

Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for South West Africa,

Having accepted, by 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 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 and 570 B (VI) of 19 January 1952, 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.

460th plenary meeting,
28 November 1953.

750 (VIII). The Togoland unification problem

A

The General Assembly,

Having examined the special report¹¹ of the Trusteeship Council on the Ewe and Togoland unification problem,

Taking into account the conclusion contained in the special report¹² of the 1952 United Nations Visiting Mission (T/1034) that "the people of the Trust Territories desire in principle unification of the two Trust Territories",

Recalling that the General Assembly based its resolution 652 (VII) of 20 December 1952 upon the consideration, *inter alia*, that the unification of the two parts of Togoland is the manifest aspiration of the majority of the population of the two Trust Territories,

Considering that the best means of achieving a form of unification acceptable to all groups of the population is through direct and continuous interchange of opinions among the representatives of those groups, and that such interchange of opinions could be realized in a reconstituted Joint Council for Togoland Affairs with

ample powers to examine all aspects of the problem of unification of both Territories and to formulate pertinent recommendations,

Having heard the declarations¹³ of the representatives of the All-Ewe Conference, of the Joint Togoland Congress and of the Parti togolais du progrès,

Having heard also the declarations¹⁴ of the representatives of the Administering Authorities concerned,

1. *Regrets* that the Joint Council for Togoland Affairs has not yet been re-established;

2. *Reaffirms* the principles and aims of its resolutions 555 (VI) and 652 (VII) approved on 18 January and 20 December 1952 respectively;

3. *Recommends* that, in order to ensure that the Joint Council will faithfully reflect the wishes of all sections of the population of the two Trust Territories, its members should be directly elected by universal adult suffrage and secret ballot;

4. *Recommends* that the Administering Authorities establish, in consultation with the representatives of the different political parties, the rules concerning the structure which the Joint Council for Togoland Affairs should assume;

5. *Recommends* that the Administering Authorities assist the representatives of the different political parties to explain freely throughout Togoland their views on the problem of unification and, to this effect, that they take all necessary measures to ensure freedom of speech, movement and assembly in all parts of the Territories;

6. *Recommends* that the Administering Authorities disseminate throughout the two Trust Territories the complete texts of the pertinent resolutions of the General Assembly and of the Trusteeship Council in the main vernacular languages as well as in French or in English;

7. *Recommends* to the Administering Authorities the re-establishment of the Joint Council with the power to consider and make recommendations on the question of unification, as well as on all political, economic, social and educational matters affecting the two Trust Territories, and to serve as a means of ascertaining the opinions of the inhabitants of the Territories concerning any proposed changes in the terms of the Trusteeship Agreement for either of the Territories;

8. *Re-emphasizes* its recommendation that, through the Joint Council and in other ways, the Administering Authorities adopt measures to promote common policies on political, economic and social matters of mutual concern to the two Trust Territories, and expresses the opinion that the implementation of this recommendation requires that the Administering Authorities accord to each Territory simultaneously a large measure of progress towards the objectives of Article 76 of the Charter and harmonize in all major respects the political, economic, social and educational policies and systems applying in the two Trust Territories;

9. *Invites* the Trusteeship Council to submit to the General Assembly at its ninth session a special report concerning the steps which have been taken towards the implementation of the present resolution;

10. *Expresses the hope* that the different political parties of both Territories will co-operate to achieve

¹¹ See document A/2424.

¹² See document T/1034, page 127.

¹³ See *Official Records of the General Assembly, Eighth Session, Fourth Committee*, 365th, 366th and 367th meetings.

¹⁴ *Ibid.*, 365th meeting.

a formula acceptable to all which will facilitate the unification of the two Trust Territories.

