

Having requested that Committee to "examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, such information and documentation as may be available in respect of the Territory of South West Africa" and to "transmit to the General Assembly a report concerning conditions in the Territory taking into account, as far as possible, the scope of the reports of the Permanent Mandates Commission of the League of Nations",

Having considered the report¹¹ of the Committee on South West Africa,

1. *Expresses its appreciation* of the work of the Committee;

2. *Notes* the report and observations regarding conditions in the Territory of South West Africa, contained in annex V of the report of the Committee;

3. *Notes with concern* that, in the opinion of the Committee, the administration of South West Africa is in several aspects not in conformity with the obligations of the Government of the Union of South Africa under the Mandate;

4. *Notes with satisfaction* that the representative of the Union of South Africa participated in the substantive discussion in the Fourth Committee of the report on conditions in the Territory of South West Africa;

5. *Invites therefore* the Government of the Union of South Africa to co-operate with the Committee on South West Africa and, in particular, to submit to the Committee reports on its administration of the Territory of South West Africa and to assist the Committee on South West Africa in the examination of such reports or such information and documentation as may be available to that Committee;

6. *Requests* the Committee on South West Africa to analyse and summarize the substantive discussion of the South West African question in the Fourth Committee of the General Assembly and to transmit this analysis and summary to the Government of the Union of South Africa for its information;

7. *Requests further* the Committee on South West Africa to examine the extent to which and the manner in which the specialized agencies and extra-budgetary organs of the United Nations might contribute to the social, economic and educational advancement of the inhabitants of the Territory.

501st plenary meeting,
23 November 1954.

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At its 512th plenary meeting on 14 December 1954, the General Assembly, on the recommendation of the Fourth Committee to the President, approved the nomination of THAILAND and the UNITED STATES OF AMERICA to fill the vacancies occurring in the Committee on South West Africa.

852 (IX). Status of the Territory of South West Africa

The General Assembly,

Having recommended, by its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227

¹¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 14*, and documents A/2666/Corr.1 and A/2666/Add.1.

(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 and 749 B (VIII) of 28 November 1953, that the Mandated Territory of South West Africa be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for South West Africa,

Having accepted, by its resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice concerning South West Africa, *inter alia*, to the effect that:

(a) While "the provisions of Chapter XII of the Charter do not impose on the Union of South West Africa a legal obligation to place the Territory under the Trusteeship System", they "are applicable to the Territory of South West Africa in the sense that they provide a means by which the Territory may be brought under the Trusteeship System",

(b) "... the Union of South Africa acting alone has not the competence to modify the international status of the Territory of South West Africa", and "... the competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations",

Considering that, in accordance with Chapter XII of the Charter, all Mandated Territories which have not achieved independence have been brought under the 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 and 749 B (VIII) of 28 November 1953, to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. *Reasserts* that the normal way of modifying the international status of the Territory would be to place it under the Trusteeship System by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter.

501st plenary meeting,
23 November 1954.

853 (IX). Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council

The General Assembly,

Recalling its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952 in so far as they concern the participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council,

Concerned to ensure that the political, economic, social and educational advancement of the inhabitants of the Trust Territories and their progressive development towards self-government or independence shall be attained in accordance with the freely expressed wishes of the peoples concerned,

Considering that it is essential to employ to their fullest extent the means which are already enumerated in the Charter to ensure that, as free public opinion

evolves in each Trust Territory, it will be brought effectively to bear on the examination by the Council of conditions in that Territory,

1. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of visiting missions, it instruct each mission:

(a) Not only to consider such expressions of public opinion as may be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it may deem appropriate;

(b) To report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions and to make recommendations concerning the further development of a free public opinion;

2. *Recommends* to the Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition, it should:

(a) Examine and propose concrete action upon, as part of its examination of conditions in each Trust Territory, petitions which may reflect public opinion on questions of general concern to the development of the Territory;

(b) Request the Administration Authorities to make copies of their annual reports promptly available to the peoples of the Territories;

(c) Instruct each visiting mission to encourage in the Trust Territories public discussion of and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose;

3. *Recommends* to the Council that, as a means of ensuring, in cases which it deems urgent, that a given situation in a Trust Territory meets with the freely expressed wishes of the people, it should immediately grant a hearing to those qualified representatives of public opinion who apply for one, or in the case of representatives who are unable to travel, the Council should examine all communications, letters or telegrams expressing their points of view;

4. *Reiterates* the views and recommendations put forward in its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952.

*512th plenary meeting,
14 December 1954.*

854 (IX). Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia

The General Assembly,

Recalling that, in its resolution 392 (V) of 15 December 1950, it recommended that the boundary between the Trust Territory of Somaliland under Italian administration and Ethiopia should be delimited by bilateral negotiations between the Administering Authority of the Trust Territory and the Government of Ethiopia and that, in order to resolve any and all differences arising in the course of such negotiations, the parties to such bilateral negotiations should agree, on the request of either party, to a procedure of me-

diation by a United Nations Mediator to be appointed by the Secretary-General and, further, in the event of the inability of the parties to accept the recommendations of the Mediator, to a procedure of arbitration,

Recalling further that, in its resolution 755 (VIII) of 9 December 1953, it recommended to the two Governments that they should intensify their efforts to achieve a final, just, equitable and friendly settlement of the question,

Having taken note of the conclusion of the Trusteeship Council, contained in its resolution 1000 (XIV) of 6 July 1954, that the delimitation of the frontier is a matter of the utmost urgency in view both of the approach of the date of the attainment of independence by the Trust Territory and of the continuing political, economic and social difficulties in the area of the present provisional frontier,

Having taken note of the information¹² submitted by the Governments of Ethiopia and Italy concerning the progress of the direct negotiations between them on the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia,

Having further taken note of the information¹³ submitted by the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration concerning the situation in the frontier area,

1. *Notes with concern* that no progress has been made to date in the direct negotiations between the Governments of Ethiopia and Italy on the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia;

2. *Urges* the Governments of Ethiopia and Italy to exert their utmost efforts to achieve a final settlement of the frontier question by direct negotiations;

3. *Recommends* that, should direct negotiations fail to achieve any results by July 1955, the two Governments agree to the procedure outlined in General Assembly resolution 392 (V) of 15 December 1950.

*512th plenary meeting,
14 December 1954.*

855 (IX). Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration

The General Assembly,

Having considered Trusteeship Council resolution 1001 (XIV) of 7 July 1954 on the financing of the economic development plans of the Trust Territory of Somaliland under Italian administration,

Bearing in mind the fact that a United Nations Visiting Mission has just travelled through the Territory and will have to submit to the Trusteeship Council a full report on the general situation there, including reference to the economic development plans prepared by the Administering Authority,

1. *Takes sympathetic note* of Trusteeship Council resolution 1001 (XIV) of 7 July 1954;

2. *Requests* the Secretary-General to consider in agreement with the Italian Government the advisability

¹² See *Official Records of the General Assembly, Ninth Session, Annexes*, agenda item 13, document A/C.4/277.

¹³ *Ibid.*