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STATEMENT BY HIS EXCELLENCY MR. JEAN-LOUIS DELISLE
CANADIAN REPRESENTATIVE ON THE FOURTH COMMITTEE
ON THE QUESTION OF SOUTHWEST AFRICA
NOVEMBER 16, 1962.

Once again, Mr. Chairman, the question of Southwest Africa has come up for consideration of the United Nations General Assembly. This Committee has before it the report of the United Nations Special Committee for Southwest Africa as well as the report of the Committee of Seventeen which carries under Chapter IX a review of the question of Southwest Africa. The first of these two reports, which has been endorsed by the Committee of Seventeen, states among other things that "the situation in the mandated territory has continued to be dominated by the policy of apartheid which has been intensified and made more systematic in recent years". The same report points out that this policy continues to be "buttressed by a system of regulations on the freedom of movement of Africans which is usually referred to as the pass laws". Furthermore, the Africans remain without vote or representation either in the territorial Legislative Assembly or in the South African House of Assembly; this although the African population is nearly six times as large as the European population in the territory.

South Africa's elevation of racial discrimination into a political, social and philosophical system is completely unacceptable to the people of my country. My Government regards the policy of apartheid as being incompatible with the terms of the League of Nations mandate, the United Nations Charter and the Declaration of Human Rights. We also view this policy as prejudicial to the maintenance of peaceful and orderly administration in the territory. We therefore deem it a matter of legitimate concern to the United Nations that the Government of South Africa is continuing to conduct

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the administration of the territory in a manner which violates the basic principles of human dignity and brotherhood.

In this debate we are particularly concerned with the effect of apartheid on the development of Southwest Africa, an international territory in which the United Nations has had a continuing interest since the very beginning of the Organization. Repeated efforts were made to have Southwest Africa placed under the trusteeship system and, although these were unsuccessful, it was established by the International Court of Justice that South Africa has a duty to report to the United Nations on the progress of Southwest Africa. It is also clear from the testimony given to the members of the Southwest Africa Committee that the people of the territory look to the United Nations for help in achieving their goal of self-government.

In his speech before the General Assembly on November 6, 1962, the South African Minister for Foreign Affairs quoted his distinguished Prime Minister as having said that "no longer is the Bantu incapable or undesirous of participation in the control of his destiny". In the same speech, however, the Foreign Minister endeavoured to justify the policy of racial discrimination pursued by his Government by means of a further quotation from his Prime Minister to the effect that this policy is one of "separate development for each racial group within its own area and within its own territory". I submit, Mr. Chairman, that such a concept of "development" is unacceptable in so far as it involves a double standard, one group enjoying freedoms and educational opportunities denied the other, which is submitted to containment, restrictions and repression.

The South African Government has recently set up a commission which is, to quote its terms of reference, "to enquire thoroughly into further promoting the material and moral welfare and the social progress of the inhabitants of Southwest Africa, and more particularly its non-white inhabitants". The commission

is also to "take cognizance of the reasonable wishes and needs" of the non-white inhabitants.

Encouraging as this may be, it is our view that the South African Government is gravely mistaken if it thinks that it can effectively fulfil its responsibilities to the people of Southwest Africa even in these fields within the limitations imposed by the system of apartheid. Far less can the wishes of the inhabitants to learn to govern themselves be met under this system.

We have heard from petitioners and from the reports of the Committee on Southwest Africa a great deal concerning the failure of the South African administration to promote the welfare and social progress of the inhabitants as it is required to do under the League of Nations mandate. This is the subject of the very important case which is now before the International Court of Justice, My Delegation agrees with the distinguished representative of the United Kingdom that this Assembly should not take definitive steps with regard to Southwest Africa until the conclusions of the Court justify such steps. We also share the view that the South African Government should agree to be bound by whatever ruling the Court may make in the case.

At the same time it would be appropriate for some committee of this Assembly to be entrusted with keeping the Southwest Africa question under review while the Assembly is not in session. In this connection we think that serious consideration should be given to the suggestion made by the distinguished representative of Mexico that any procedure proposed for the revocation of the mandate would carry the greatest weight if it were supported by an opinion of the Court.

In the meantime, we should not give up efforts to associate the United Nations with the progress towards self-government of the territory. To this end, I would submit that representatives of the Assembly or of the Secretariat should

renew contacts with the Government of South Africa both to offer the assistance of the United Nations technical agencies in questions of education, health and economic development for the peoples of Southwest Africa and to obtain factual information on which to base our future deliberations on the territory's ultimate status. In reminding South Africa that we consider Southwest Africa is still an international territory with whose future the United Nations is directly concerned, we can at the same time indicate our willingness to co-operate in solving its immediate problems of social and economic development as well as promoting its progress towards self-government.

Mr. Chairman, to sum up the position of my Delegation, it is our conviction that any action recommended by this Committee should be of a realistic workable nature.

We are opposed to the application of sanctions in this situation for reasons which my Delegation has already stated in the discussion of apartheid in the Special Committee. We are also opposed to any attempt to revoke the mandate unilaterally at this time. Rather, we should continue to remind South Africa that it holds the territory under an international mandate and is accountable to the United Nations for its administration of the territory.

Negotiations should still be attempted rather than sanctions or threats of force. Although the experience of past years is discouraging, the Assembly should not bar the door to further efforts to reach agreement with South Africa on the future of Southwest Africa.

We should not lose sight of the significance and ultimate importance of the judgement which the International Court may be expected to render sometime in the next twelve months.

Finally, the United Nations should continue to work for the realization of self-determination for the people of Southwest

Africa, leading to independence if that is their wish. United Nations assistance to Southwest Africa could be most effective in educational and technical fields where United Nations agencies could provide direct aid to the people if the willing co-operation of the South African authorities could be obtained. If the Special Committee of Seventeen should be asked to follow the situation in Southwest Africa on a continuing basis, my Delegation hopes that the Assembly will encourage it to make contact with the South African Government and seek every opportunity to enter into a working relationship with the South African authorities in order to bring home to them the very great concern with which world opinion views the trend of events in Southwest Africa.