

United Nations by facilitating the mission of the Committee on South West Africa,

Convinced that it is both the right and the duty of the United Nations to discharge fully and effectively its obligations with respect to the proper implementation, under its supervision, of the Mandate for South West Africa conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Union of South Africa,

Noting with grave concern the continuing deterioration in the situation in South West Africa resulting from the continued application, in violation of the letter and spirit of the Mandate, of tyrannical policies and practices, such as *apartheid*, of the administration of the Union of South Africa in South West Africa,

Reiterating its concern that this situation constitutes a serious threat to international peace and security,

1. *Recognizes and supports* the passionate yearning of the people of South West Africa for freedom and the exercise of national independence and sovereignty;

2. *Rejects* the position taken by the Government of the Union of South Africa in refusing to co-operate with the United Nations in the implementation of General Assembly resolution 1568 (XV) as well as other resolutions concerning South West Africa;

3. *Deplores* the attempts at the assimilation of the Mandated Territory of South West Africa, culminating in the so-called referendum held on 5 October 1960, as totally unacceptable, having no moral or legal basis and being repugnant to the letter and spirit of the Mandate;

4. *Considers* that the full and effective discharge of the tasks assigned to the Committee on South West Africa in paragraph 4 of General Assembly resolution 1568 (XV) is essential to the protection of the lives and property of the inhabitants of South West Africa, to the amelioration of the prevailing conditions in South West Africa, the continuance of which is likely to endanger international peace and security, and to the exercise of the right of self-determination by the people of South West Africa in complete freedom and of their right of accession to national sovereignty and independence with the least delay;

5. *Requests* the Committee on South West Africa, therefore, immediately to proceed to discharge the special and urgent tasks entrusted to it in resolution 1568 (XV) as fully and expeditiously as possible with the co-operation of the Government of the Union of South Africa if such co-operation is available, and without it if necessary;

6. *Requests* the States Members of the United Nations to extend to the Committee on South West Africa such assistance as it may require in the discharge of these tasks;

7. *Decides* to call the attention of the Security Council to the situation in respect of South West Africa which, if allowed to continue, will in the General Assembly's view endanger international peace and security, and to the present resolution, the full implementation of which is necessary to bring that situation to a speedy end;

8. *Takes note with grave concern* of reports of the terrorization of, and armed action against, the indigenous inhabitants, and calls upon the Government of the Union of South Africa to desist from such acts;

9. *Requests* the Committee on South West Africa to submit to the General Assembly at its sixteenth session a report on the implementation of resolution 1568 (XV) as well as the present resolution.

*979th plenary meeting,
7 April 1961.*

1605 (XV). Question of the future of Ruanda-Urundi

The General Assembly,

Bearing in mind the provisions of the General Assembly's Declaration on the granting of independence to colonial countries and peoples,¹

Recalling its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960 concerning the future of the Trust Territory of Ruanda-Urundi,

Having received the interim report of the United Nations Commission for Ruanda-Urundi² appointed under resolution 1579 (XV),

Regretting the failure of the Administering Authority to implement fully and effectively the terms of resolution 1579 (XV), the resistance to such implementation by the local representatives of the Administering Authority in Ruanda-Urundi and their failure to co-operate fully and effectively with the United Nations Commission for Ruanda-Urundi,

Regretting the de facto recognition by the Administering Authority of governmental bodies in Ruanda which were established by irregular and unlawful means and which cannot be regarded as fully representative of all segments of the population in the absence of free and fair elections on the basis of direct universal adult suffrage, as envisaged in resolution 1579 (XV),

Regretting also the setting up of governmental bodies in Urundi on the basis of communal elections, contrary to the assurances given by the Administering Authority that communal elections were purely administrative and had no political character,

Noting the several statements of the representatives of the Administering Authority conveying assurances that it will co-operate fully with the United Nations in Ruanda-Urundi,

Having heard the views of the petitioners from Ruanda-Urundi,

1. *Expresses its appreciation* to the members of the United Nations Commission for Ruanda-Urundi for their conscientious discharge of the duties entrusted to them under General Assembly resolutions 1579 (XV) and 1580 (XV);

2. *Calls upon* the Government of Belgium as the Administering Authority to ensure that the provisions of resolution 1579 (XV) are fully implemented by its representatives in Ruanda-Urundi before the legislative elections;

3. *Recognizes* that the Government of Belgium is alone responsible for the administration of the Trust Territory of Ruanda-Urundi and accountable to the United Nations, and that its responsibilities as Administering Authority cannot in any way be abdicated to local political bodies and leaders until after appropriate democratic institutions have been set up and the Trus-

