

independent, Trust, Non-Self-Governing or under any other limitation of sovereignty,

Having regard to the mission which has been given by the General Assembly to the Commission on Human Rights with a view to the drafting of an International Covenant on Human Rights which will also be applicable to Non-Self-Governing Territories,¹³

1. *Invites* the Members responsible for the administration of Non-Self-Governing Territories to include, in the information to be transmitted to the Secretary-General in 1951 under Article 73 e of the Charter, a summary of the extent to which the Universal Declaration of Human Rights is implemented in the Non-Self-Governing Territories under their administration;

2. *Requests* the Special Committee on Information transmitted under Article 73 e of the Charter to include in its report to the General Assembly at its sixth session such recommendations as it may deem desirable relating to the application in Non-Self-Governing Territories of the principles contained in the Universal Declaration of Human Rights.

*320th plenary meeting,
12 December 1950.*

447 (V). Comparable statistical information relating to the subjects treated under Article 73 e of the Charter

The General Assembly,

Having regard to paragraph 6 of resolution 143 (II) adopted by the General Assembly on 3 November 1947 and paragraph 3 of resolution 218 (III) adopted by the General Assembly on 3 November 1948 and relating to the use of comparable statistical information,

Desirous of arriving at correct conclusions from the use of such information,

1. *Invites* the Secretary-General, in making use of such information, to obtain the consent of the Member State concerned and to take into account all elements necessary for scientific and objective comparison;

2. *Invites* the Secretary-General to bear in mind that an objective comparison can be made only if the comparable information is representative of the whole region concerned.

*320th plenary meeting,
12 December 1950.*

448 (V). Development of self-government in Non-Self-Governing Territories

The General Assembly,

Considering that resolution 222 (III) adopted by the General Assembly on 3 November 1948, while welcoming any development of self-government in Non-Self-Governing Territories, considers that it is essential that the United Nations be informed of any change in the constitutional position and status of any such Territory as a result of which the responsible government concerned thinks it unnecessary to transmit information in

respect of that Territory under Article 73 e of the Charter,

Noting the communication¹⁴ dated 29 June 1950 from the Government of the Netherlands in which it is stated that the Netherlands will no longer present a report pursuant to Article 73 e on Indonesia with the exception of West New Guinea,

Noting that the full independence of the Republic of Indonesia has been followed by the admission of that State to membership in the United Nations,

1. *Takes note* with satisfaction of the communication of the Government of the Netherlands with reference to the cessation of the transmission of information on Indonesia;

2. *Requests* the Special Committee on Information transmitted under Article 73 e of the Charter to examine such information as may be transmitted in future to the Secretary-General in pursuance of General Assembly resolution 222 (III), and to report thereon to the General Assembly.

*320th plenary meeting,
12 December 1950.*

449 (V). Question of South West Africa

A

The General Assembly,

Considering that the International Court of Justice, duly consulted by the General Assembly pursuant to resolution 338 (IV) of 6 December 1949, reached the conclusion¹⁵ that the Territory of South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920,

Considering that the International Court of Justice is of the opinion that the Union of South Africa continues to have the international obligations laid down in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa,

Considering that the International Court of Justice is of the opinion that the functions of supervision over the administration of the Territory of South West Africa by the Union of South Africa should be exercised by the United Nations, to which the annual reports as well as the petitions from the inhabitants of the Territory are to be submitted,

Considering that, in accordance with the opinion of the International Court of Justice, the Union of South Africa is under an obligation to accept the compulsory jurisdiction of the Court as provided by Article 37 of the Statute of the International Court of Justice, by Article 80, paragraph 1, of the Charter of the United Nations and by Article 7 of the Mandate for South West Africa,

Considering that the International Court of Justice is of the opinion that the Union of South Africa acting alone is not competent to modify the international status of the Territory of South West Africa, and that the

¹³ See resolution 422 (V), page 43.

¹⁴ See document A/1302/Rev.1.

¹⁵ See *International Status of South West Africa, Advisory Opinion*: I.C.J. Reports 1950, page 128.

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 the Government of the Union of South Africa should continue to administer the Territory of South West Africa in accordance with the Mandate conferred by the Principal Allied and Associated Powers upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa,

Considering that it is incumbent upon the Government of the Union of South Africa to promote to the utmost in the administration of the Territory the material and moral well-being and social progress of its inhabitants as a sacred trust of civilization, subject to the existing Mandate, and to give effect to the obligations which it assumed under the Mandate,

1. *Accepts* the advisory opinion of the International Court of Justice with respect to South West Africa;

2. *Urges* the Government of the Union of South Africa to take the necessary steps to give effect to the opinion of the International Court of Justice, including the transmission of reports on the administration of the Territory of South West Africa and of petitions from communities or sections of the population of the Territory;

3. *Establishes* a Committee of five consisting of the representatives of Denmark, Syria, Thailand, the United States of America and Uruguay, to confer with the Union of South Africa concerning the procedural measures necessary for implementing the advisory opinion of the International Court of Justice and to submit a report thereon to the next regular session of the General Assembly;

4. *Authorizes* the Committee, as an interim measure, pending the completion of its task referred to in paragraph 3, and as far as possible in accordance with the procedure of the former Mandates System, to examine the report on the administration of the Territory of South West Africa covering the period since the last report, as well as petitions and any other matters relating to the Territory that may be transmitted to the Secretary-General, and to submit a report thereon to the next regular session of the General Assembly.

*322nd plenary meeting,
13 December 1950.*

B

The General Assembly,

Considering that the General Assembly, by its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948 and 337 (IV) of 6 December 1949, recommended that the Mandated Territory of South West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for the aforesaid Territory,

Considering that the International Court of Justice, duly consulted by the General Assembly in pursuance of resolution 338 (IV) of 6 December 1949, delivered the opinion¹⁶ that the Territory of South West Africa is under the international Mandate assumed by the Union of South Africa on 17 December 1920,

Considering that in accordance with Articles 75, 77, paragraph 1a, 79 and 80, paragraph 2, of the Charter of the United Nations the Trusteeship System has been applied to all mandated territories which have not achieved independence, with the sole exception of the Territory of South West Africa,

Considering that, under the terms of the Charter of the United Nations, it is clear that the International Trusteeship System takes the place of the former Mandates System instituted by the League of Nations and, further, that there is no specific provision indicating the permanent co-existence of the Mandates System with the International Trusteeship System,

1. *Reiterates* its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948 and 337 (IV) of 6 December 1949 to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. *Reiterates* 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.

*322nd plenary meeting,
13 December 1950.*

¹⁶ *Ibid.*