

responsibilities devolving on members of the United Nations from the provisions of Chapter XI of the Charter. Although the submission of reports by new members was not explicitly referred to in the draft resolution at the twelfth session, it was in fact the controversy which had arisen as to whether the Assembly or the administering member state, and in particular the new member states, should determine which dependent territories fell under Article 73(e) of the Charter which had motivated its submission. The resolution was approved by the Fourth Committee by 43 in favour, 29 against (Canada) and 5 abstentions. Canada voted against it in the belief that the best results could be obtained by the voluntary co-operation of the administering powers in transmitting information.

Before the report on non-self-governing territories was considered by the plenary session, the Sixth Committee informed the Fourth Committee that it was unable at the twelfth session to give a reply to its request regarding voting. In plenary the Assembly once again decided that the resolution on transmission of information was an "important one" and required a two-thirds majority. When it was put to the vote it received 41 votes in favour, 13 against (Canada) and 10 abstentions, and therefore did not carry.

The Fourth Committee was, however, able to find a large measure of agreement when it came to the discussion of offers of study and training facilities for the inhabitants of the non-self-governing territories. While the importance of providing opportunities for higher education for qualified students was generally recognized, it was argued that it might be preferable for higher education to be made available to students in their own or adjoining territories, where the handicap of working in an unfamiliar tongue would not arise. Difficulties of adjusting to new cultures and ways of life were also referred to. The Assembly adopted by 61 (Canada) to 0 with 6 abstentions a resolution which noted the response to the invitation to extend offers of facilities for study and training to inhabitants from non-self-governing territories, referred to the interest in offers for scholarships for students from non-self-governing territories shown by the steadily increasing number of applicants and urged member states submitting observations on the candidates and other members offering facilities to consider applications with all possible speed and the Secretary-General to give all assistance possible to offering states and to the applicants.

### **South West Africa**

The international status of South West Africa which South Africa administered under a League of Nations Mandate granted in 1920 has been in dispute since the dissolution of the League of Nations and the formation of the United Nations after the Second World War. South Africa has refused to place the territory under a trusteeship agreement with the United Nations, and since 1949 has refused to supply to the United Nations the annual reports required under the League Mandate.

The question was referred to the International Court of Justice, which on July 11, 1950, gave an advisory opinion to the effect that the United Nations was legally qualified to exercise the supervisory functions previously exercised by the League of Nations, that the Union of South Africa was obliged to render annual reports to the Assembly, that Chapter XII of the Charter provided a means whereby the territory could be brought under a trusteeship agreement but that the Union was not legally obliged to place the territory under trusteeship, and finally that the Union, acting alone, did not have competence to modify the international status of the territory.