

Considering that, in accordance with Chapter XII of the Charter of the United Nations, all Mandated Territories which have not achieved independence have been brought under the International Trusteeship System with the sole exception of the Territory of South West Africa,

1. *Reiterates* its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948, 337 (IV) of 6 December 1949, 449 B (V) of 13 December 1950, 570 B (VI) of 19 January 1952, 749 B (VIII) of 28 November 1953, 852 (IX) of 23 November 1954, 940 (X) of 3 December 1955 and 1055 (XI) of 26 February 1957, to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. *Asserts* that, in the present conditions of political and economic development of South West Africa, the normal way of modifying the international status of the Territory is to place it under the International Trusteeship System by means of a trusteeship agreement in accordance with the provisions of Chapter XII of the Charter of the United Nations.

709th plenary meeting,  
25 October 1957.

**1142 (XII). Legal action to ensure the fulfilment of the obligations assumed by the Union of South Africa in respect of the Territory of South West Africa**

**A**

*The General Assembly,*

*Recalling* its resolution 449 A (V) of 13 December 1950, by which the General Assembly accepted the opinion of 11 July 1950 of the International Court of Justice<sup>1</sup> to the effect that:

(a) South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920,

(b) The Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa, the supervisory functions to be exercised by the United Nations,

(c) The reference to the Permanent Court of International Justice is to be replaced by a reference to the International Court of Justice in accordance with article 7 of the Mandate and Article 37 of the Statute of the International Court of Justice,

*Recalling also* its resolution 1060 (XI) of 26 February 1957, by which it requested the Committee on South West Africa to study what legal action was open to ensure that the Union of South Africa fulfilled the obligations assumed by it under the Mandate for South West Africa,

*Having received* the Committee's special report<sup>12</sup> on the study referred to in the previous paragraph,

1. *Commends* the Committee on South West Africa for its useful report;

2. *Notes with deep concern* that:

(a) The Union of South Africa contends that, the Mandate having "lapsed", it has no obligations of which the United Nations has cognizance;

<sup>12</sup> *Official Records of the General Assembly, Twelfth Session, Supplement No. 12A (A/3625).*

(b) The Union of South Africa has not rendered annual reports to the United Nations in accordance with Article 22 of the Covenant of the League of Nations, article 6 of the Mandate, and General Assembly resolution 449 A (V) of 13 December 1950;

3. *Draws the attention* of Member States to the failure of the Union of South Africa to render annual reports to the United Nations, and to the legal action provided for in article 7 of the Mandate read with Article 37 of the Statute of the International Court of Justice;

4. *Decides* to resume, at its thirteenth session, consideration of the special report of the Committee on South West Africa.

709th plenary meeting,  
25 October 1957.

**B**

*The General Assembly,*

*Noting with concern* the observation in the report of the Committee on South West Africa, that existing conditions in the Territory of South West Africa and the trend of the administration represent a situation contrary to the Mandates System, the Charter of the United Nations, the Universal Declaration of Human Rights, the advisory opinions of the International Court of Justice and the resolutions of the General Assembly,<sup>13</sup>

*Noting also* that, in its special report, the Committee on South West Africa has stated that questions may be put to the International Court of Justice for its advisory opinion as to whether specific acts of the Mandatory State are in conformity with the obligations assumed by it,<sup>14</sup>

*Requests* the Committee on South West Africa to consider further the question of securing from the International Court of Justice advisory opinions in regard to the administration of the Territory of South West Africa, and to make recommendations in its next report concerning acts of the administration on which a reference to the Court may usefully be made as to their compatibility or otherwise with Article 22 of the Covenant of the League of Nations, the Mandate for South West Africa and the Charter of the United Nations.

709th plenary meeting,  
25 October 1957.

**1143 (XII). Establishment of a Good Offices Committee on South West Africa**

*The General Assembly,*

*Recalling* its previous endeavors to find a settlement with the Union of South Africa regarding the status of South West Africa, particularly under the provisions of resolution 449 A (V) of 13 December 1950 establishing an *ad hoc* committee for the purpose, resolution 570 A (VI) of 19 January 1952 re-establishing the *ad hoc* committee, resolution 749 A (VIII) of 28 November 1953 establishing the Committee on South West Africa, and resolution 1059 (XI) of 26 February 1957 requesting the intervention of the Secretary-General to secure, through negotiation with the Union of South Africa, an agreement concerning the Territory of South West Africa based on the international status

<sup>13</sup> *Ibid.*, Supplement No. 12 (A/3626), para. 161.

