

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1953 No. 28

Overgelegd aan de Staten-Generaal door de Minister
van Buitenlandse Zaken

A. TITEL

*Handvest der Verenigde Naties; San Francisco, 26 Juni 1945
(Resoluties Zuidafrikaanse rassenkwestie)*

B. TEKST

De Engelse tekst van het Handvest is bekendgemaakt bij Koninklijk besluit van 21 December 1945 (*Stb.* No. F 321).

C. VERTALING

D. GOEDKEURING

E. BEKRACHTIGING

F. TOETREDING

G. INWERKINGTREDING

Zie *Trbl.* 1951 No. 44.

J. GEGEVENS

Zie laatstelijk *Trbl.* 1953 No. 27.

De zevende Algemene Vergadering van de Verenigde Naties heeft in haar 401ste bijeenkomst op 5 December 1952 met 41 stemmen vóór, 1 tegen en 15 onthoudingen (waaronder Nederland) een reso-

lutie aangenomen inzake de **behandeling van Indiërs in de Unie van Zuid-Afrika**. Zie Trbl. 1952 No. 43 (blz. 1) voor de resolutie van de Algemene Vergadering d.d. 12 Januari 1952 over dit onderwerp, naar welke resolutie in de onderhavige resolutie wordt verwezen. De Engelse tekst van de onderhavige resolutie luidt als volgt:

The General Assembly,

Recalling its resolutions 44 (I), 265 (III), 395 (V) and 511 (VI) relating to the treatment of people of Indian origin in the Union of South Africa,

Noting that the Government of the Union of South Africa has expressed its inability to accept General Assembly resolution 511 (VI) in respect of the resumption of negotiations with the Governments of India and Pakistan,

Noting further that the Government of the Union of South Africa has continued to enforce the Group Areas Act in contravention of the terms of General Assembly resolutions 511 (VI) and 395 (V),

1. *Establishes* a United Nations Good Offices Commission consisting of three members to be nominated by the President of the General Assembly, with a view to arranging and assisting in negotiations between the Government of the Union of South Africa and the Governments of India and Pakistan in order that a satisfactory solution of the question in accordance with the Purposes and Principles of the Charter and the Universal Declaration of Human Rights may be achieved;

2. *Requests* the Good Offices Commission to report to the General Assembly at its eighth session;

3. *Requests* the Secretary-General to provide the members of the Commission with the necessary staff and facilities;

4. *Calls upon* the Government of the Union of South Africa to suspend the implementation or enforcement of the provisions of the Group Areas Act, pending the conclusion of the negotiations referred to in paragraph 1 above;

5. *Decides* to include the item in the provisional agenda of the eighth session of the General Assembly.

Note: The President of the General Assembly, at the 411th plenary meeting on 21 December 1952, announced that he had appointed the following Members to serve on the United Nations Good Offices Commission: Cuba, Syria and Yugoslavia.

De zevende Algemene Vergadering van de Verenigde Naties heeft in haar 401ste bijeenkomst op 5 December 1952 twee resoluties aangenomen nopens het **rasenconflict in Zuid-Afrika** voortkomend uit de apartheid-politiek van de Regering van de Unie van Zuid-Afrika.

De eerste resolutie is aangenomen met 35 stemmen vóór, 1 tegen en 23 onthoudingen (waaronder Nederland); de tweede resolutie is aangenomen met 24 stemmen vóór (waaronder Nederland), 1 tegen en 34 onthoudingen. De Engelse tekst van deze resoluties luidt als volgt:

A

The General Assembly,

*Having taken note of the communication (A/2183) dated 12 September 1952, addressed to the Secretary-General of the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa,*

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that the General Assembly declared in its resolution 103 (I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution, and called upon all governments to conform both to the letter and to the spirit of the Charter and to take the most prompt and energetic steps to that end,

*Considering that the General Assembly has held, in its resolutions 395 (V) of 2 December 1950 and 511 (VI) of 12 January 1952, that a policy of "racial segregation" (*apartheid*) is necessarily based on doctrines of racial discrimination,*

1. *Establishes* 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 1 b, 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. *Invites* the Government of the Union of South Africa to extend its full co-operation to the Commission;

3. *Requests* the Secretary-General to provide the Commission with the necessary staff and facilities;

4. *Decides* to retain the question on the provisional agenda of the eighth session of the General Assembly.

Note: At its 411th meeting on 21 December 1952, the General Assembly decided, on the proposal of the President, that the Commission established under paragraph 1 of the above resolution, should be composed of the following persons: Mr. Ralph Bunche, Mr. Hernan Santa Cruz and Mr. Jaime Torres Bodet.

B

The General Assembly,

Having taken note of the communication (A/2183) dated 12 September 1952, addressed to the Secretary-General of the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa,

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that the General Assembly declared in its resolution 103 (I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution, and called upon all governments to conform both to the letter and to the spirit of the Charter and to take the most prompt and energetic steps to that end,

1. *Declares* 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. *Affirms* that governmental policies of Member States which are not directed towards these goals, but which are designed to perpetuate or increase discrimination, are inconsistent with the pledges of the Members under Article 56 of the Charter;

3. *Solemnly calls upon* all Member States to bring their policies into conformity with their obligation under the Charter to promote the observance of human rights and fundamental freedoms.

Uitgegeven de zes en twintigste Maart 1953.

De Minister van Buitenlandse Zaken,
J. W. BEYEN.