africa, would succeed in disposing of the problem once and for all.

22. He could not close without paying a brotherly tribute to all those, white and black, who daily risked their lives in order to remove the cancerous tumour which was affecting that region of Africa.

23. It was no longer possible to be content with Platonic resolutions and declarations, and men who believed in justice, liberty and peace could not continue to remain indifferent to the sufferings of their defenceless brothers, who, every day, were being beaten, tortured and despoiled. Those unfortunates could not even move about freely in the land of their ancestors without a pass, under threat of being sent to prison, where many died as a result of ill-treatment. In addition, every year saw another mining disaster resulting from the absence of elementary safety measures. All those suffering men, women and children, innocent and defenceless, were impatiently awaiting the day when their chains would be broken, and the South African Government would do well to remember that human endurance had its limits. The only course that remained was to compel those who would not be convinced.

The meeting rose at 11.55 a.m.

^{7/} Official Records of the Security Council, Fifteenth Session, Supplement for July, August and September 1961, document S/4857.