<sup>14</sup> *Ibid.*, Supplement No. 12A (A/3625), para. 18.

accorded to it by Mandate of the League of Nations dated 17 December 1920,

*Considering* that the Charter of the United Nations makes it incumbent on each Member State to pursue every available means of negotiation and conciliation for the settlement of international problems on the basis of respect for the purposes and principles of the Charter,

*Being confident* that the Union of South Africa will wish, in the light of its obligations under the Charter, to co-operate in a further endeavour to arrive at a settlement of the question of South West Africa,

1. *Decides* to establish a Good Offices Committee on South West Africa, consisting of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and a third member to be nominated by the President of the twelfth session of the General Assembly, to discuss with the Government of the Union of South Africa a basis for an agreement which would continue to accord to the Territory of South West Africa an international status;

2. *Requests* the Committee to submit to the General Assembly, at its thirteenth session, a report on its activities for examination and decision by the Assembly in accordance with the Charter of the United Nations;

3. *Requests* the Secretary-General to provide the Committee with all necessary staff and facilities.

709th plenary meeting,  
25 October 1957.

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*At the 714th plenary meeting on 1 November 1957, the President of the General Assembly appointed Brazil as the third member of the Good Offices Committee on South West Africa. The Committee is therefore composed as follows: BRAZIL, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and UNITED STATES OF AMERICA.*

### 1152 (XII). Economic conditions in Non-Self-Governing Territories

*The General Assembly,*

*Considering* that, by resolution 564 (VI) of 18 January 1952, it approved the special report drawn up in 1951<sup>15</sup> as a brief but considered indication of economic conditions in Non-Self-Governing Territories and the problems of economic development,

*Considering* that, by resolution 846 (IX) of 22 November 1954, it approved a further special report on economic conditions<sup>16</sup> as a supplement to the 1951 report,

*Noting* the 1957 report on economic conditions in Non-Self-Governing Territories,<sup>17</sup> prepared by the Committee on Information from Non-Self-Governing Territories,

1. *Approves* the 1957 report on economic conditions in Non-Self-Governing Territories and considers that it should be studied in conjunction with the reports approved in 1951 and 1954;

2. *Invites* the Secretary-General to communicate the 1957 report on economic conditions in Non-Self-Gov-

<sup>15</sup> *Ibid.*, Sixth Session, Supplement No. 14 (A/1836), part three.

<sup>16</sup> *Ibid.*, Ninth Session, Supplement No. 18 (A/2729), part two.

<sup>17</sup> *Ibid.*, Twelfth Session, Supplement No. 15 (A/3647 and Corr.1), part two.

erning Territories to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned for their consideration.

722nd plenary meeting,  
26 November 1957.

### 1153 (XII). Economic development of Non-Self-Governing Territories

*The General Assembly,*

*Having examined* the 1957 report on economic conditions in Non-Self-Governing Territories,<sup>17</sup> prepared by the Committee on Information from Non-Self-Governing Territories.

*Having noted* that the Treaty establishing the European Economic Community provides for the association with the Community of certain Non-Self-Governing Territories,<sup>18</sup>

*Believing* that this association may have important effects on the economic development of these Territories,

1. *Invites* the Administering Members concerned to transmit to the Secretary-General, in conformity with Article 73 e of the Charter of the United Nations, information on the association of the Non-Self-Governing Territories under their administration with the European Economic Community;

2. *Requests* the Secretary-General to prepare for the thirteenth session of the General Assembly a report on the developments connected with the association of Non-Self-Governing Territories with the European Economic Community, taking into account the studies that may be undertaken in this connexion by the Economic and Social Council, the Economic Commission for Europe, the Economic Commission for Asia and the Far East, the Economic Commission for Latin America and other international organs, in so far as these studies may be relevant to the economic development of Non-Self-Governing Territories;

3. *Decides* to resume consideration of this question at its thirteenth session.

722nd plenary meeting,  
26 November 1957.

### 1154 (XII). Scholarships for students from Non-Self-Governing Territories under General Assembly resolution 845 (IX)

*The General Assembly,*

*Having taken note* of the report presented by the Secretary-General to the General Assembly at its twelfth session<sup>19</sup> in compliance with resolution 931 (X) of 8 November 1955,

*Noting with satisfaction* the further response to resolution 845 (IX) of 22 November 1954, inviting Member States to extend offers of facilities for study and training to inhabitants of Non-Self-Governing Territories,

*Taking into account* the interest in the offers indicated by the steadily increasing number of applications,

<sup>18</sup> A/C.4/360.

<sup>19</sup> *Official Records of the General Assembly, Twelfth Session, Annexes, agenda item 35, documents A/3618 and Add.1.*