

TRUSTEESHIP AGREEMENTS

TEXTS OF THE EIGHT TRUSTEESHIP AGREEMENTS APPROVED
BY THE GENERAL ASSEMBLY AT THE SIXTY-SECOND
MEETING OF ITS FIRST SESSION, 13 DECEMBER 1946

1. Trusteeship Agreement for Togoland under British Administration.
2. Trusteeship Agreement for the Cameroons under British Administration.
3. Trusteeship Agreement for Tanganyika Territory.
4. Trusteeship Agreement for the Territory of New Guinea.
5. Trusteeship Agreement for Togoland under French Administration.
6. Trusteeship Agreement for the Cameroons under French Administration.
7. Trusteeship Agreement for the Territory of Ruanda-Urundi.
8. Trusteeship Agreement for the Territory of Western Samoa.

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I. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF
TOGOLAND UNDER BRITISH ADMINISTRATION

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of its
First Session on 13 December 1946

WHEREAS the territory known as Togoland under British Mandate and hereinafter referred to as the Territory has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place the Territory under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW THEREFORE the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for the Territory.

Article 1

The Territory to which this Agreement applies comprises that part of Togoland lying to the west of the boundary defined by the Franco-British Declaration of 10 July 1919, as delimited and modified by the Protocol of 21 October 1929, executed by the Commissioners appointed in the execution of Article 2 (1) of the said Declaration.

/Article 2

Article 2

His Majesty is hereby designated as Administering Authority for the Territory, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer the Territory in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to the Territory which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of the Territory and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes and for all purposes of this Agreement, as may be necessary, the Administering Authority:

(a) shall have full powers of legislation, administration and jurisdiction in the Territory, and shall administer it in accordance with his own laws as an integral part of his territory with such modification as may be required by local conditions and subject to the provisions of the United Nations Charter and of this Agreement;

/(b) shall

(b) shall be entitled to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and the Territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this Agreement;

(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in the Territory and to take all such other measures as are in his opinion necessary for the defence of the Territory and for ensuring that it plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Territory.

Article 6

The Administering Authority shall promote the development of free political institutions suited to the Territory. To this end, the Administering Authority shall assure to the inhabitants of the Territory a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of the Territory in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its peoples; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of the Territory in accordance with Article 76 (b) of the United Nations Charter. In considering the measures to be taken under this article the Administering Authority shall, in the interests of the inhabitants, have special regard to the provisions of Article 5 (a) of this Agreement.

Article 7

The Administering Authority undertakes to apply in the Territory the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstances of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created, except with the same consent.

Article 9

Subject to the provisions of Article 10 of this Agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of property both movable and immovable, the protection of person and property, and the exercise of professions and trades;

/(b) shall

(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;

(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the over-riding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as he thinks just;

(b) to create monopolies of a purely fiscal character in order to provide the Territory with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of the Territory;

(c) where the interests of the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper

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public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of the Territory equality of treatment with the nationals, companies and associations of the state which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of the Territory, continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in the Territory complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter the Territory and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals in the Territory. The provisions of this

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Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of the Territory and to take all measures required for such control.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of the Territory, in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to the Territory, are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement

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for the purpose of designating the whole or part of the Territory as a strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Articles 83 or 85, as the case may be, of the United Nations Charter.

Article 19

If any dispute whatever, should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

II. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF
THE CAMEROONS UNDER BRITISH ADMINISTRATION

Approved by the General Assembly of the United Nations at the
Sixty-Second Plenary Meeting of its First Session
on 13 December 1946

WHEREAS the territory known as the Cameroons under British Mandate and hereinafter referred to as the Territory has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place the Territory under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for the Territory.

Article 1

The Territory to which this Agreement applies comprises that part of the Cameroons lying to the west of the boundary defined by the Franco-British Declaration of 10 July 1919, and more exactly defined in the Declaration made by the Governor of the Colony and Protectorate of Nigeria and the Governor of the Cameroons under French Mandate which was confirmed by the exchange of Notes between His Majesty's Government in the United Kingdom and the French Government of 9 January 1931. This line may, however, be

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slightly modified by mutual agreement between His Majesty's Government in the United Kingdom and the Government of the French Republic where an examination of the localities shows that it is desirable in the interests of the inhabitants.

Article 2

His Majesty is hereby designated as Administering Authority for the Territory, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer the Territory in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to the Territory which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of the Territory and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

For the above-mentioned purposes and for all purposes of this Agreement, as may be necessary, the Administering Authority:

- (a) shall have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with his own laws as an integral part of his territory with such

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modification as may be required by local conditions and subject to the provisions of the United Nations Charter and of this Agreement;

(b) shall be entitled to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and the Territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this agreement;

(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in the Territory and to take all such other measures as are in his opinion necessary for the defence of the Territory and for ensuring that it plays its part in the maintenance of international peace and security.

To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Territory.

Article 6

The Administering Authority shall promote the development of free political institutions suited to the Territory. To this end the Administering Authority shall assure to the inhabitants of the Territory a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of the Territory in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its people; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of the Territory in accordance with Article 76 (b) of the United Nations Charter. In considering the measures to be taken under this

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Article the Administering Authority shall, in the interests of the inhabitants, have special regard to the provisions of Article 5 (a) of this Agreement.

Article 7

The Administering Authority undertakes to apply in the Territory the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstances of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created except with the same consent.

