

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.

* * *

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