¹ *Ibid.*, agenda item 45, addendum, documents A/4706 and Add.1.

teenship Agreement has been terminated, all with the approval of the United Nations;

4. *Considers it necessary* that, pending the establishment of popular governments on the basis of the legislative elections to be held in 1961, broad-based caretaker governments be constituted immediately in both parts of the Trust Territory to attend to current affairs of administration and to act in strict conformity with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly;

5. *Declares* that it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly;

6. *Decides* that the referendum on the question of the Mwami, contemplated in resolution 1580 (XV), and the legislative elections in Ruanda-Urundi should be held in the month of August 1961 on the basis of direct universal adult suffrage, under the supervision of the United Nations, and that these be organized by the Administering Authority in full consultation with the United Nations Commission for Ruanda-Urundi, the actual dates to be fixed, after mutual consultation, in the light of the prevailing circumstances;

7. *Decides further* that the questions to be put at the referendum on the question of the Mwami in Ruanda should be the following:

"1. Do you wish to retain the institution of the Mwami in Ruanda?"

"2. If so, do you wish Kigeli V to continue as the Mwami of Ruanda?"

8. *Requests* the United Nations Commission for Ruanda-Urundi, composed of three members elected by the General Assembly on 20 December 1960, hereafter to be designated United Nations Commissioners, to return to Ruanda-Urundi at the earliest possible time to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution, and to perform the other tasks entrusted to it;

9. *Notes* the information given by the representative of the Administering Authority concerning measures of amnesty already implemented, and recommends that:

(a) Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority;

(b) The few remaining cases which, in the Administering Authority's view, are guilty of "very grave crimes" be examined by a Special Commission composed of the representatives of three Member States to be elected by the General Assembly, with a view to securing their release from prison or return from abroad in the full implementation of the Assembly's recommendation concerning amnesty not later than two months before the national elections;

10. *Notes* the observations contained in paragraphs 199-203 of the interim report of the United Nations Commission for Ruanda-Urundi and calls upon the Administering Authority to observe strictly its international obligations under the Trusteeship Agreement;

11. *Requests* the Administering Authority to ensure that the material conditions essential to the successful

discharge by the United Nations Commissioners of their responsibilities, such as housing, office space, travel facilities, information and the free use of official broadcasting facilities are provided, and that the local authorities co-operate fully with them;

12. *Requests* the United Nations Commission for Ruanda-Urundi to submit a report on the implementation of the present resolution to the General Assembly at its sixteenth session;

13. *Decides* to maintain this item on the agenda of the present session, without closing the debate thereon, and authorizes the United Nations Commission for Ruanda-Urundi, in the event that the performance of its duties is hindered through deliberate obstruction or lack of the requisite co-operation from any quarter, to return to United Nations Headquarters and request the President of the General Assembly to reconvene the Assembly immediately to consider further measures essential to the discharge of the United Nations obligations with respect to the Trust Territory of Ruanda-Urundi;

14. *Calls upon* the Administering Authority to rescind Legislative Order No. 221/296 of 25 October 1960, so as to ensure that there is no unwarranted interference with the exercise of public freedom and that no persons may be removed or detained without recourse to due process of law;

15. *Reiterates* its conviction that the best future for Ruanda-Urundi lies in the accession of that Territory to independence as a single, united and composite State;

16. *Considers* that the full implementation of all the provisions of the present resolution will enable the General Assembly at its sixteenth session to consider the termination of the Trusteeship Agreement at the earliest possible date.

994th plenary meeting,
21 April 1961.

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At its 994th plenary meeting on 21 April 1961, the General Assembly appointed the members of the Special Commission established under the terms of paragraph 9 (b) of the above resolution.

The Special Commission is composed as follows: BRAZIL, CANADA and TUNISIA.

1606 (XV). Land tenure and agrarian reform in Ruanda-Urundi

The General Assembly,

Recalling that the United Nations Visiting Mission to Trust Territories in East Africa, 1960, stated in its report on Ruanda-Urundi that since the November 1959 disturbances the question of the necessary changes in the land tenure system has become even more urgent, and that the present position represents an obstacle to lasting peace in the country and impedes the rational utilization of land, without which agriculture and stock-breeding cannot properly develop,⁴

Recalling that the Trusteeship Council at its twenty-sixth session adopted the following recommendation:

"The Council, noting that basic reforms are needed in the land tenure system of the Trust Territory, expresses the hope that the new representative bodies

⁴ *Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3 (T/1551), document T/1538, para. 494.*