

report to the General Assembly at its fifteenth session, and finds that the Government of the Union of South Africa has failed and refused to carry out its obligations under the Mandate for the Territory of South West Africa;

2. *Concludes* that the dispute which has arisen between Ethiopia, Liberia and other Member States on the one hand, and the Union of South Africa on the other, relating to the interpretation and application of the Mandate has not been and cannot be settled by negotiation;

3. *Notes* that Ethiopia and Liberia, on 4 November 1960, filed concurrent applications in the International Court of Justice instituting contentious proceedings against the Union of South Africa;

4. *Commends* the Governments of Ethiopia and Liberia upon their initiative in submitting such dispute to the International Court of Justice for adjudication and declaration in a contentious proceeding in accordance with article 7 of the Mandate.

*954th plenary meeting,
18 December 1960.*

1566 (XV). Assistance of the specialized agencies and of the United Nations Children's Fund in the economic, social and educational development of South West Africa

The General Assembly,

Recalling the purposes of Article 55 of the Charter of the United Nations,

Bearing in mind the international status of the Mandated Territory of South West Africa, the General Assembly's own obligations and the concern of the community of nations to promote the well-being and interest of the inhabitants of that Territory,

Having perused the observations and recommendations contained in part II, sections IV, V and VI, of the report of the Committee on South West Africa to the General Assembly,²¹

1. *Considers* that the economic, social, educational and health conditions prevailing in the Mandated Territory of South West Africa, especially as they concern the indigenous inhabitants, are unsatisfactory, and that the need for urgent co-operative action for the improvement of present conditions in these fields is imperative;

2. *Endorses* the considered view of the Committee on South West Africa that assistance should be sought, and that it should be provided by the United Nations, the specialized agencies and the United Nations Children's Fund;

3. *Invites* the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund to undertake urgent programmes to assist the indigenous population of the Territory of South West Africa in their respective fields;

4. *Requests* the Government of the Union of South Africa to seek such assistance and to extend its co-operation to the above-mentioned specialized agencies and the United Nations Children's Fund in implementing such urgent programmes to improve the economic, social, educational and health conditions of the indigenous population in South West Africa, and to facilitate their work in the Territory in every possible way;

²¹ *Ibid.*, Fifteenth Session, Supplement No. 12 (A/4464).

5. *Requests* the above-mentioned specialized agencies and the United Nations Children's Fund to report to the Committee on South West Africa and to the General Assembly at their respective sessions during 1961 on the action taken in implementing the present resolution.

*954th plenary meeting,
18 December 1960.*

1567 (XV). The Windhoek Location

The General Assembly,

Having received a report from the Committee on South West Africa with respect to disturbances in the Windhoek Native Location relating to the removal of the Location residents to a new site called Katutura,²²

Noting with regret that the construction of the new Location at Katutura is part of the plan laid down by the present Prime Minister in his former capacity as Minister of Native Affairs to the effect that Native Locations in urban areas, based on the policy of *apartheid*, must be situated in such a manner that a permanent "buffer strip of at least 500 yards" on which "no development at all is allowed" is maintained "between the Native residential area and that of any other racial group",²³

Observing with deep concern that on the night of 10 to 11 December 1959, after repeated expressions of opposition by Location residents to their removal had failed to obtain the sympathetic consideration of officials of the Mandatory Power, police and soldiers opened fire on a crowd of Location residents, killing eleven Africans and injuring at least forty-four others,

Noting the report transmitted to the United Nations by the Government of the Union of South Africa²⁴ concerning an inquiry into the events in Windhoek Location on 10 to 11 December 1959, and the direct causes which gave rise thereto,

Taking into account the additional information contained in the report of the Committee on South West Africa and in oral and written petitions from inhabitants of the Territory,

Noting also the many protests received by the Committee during 1959 in petitions and communications against the impending removal to the new Location site on the grounds, *inter alia*, that the removal was part of the intensified application of the *apartheid* policy,

Considering that the *apartheid* policy applied in South West Africa is contrary to the terms of the Mandate, the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights,

Considering further that the application of the *apartheid* policy, of which the occurrences in Windhoek have been an unfortunate consequence, is prejudicial to the maintenance of a peaceful and orderly administration in the Mandated Territory,

1. *Expresses deep regret* at the action taken by the police and soldiers in the Windhoek Native Location on the night of 10 to 11 December 1959 against residents of the Location, resulting in the death of eleven Africans and many other casualties;

²² *Ibid.*, Fifteenth Session, Supplement No. 12 (A/4464), paras. 138-229.

