

Keeping in mind the principles and purposes contained in its resolution 1514 (XV) of 14 December 1960 entitled "Declaration on the granting of independence to colonial countries and peoples",

Considering that by resolution 1654 (XVI) of 27 November 1961 the General Assembly established a Special Committee of seventeen members on the application of the Declaration on the granting of independence to colonial countries and peoples,

Considering further that in paragraph 8 of that resolution the General Assembly requested the Committee on Information from Non-Self-Governing Territories to assist the Special Committee in its work,

1. *Decides* to continue the Committee on Information from Non-Self-Governing Territories on the same basis as hitherto until such time as the General Assembly has decided that the principles embodied in Chapter XI of the Charter of the United Nations and in the Declaration on the granting of independence to colonial countries and peoples have been fully implemented;

2. *Decides further* that the Committee on Information from Non-Self-Governing Territories shall examine the political and constitutional information transmitted by the Administering Members as well as information relating to functional fields, and submit its reports to the General Assembly with its observations and conclusions thereon;

3. *Instructs* the Committee on Information from Non-Self-Governing Territories to undertake intensive studies of political, educational, economic and social conditions and problems of Territories located in the same area or region, except where circumstances require individual consideration;

4. *Recalls* its resolution 1542 (XV) of 15 December 1960 and instructs the Committee on Information from Non-Self-Governing Territories to invite the co-operation of the Special Committee of seven members established by General Assembly resolution 1699 (XVI) of 19 December 1961;

5. *Requests* the Committee on Information from Non-Self-Governing Territories to transmit to the Special Committee on the application of the Declaration on the granting of independence to colonial countries and peoples the reports referred to in paragraph 2 above, and to provide it with pertinent material available to the Committee on Information including such studies prepared for its consideration as may be required for the discharge of the Special Committee's functions.

1083rd plenary meeting,
19 December 1961.

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At its 1253rd meeting, on 18 December 1961, the Fourth Committee, acting on behalf of the General Assembly, elected four members to the Committee on Information from Non-Self-Governing Territories for a period of three years to fill the vacancies created by the expiration of the terms of office of the Dominican Republic, Ghana, India and Iraq.¹⁶ At its 1083rd plenary meeting, on 19 December 1961, the Assembly confirmed this election.

The following States were elected: ECUADOR, PAKISTAN, PHILIPPINES and UPPER VOLTA.

¹⁶ *Ibid.*, Sixteenth Session, Annexes, agenda item 46, document A/5048, para. 2.

1701 (XVI). Report of the Trusteeship Council

The General Assembly,

Having received the report of the Trusteeship Council covering the period from 1 July 1960 to 19 July 1961,¹⁷

1. *Takes note* of the report of the Trusteeship Council;

2. *Recommends* that the Administering Authorities take account of the recommendations and observations contained in the report;

3. *Recommends* that the Trusteeship Council should consider at its twenty-eighth session the comments and suggestions which were made, during the discussion of the report at the sixteenth session of the General Assembly, regarding the remaining Territories under trusteeship, as well as the Council's methods of work and procedure, in order to bring them into accordance with the requirements of the new situation in the field of the International Trusteeship System.

1083rd plenary meeting,
19 December 1961.

1702 (XVI). Question of South West Africa

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960 entitled "Declaration on the granting of independence to colonial countries and peoples", and its resolution 1654 (XVI) of 27 November 1961 establishing a Special Committee of seventeen members on the application of the Declaration,

Recalling its resolutions 1568 (XV) of 18 December 1960 and 1596 (XV) of 7 April 1961,

Noting with approval the special report of the Committee on South West Africa,¹⁸

Bearing in mind the findings, conclusions and recommendations of the special report of the Committee on South West Africa on the measures to be taken to ensure the institution of the rule of law and such democratic processes, reforms and programmes of assistance as will enable the Mandated Territory of South West Africa to assume the full responsibilities of sovereignty and independence within the shortest possible time,

Noting with deep regret that the Government of the Republic of South Africa has prevented the Committee on South West Africa, with threats, from entering the Territory,

Noting with increased disquiet the progressive deterioration of the situation in South West Africa as a result of the ruthless intensification of the policy of apartheid, the deep emotional resentments of all African peoples, accompanied by the rapid expansion of South Africa's military forces, and the fact that Europeans, both soldiers and civilians, are being armed and militarily reinforced for the purpose of oppressing the indigenous people, all of which create an increasingly explosive situation which, if allowed to continue, will endanger international peace and security,

Considering that the Government of South Africa has persistently failed in its international obligations

¹⁷ *Ibid.*, Sixteenth Session, Supplement No. 4 (A/4818).

