

No. 61/6

Apartheid

Statement by Mr. Arthur Smith, Canadian
Representative on the Special Political
Committee, April 5, 1961.

... Canada, as a sister nation of the Commonwealth,
has had a long and close association with South Africa. It is
an association which was cemented by joint effort and sacrifice
of our people in two world wars - such ties ... are not forgotten
or severed by the fact that we are compelled to speak out in
protest against the unnatural policy of apartheid followed in
recent years by the Union Government.

The Canadian Delegation has participated in previous
discussions of this item often enough to make very clear our
position on the question of racial discrimination. We have no
sympathy with policies of this sort, wherever they may be
practised, and consider them contrary to the letter and the
spirit of the Charter, contrary to the spirit of our times.
The Canadian record of opposition to racial discrimination is
clear and consistent. This position was reaffirmed recently by
our Prime Minister during the Commonwealth Prime Ministers'
meeting in London. Mr. Diefenbaker has reported to the Canadian
Parliament on his stand in London, and I quote the following
brief excerpt:

"Speaking for Canada ... I pointed out that we were
opposed to racial discrimination and made it clear that
I could not approve any formula or solution which did not
not maintain beyond any doubt that non-discrimination in
respect of race and colour is an essential principle of
Commonwealth association."

As an illustration of Canadian concern for the rights
and opportunities of indigenous people, the present Government
of Canada has extended the franchise to all people of North
American Indian origin. Canadian Indians now enjoy the rights
and privileges of citizenship to the same degree as all other
Canadians and there is nothing to prevent members of this or any
other race from sitting as members of either House of the Canadian
Parliament. Indeed, in 1958, the first Canadian Indian was
appointed as a member of the Canadian Senate.

As a further protection for the rights of the indigenous
population as well as for all other citizens, the Canadian Parliament
recently enacted a Bill of Rights which, inter alia, reinforces the
common law safeguards against any form of racial or religious
discrimination.

Canada is itself a multi-racial state to some degree;
therefore, although we have had some problems of racial discrimina-
tion to solve in our own country, we can appreciate the difficulties
which have troubled many lands. As the distinguished Delegate
from Afghanistan so usefully reminded us during the debate on the
previous item, racial discrimination and denial of fundamental
rights has not been confined to people of any one nation or
continent, but is a tragically widespread phenomenon. However, we
are convinced that the problems of a multi-racial society, whatever
complications may exist, can never be solved by policies and practices
which are based on the idea of racial superiority of one group of
that society over another.

As Prime Minister Diefenbaker has said, apartheid has become the world's symbol of discrimination. While none of us, I humbly submit, ought to pretend that we are without fault or stain, nevertheless, any acts of discrimination that take place are not the consequence of policy or design. We do not elevate these lapses to the status of government policy or regulate our societies along these lines. It is this technique which is to us so profoundly abhorrent. We remember and deplore the tragic situation which last year gave rise to violence and loss of life at Sharpeville and Langa. What has happened is that the Government of the Union of South Africa, for a variety of motives, has been trying for the last 12 years to apply an unworkable philosophy embodied in a policy - with results that are positively unjust and harmful to large segments of the South African population and which, in our estimation, can only lead to catastrophe.

In considering the resolution co-sponsored by 25 African nations which is before us, the General Assembly cannot ignore Article 2(7) of the Charter which says: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state." The Canadian view has always been that this article does not prevent discussion of domestic subjects or prevent the Assembly from expressing opinions, but that it does not permit the Assembly to call for specific action (other, in this case, than appeals to the South African Government for action).

A resolution calling for sanctions would be harmful because it might force South Africa out of the United Nations and thus cut the only channel of communication now left between South Africa and the international community. It is difficult to see how anything can be accomplished by driving the Union into complete isolation; the Union is already too isolated from the changing ideas and conditions in the modern world. Moreover, if every country in the world refused to trade with every other nation whose domestic policies were repugnant to it, the international economic scheme would be very distorted indeed. Indeed, it would do a disservice to peaceful international relations by limiting the opportunities for the healthy interchange of goods, ideas and people which is the best hope for breaking down barriers of ignorance and prejudice.

Perhaps the most important argument against a resolution on sanctions is that it would run counter to the Charter principle that sanctions are intended solely for the purpose of preventing or stopping international hostilities. It would be a dangerous step to accept without the most serious consideration that the Assembly has the competence to call for sanctions in this situation. The distinguished Delegate of Ireland made a very important point the other day when he said that punitive actions need to be scrutinized carefully and in detail before being undertaken, and this would be impossible at this session.

No one in the Assembly would deny that the South African problem is extremely difficult and complex and that it could not reasonably be hoped that a policy developed and intensified over a number of years could be eliminated overnight. Surely what the Assembly is trying to do is to impress on the Union Government that world opinion desires that the direction of their policy be reversed.

My Delegation thinks that it is opportune now, with the collaboration of many new member states from Africa, to take a very honest look at what our aim is, in any resolution which may come before this Committee. It is our view that the important consideration is not whether any action by this Committee or by the Assembly

would relieve the feelings of member states, but rather what practical effect it might have in South Africa itself. We think that the resolution co-sponsored by India, Malaya and Ceylon meets the need of the moment, and we intend to support it with the express reservation that operative Paragraph 3 does not, in our opinion, condone the use of force (or punitive measures) by member states. This resolution does not contain the objectionable features of the 25-Power resolution. It does make abundantly clear, however, the Assembly's abhorrence of and concern over South Africa's racial policies, and yet it does so in sufficiently moderate terms to be capable of attracting a broad measure of support and thus bring home to the Union how widespread is the international feeling on this question.

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