²³ Union of South Africa, *Senate Debates*, 1956, No. 15, cols. 3884 and 3885.

²⁴ For the text of the report, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 12 (A/4464), annex V.*

2. *Deplores* the fact reported by petitioners that the Mandatory Power has employed such means as deportations, dismissals from employment, threats of such action and other methods of intimidation to secure the removal of residents of the Windhoek Location to Katutura despite the continued opposition of the residents to their removal;

3. *Notes with deep concern* that the situation remains critical;

4. *Urges* the Mandatory Power to refrain from the use of direct or indirect force to secure the removal of Location residents;

5. *Requests* the Mandatory Power to take steps to prosecute and punish the civilian and military officers responsible for the death of eleven Africans and many other casualties in the Windhoek Native Location on the night of 10 to 11 December 1959, and to provide adequate compensation to the families of the victims;

6. *Draws the attention* of the Mandatory Power to the recommendations of the Committee on South West Africa concerning the measures which should be taken to alleviate the tension and unrest in the Windhoek area, and in particular to the recommendation that housing developments in urban areas of the Territory should be carried out in accordance with the freely expressed wishes of the peoples concerned.

*954th plenary meeting,
18 December 1960.*

1568 (XV). Question of South West Africa

The General Assembly,

Having recommended, in previous resolutions, that the Territory of South West Africa should 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, in resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa,¹³

Taking note with deep regret of the refusal of the Government of the Union of South Africa to modify its administration of the Territory in conformity with the purposes and principles of the Charter of the United Nations and to enter into negotiations with the United Nations, through the Committee on South West Africa, with a view to placing the Mandated Territory under the International Trusteeship System,

Noting with grave concern that the administration of the Territory, particularly in recent years, has been conducted in a manner increasingly contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, the advisory opinions of the International Court of Justice and the resolutions of the General Assembly,

Considering that all the efforts of the United Nations to induce the Government of the Union of South Africa to modify the present principles and practices of that administration and to ensure the well-being and security of the indigenous inhabitants of the Territory have been of no avail,

Considering with concern that the present situation in South West Africa constitutes a serious threat to international peace and security,

Considering that most of the Mandated Territories which were placed under the International Trusteeship System have acceded or will soon accede to national independence,

Recognizing that the Territory of South West Africa has an inalienable right to independence and to the exercise of its full national sovereignty,

1. *Regrets* that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the indigenous inhabitants of South West Africa and imposes upon them disabilities of various kinds, hindering their political, economic and social advancement;

2. *Deplores and disapproves* the policy practised by the Government of the Union of South Africa contrary to its obligations under the international Mandate of 17 December 1920 for South West Africa;

3. *Deprecates* the application, in the Territory of South West Africa, of the policy of *apartheid*, and calls upon the Government of the Union of South Africa to revoke or rescind immediately all laws and regulations based on that policy;

4. *Invites* the Committee on South West Africa, in addition to its normal tasks, to go to South West Africa immediately to investigate the situation prevailing in the Territory and to ascertain and make proposals to the General Assembly on:

(a) The conditions for restoring a climate of peace and security;

(b) The steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible;

5. *Urges* the Government of the Union of South Africa to facilitate the mission of the Committee on South West Africa;

6. *Requests* the Committee on South West Africa to make a preliminary report on the implementation of the present resolution to the General Assembly at its resumed fifteenth session;

7. *Requests* the Secretary-General to provide facilities for the execution of the present resolution.

*954th plenary meeting,
18 December 1960.*

1569 (XV). Question of the future of Western Samoa

The General Assembly,

Having examined the report of the Trusteeship Council on the Trust Territory of Western Samoa under New Zealand administration,²⁵ as well as the report of the United Nations Visiting Mission to the Trust Territory of Western Samoa, 1959,²⁶

Having taken note of the Constitution adopted by the Constitutional Convention of Western Samoa on 28 October 1960 and the resolutions adopted by that Convention,²⁷

²⁵ Official Records of the General Assembly, Fifteenth Session, Supplement No. 4 (A/4404), part II, chapter V.

²⁶ Official Records of the Trusteeship Council, Twenty-fourth Session, Supplement No. 2 (T/1483), document T/1449.

²⁷ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 44, documents A/C.4/454 and Add.1.