¹⁸ *Ibid.*, Supplement No. 12A (A/4926).

in administering the Territory of South West Africa on behalf of the international community,

Reaffirming that it is the right and duty of the United Nations to discharge fully its obligations towards the international Territory of South West Africa,

Convinced that the implementation of resolution 1514 (XV) and the discharge of the responsibility of the United Nations under the Charter towards the international community and the people of South West Africa require the taking of immediate steps by the United Nations,

1. *Solemnly proclaims* the inalienable right of the people of South West Africa to independence and national sovereignty;

2. *Decides* to establish a United Nations Special Committee for South West Africa, consisting of representatives of seven Member States nominated by the President of the General Assembly, whose task will be to achieve, in consultation with the Mandatory Power, the following objectives:

(a) A visit to the Territory of South West Africa before 1 May 1962;

(b) The evacuation from the Territory of all military forces of the Republic of South Africa;

(c) The release of all political prisoners without distinction as to party or race;

(d) The repeal of all laws or regulations confining the indigenous inhabitants in reserves and denying them all freedom of movement, expression and association, and of all other laws and regulations which establish and maintain the intolerable system of *apartheid*;

(e) Preparations for general elections to the Legislative Assembly, based on universal adult suffrage, to be held as soon as possible under the supervision and control of the United Nations;

(f) Advice and assistance to the Government resulting from the general elections, with a view to preparing the Territory for full independence;

(g) Co-ordination of the economic and social assistance with which the specialized agencies will provide the people in order to promote their moral and material welfare;

(h) The return to the Territory of indigenous inhabitants without risk of imprisonment, detention or punishment of any kind because of their political activities in or outside the Territory;

3. *Requests* the Special Committee to discharge the tasks which were assigned to the Committee on South West Africa by the General Assembly in sub-paragraphs (a), (b) and (c) of paragraph 12 of its resolution 749 A (VIII) of 28 November 1953;

4. *Urges* the Government of South Africa to co-operate fully with the Special Committee and with the United Nations in the execution of the provisions of the present resolution;

5. *Decides* to call the attention of the Security Council to the present resolution, in the light of paragraph 7 of resolution 1596 (XV) in which the General Assembly drew the attention of the Council to the situation in respect of South West Africa, which, if allowed to continue, would in the Assembly's view endanger international peace and security;

6. *Requests* all Member States:

(a) To do everything in their power to help the Special Committee to accomplish its task;

(b) To refrain, should the occasion arise, from any act likely to delay or prevent the application of the present resolution;

7. *Requests* the Special Committee to keep the Security Council, the Secretary-General and the Special Committee on the application of the Declaration on the granting of independence to colonial countries and peoples informed of its activities and of any difficulties which it may encounter;

8. *Requests* the Special Committee to study any measures likely to facilitate the execution of the other recommendations of the Committee on South West Africa, and to report to the General Assembly at its seventeenth session;

9. *Decides* to maintain the question of South West Africa on its agenda as a question demanding urgent and constant attention;

10. *Invites* the Secretary-General to facilitate the application of the present resolution.

1083rd plenary meeting,
19 December 1961.

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The President of the General Assembly, in pursuance of the above resolution, appointed the members of the Special Committee established under the terms of paragraph 2 of that resolution.

The Special Committee is composed as follows: BRAZIL, BURMA, MEXICO, NORWAY, PHILIPPINES, SOMALILAND and TOGO.

1703 (XVI). Petitions relating to the Territory of South West Africa

The General Assembly,

Having accepted the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa,¹⁹

Having authorized the Committee on South West Africa, by resolution 749 A (VIII) of 28 November 1953, to examine petitions in accordance with the Mandates procedure of the League of Nations,

Having received a report from the Committee dealing with petitions relating, *inter alia*, to the status of South West Africa and conditions in the Territory, the situation in the Windhoek Location, conditions in the Ovamboland Native Reserve, conditions in the Warmbad Native Reserve, and conditions in the Hoachanas Native Reserve,²⁰

Noting with disappointment that its recommendations to the South African Government in resolutions 1564 (XV), 1567 (XV) and 1568 (XV), paragraph 3, of 18 December 1960, relating to political freedom in South West Africa, to the Windhoek Location, and generally to the question of South West Africa, have never been implemented,

Noting with the gravest concern, as evidenced in the petitions, the unswerving determination of the Mandatory Power to intensify the application of its *apartheid* policy and of other policies contrary to the principles and purposes of the Mandate, and that any attempts to protest or resist those policies have been met only

¹⁹ *International status of South-West Africa, Advisory Opinion: I.C.J. Reports 1950*, p. 128.

²⁰ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 12 (A/4957)*, part I, section III.