*469th plenary meeting,
8 December 1953.*

B

The General Assembly,

Considering that there is an urgent need to develop fully in the two parts of Togoland a system of universal suffrage and that it is consequently essential to establish effective facilities for electoral registration, with a view to the formation of an electoral body truly representative of the population of each Territory as a whole,

Noting paragraph (b) of the text of the announcement¹⁵ made by the two Administering Authorities on 12 June 1953 concerning the re-establishment of the Joint Council for Togoland Affairs,

Noting further the observations made on this matter by the petitioners heard by the Fourth Committee of the General Assembly, as well as the statements made by the representatives of the Administering Authorities,

1. *Urgently invites* the Administering Authorities to revise the system of electoral qualifications in force in the Territories and to put into effect a method of electoral registration based on personal identification which shall permit all adult persons to qualify for the right to vote and shall ensure that electoral consultations be carried out in accordance with the democratic principles of universal, direct and secret suffrage so as to reflect the opinion of the population as a whole;

2. *Recommends* that the political parties in the two Territories collaborate closely with the respective Administering Authorities with a view to carrying out the identification of the adult persons for electoral purposes.

*469th plenary meeting,
8 December 1953.*

C

The General Assembly,

Noting that Togoland under British administration is administered as an integral part of the Gold Coast, the Government of which has published a series of proposals¹⁶ for constitutional changes designed to effect a further transfer of executive and legislative powers from the Administering Authority to the Gold Coast Government and to serve as an interim measure leading towards full self-government for the Gold Coast within the British Commonwealth of Nations,

Noting that in the course of these proposals the Government of the Gold Coast expressed confidence that "the United Nations Organization will not fail to give satisfaction to the frequently reiterated and unanimous demand of the people of the Northern Section for their area to become part of the Northern Territories of the Gold Coast" and stated further that "there is a growing opinion in Southern Togoland in favour of integration with the Gold Coast",

Noting also that, in anticipation of further constitutional changes in the Gold Coast, the 1952 United Nations Visiting Mission, in its report¹⁷ on Togoland under British administration, raised with some urgency the question of the compatibility of the provisions of the Trusteeship Agreement with any further appre-

ciable transfer of executive and legislative authority to the Government of the Gold Coast, and expressed the opinion that the prospect of a further constitutional advance in the Gold Coast may require the position of the Trust Territory to be reviewed with particular care within a relatively short period of time,

Recalling further that the Visiting Missions of 1949 and 1952 and the Trusteeship Council at its eleventh session have recognized that the question of the future constitutional association of Togoland with the Gold Coast depends to a large extent upon the settlement of the unification problem,

1. *Expresses the opinion* that further changes in the Constitution of the Gold Coast, with which Togoland under British administration is administered as an integral part, may, to the extent that they provide for an increased measure of self-government, necessitate revision of the existing Trusteeship Agreement in respect of the Trust Territory in so far as concerns the existing administrative union;

2. *Considers* that, in view of the manifest aspiration of the majority of the population of both the Trust Territories of Togoland for the unification of those Territories, any change in the Trusteeship Agreement for Togoland under British administration will necessarily affect the interests of the inhabitants of Togoland under French administration;

3. *Requests* the Trusteeship Council, at its thirteenth session, to re-examine in all aspects the problem of achieving in the two Trust Territories the basic objectives of the International Trusteeship System as set forth in Article 76 of the Charter and, in particular, the progressive development of the inhabitants towards self-government or independence as may be appropriate to the particular circumstances of the Territories and their peoples and their freely expressed wishes, having particular regard to the special circumstances created by the constitutional and political situation in the Gold Coast as it affects both Togoland under British administration and Togoland under French administration;

4. *Requests* the Trusteeship Council to submit to the General Assembly at its ninth session a special report on this problem.

*469th plenary meeting,
8 December 1953.*

751 (VIII). Revision of the Questionnaire relating to Trust Territories

The General Assembly,

Noting that the Trusteeship Council has adopted the revised Questionnaire,¹⁸

Considering that, under Article 88 of the Charter, the Administering Authorities shall make an annual report to the General Assembly, upon the basis of a questionnaire formulated by the Trusteeship Council, on the political, economic, social and educational advancement of the inhabitants of each Trust Territory,

Considering that, in approving the Provisional Questionnaire, the Trusteeship Council emphasized that it would be adapted, if necessary, to specific Trust Territories,

Considering that the revised Questionnaire is not applicable in its entirety to all Trust Territories,

¹⁸ See document T/1010.

¹⁵ See document T/1067/Rev.1.

¹⁶ See document A/C.4/249.

¹⁷ See document T/1040.