

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 cooperate 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.*

by the dismissal from employment, arrest, deportation and exile of the persons, leaders and members of African political organizations concerned,

Noting with the gravest concern and regret that South African military troops stationed in the Territory have been considerably reinforced, and that the local police, aided by the military forces, have raided Native homes, locations and reserves in search of evidence of political activity and to clear urban areas, which are regarded as European, of passless Natives,

Noting particularly that all these actions are repugnant to the letter and spirit of the Mandate, and have led to mounting tension and unrest in the Territory,

Noting with the deepest disappointment and regret that the unbending line of policy and method pursued by the South African Government in its administration of the Territory, contrary to its solemn obligations under the Mandate, has resulted in the oppression of the indigenous inhabitants and, in particular, that fourteen Africans were charged with alleged public violence in connexion with the disturbances that occurred in the Windhoek Location in December 1959, in which eleven Africans were killed and others wounded when police and soldiers opened fire on a crowd of Location residents who were protesting the impending removal to the new location at Katutura,

Noting, however, that, according to the statement made by the Minister for Foreign Affairs of South Africa at the 1218th meeting of the Fourth Committee, on 21 November 1961, the Court found that the evidence before it did not justify conviction and the defendants were discharged,

1. *Urgently calls upon* the Government of the Republic of South Africa and the Administration of South West Africa immediately to desist from further acts of force in the Mandated Territory designed either to suppress African political movements or to enforce *apartheid* measures imposed by law and administrative rulings, to refrain from vexatious prosecutions of Africans on political grounds, and to ensure the free exercise of political rights and freedom of expression to all sections of the population;

2. *Draws the attention* of the petitioners concerned to the report of the Committee on South West Africa on conditions in the Territory²¹ and to the special report of the Committee on the implementation of General Assembly resolutions 1568 (XV) of 18 December 1960 and 1596 (XV) of 7 April 1961¹⁸ submitted to the Assembly at its sixteenth session, as well as to the action taken on the reports by the Assembly.

*1083rd plenary meeting,
19 December 1961.*

1704 (XVI). Committee on South West Africa

The General Assembly,

Recalling that the Committee on South West Africa was established by General Assembly resolution 749 A (VIII) of 28 November 1953,

Considering that under its resolution 1702 (XVI) of 19 December 1961 a United Nations Special Committee for South West Africa was set up,

1. *Decides* to dissolve the Committee on South West Africa;

²¹ *Ibid.*, part II.

2. *Recognizes* that the reports submitted annually by the Committee, and the special reports requested of it, have provided the General Assembly with valuable information on the situation in South West Africa, thus enabling the Assembly to use those reports as a basis for carrying out its responsibilities of supervision in regard to the Mandated Territory;

3. *Expresses its appreciation* to the Committee for its unremitting efforts on behalf of the people of the Territory of South West Africa and for its contribution to the attainment of the objectives of the United Nations;

4. *Expresses its very special appreciation* to Mr. Enrique Rodríguez Fabregat, Chairman of the Committee and representative of Uruguay, and to the Member States which served on the Committee, for the devotion with which they have performed their duties.

*1083rd plenary meeting,
19 December 1961.*

1705 (XVI). Special educational and training programmes for South West Africa

The General Assembly,

Considering that, among the policies pursued by the Republic of South Africa in the administration of the Territory of South West Africa under the Mandate, an important feature is to restrict the indigenous inhabitants to a rudimentary system of schooling and training designed to confine the people to menial occupations for the purpose of keeping them in a state of subservience to the European minority,

Considering, in particular, that the South African Government deprives South West Africans of access to a complete secondary education or to higher education within South West Africa or South Africa, and also denies them travel documents and other facilities for taking advantage of educational opportunities in other areas,

Considering that it is one of the sacred duties of the United Nations to promote:

(a) Higher standards of living, full employment, and conditions of economic and social progress and development,

(b) Solutions of international economic, social, health and related problems, and international cultural and educational co-operation,

Considering that the United Nations, in carrying out its duty under Article 55 of the Charter, has created machinery for economic, social and technical assistance and that substantial assistance has been rendered to peoples of the less developed countries, including peoples in colonial and Trust Territories,

Recalling its resolution 1566 (XV) of 18 December 1960 in which it requested the assistance of the specialized agencies and of the United Nations Children's Fund in the economic, social and educational development of South West Africa, and its resolution 1527 (XV) of 15 December 1960 regarding assistance to former Trust Territories and other newly independent States,

Recognizing, in particular, the urgent need to ensure the educational advancement of South West Africans beyond the limitations imposed by the Bantu educational system in force in South West Africa and South Africa, and to prepare them for service in the administration of their country,