Article 9

Subject to the provisions of Article 10 of this Agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of

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property both movable and immovable, the protection of persons and property, and the exercise of professions and trades;

(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;

(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as he thinks just;

(b) to create monopolies of a purely fiscal character in order to provide the Territory with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of the Territory;

(c) where the interests of the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings

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having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations, the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of the Territory equality of treatment with the nationals, companies and associations of the State which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of the Territory continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in the Territory complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter the Territory and to travel and reside therein, to acquire and possess property, to erect

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religious buildings and to open schools and hospitals in the Territory. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of the Territory, and to take all measures required for such control.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of the Territory in any regional advisory commission, regional technical organization, or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to the Territory are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement for the purpose of designating the whole or part of the Territory as a

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strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Article 83 or 85, as the case may be, of the United Nations Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

III. TRUSTEESHIP AGREEMENT FOR THE
TERRITORY OF TANGANYIKA

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of its
First Session on 13 December 1946

WHEREAS the territory known as Tanganyika has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place Tanganyika under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Tanganyika.

Article 1

The Territory to which this Agreement applies comprises that part of East Africa lying within the boundaries defined by Article 1 of the British Mandate for East Africa, and by the Anglo-Belgian Treaty of 22 November 1934, regarding the boundary between Tanganyika and Ruanda-Urundi.

Article 2

His Majesty is hereby designated as Administering Authority for

/Tanganyika,

Tanganyika, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer Tanganyika in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to Tanganyika which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of Tanganyika, and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes and for all purposes of this Agreement, as may be necessary, the Administering Authority:

(a) shall have full powers of legislation, administration, and jurisdiction in Tanganyika, subject to the provisions of the United Nations Charter and of this agreement;

(b) shall be entitled to constitute Tanganyika into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and Tanganyika where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this Agreement;

/(c) and shall be

(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in Tanganyika and to take all such other measures as are in his opinion necessary for the defence of Tanganyika and for ensuring that the territory plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from Tanganyika in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within Tanganyika.

Article 6

The Administering Authority shall promote the development of free political institutions suited to Tanganyika. To this end, the Administering Authority shall assure to the inhabitants of Tanganyika a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of Tanganyika in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its peoples; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of Tanganyika in accordance with Article 76 (b) of the United Nations Charter.

Article 7

The Administering Authority undertakes to apply in Tanganyika the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstances of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

/Article 8

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created except with the same consent.

Article 9

Subject to the provisions of Article 10 of this agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in Tanganyika, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of property both movable and immovable, the protection of person and property, and the exercise of professions and trades;

(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of Tanganyika and shall not grant concessions having the character of a general monopoly;

(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled

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by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of Tanganyika, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

- (a) to organize essential public services and works on such terms and conditions as he thinks just;
- (b) to create monopolies of a purely fiscal character in order to provide Tanganyika with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of Tanganyika;
- (c) where the interests of the economic advancement of the inhabitants of Tanganyika may require it, to establish, or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations

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the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of Tanganyika equality of treatment with the nationals, companies and associations of the state which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of Tanganyika, continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in Tanganyika complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter Tanganyika and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals in the Territory. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such controls as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of Tanganyika, and to take all measures required for such control.

Article 14

Subject only to the requirement of public order, the Administering

/Authority

Authority shall guarantee to the inhabitants of Tanganyika freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of Tanganyika in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to Tanganyika are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement for the purpose of designating the whole or part of Tanganyika as a strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Article 83 or 85, as the case may be of the United Nations Charter.

/Article 19

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

IV. TRUSTEESHIP AGREEMENT FOR THE
TERRITORY OF NEW GUINEA

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of its
First Session on 13 December 1946

The Territory of New Guinea has been administered in accordance with Article 22 of the Covenant of the League of Nations and in pursuance of a mandate conferred upon His Britannic Majesty and exercised on His behalf by the Government of the Commonwealth of Australia.

The Charter of the United Nations, signed at San Francisco on 26 June 1945, provides by Article 75 for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements.

The Government of Australia now undertakes to place the Territory of New Guinea under the trusteeship system, on the terms set forth in the present Trusteeship Agreement.

Therefore the General Assembly of the United Nations, acting in pursuance of Article 85 of the Charter, approves the following terms of trusteeship for the Territory of New Guinea, in substitution for the terms of the Mandate under which the Territory has been administered.

Article 1

The Territory to which this Trusteeship Agreement applies (hereinafter called the Territory) consists of that portion of the island of New Guinea and the groups of islands administered therewith under the Mandate dated 17 December 1920, conferred upon His Britannic Majesty and exercised by the Government of Australia.

Article 2

The Government of Australia (hereinafter called the Administering Authority) is hereby designated as the sole authority which will exercise the administration of the Territory.

/Article 3

Article 3

The Administering Authority undertakes to administer the Territory in accordance with the provisions of the Charter and in such a manner as to achieve in the Territory the basic objectives of the international trusteeship system, which are set forth in Article 76 of the Charter.

Article 4

The Administering Authority will be responsible for the peace, order, good government and defence of the Territory and for this purpose will have the same powers of legislation, administration and jurisdiction in and over the Territory as, if it were an integral part of Australia, and will be entitled to apply to the Territory, subject to such modifications as it deems desirable, such laws of the Commonwealth of Australia as it deems appropriate to the needs and conditions of the Territory.

Article 5

It is agreed that the Administering Authority, in the exercise of its powers under Article 4, will be at liberty to bring the Territory into a customs, fiscal or administrative union or federation with other dependent territories under its jurisdiction or control, and to establish common services between the Territory and any or all of these territories, if in its opinion it would be in the interests of the Territory and not inconsistent with the basic objectives of the trusteeship system to do so.

Article 6

The Administering Authority further undertakes to apply in the Territory the provisions of such international agreements and such recommendations of the specialized agencies referred to in Article 57 of the Charter as are, in the opinion of the Administering Authority, suited to the needs and conditions of the Territory and conducive to the achievement of the basic objectives of the trusteeship system.

Article 7

The Administering Authority may take all measures in the Territory

/which it

which it considers desirable to provide for the defence of the Territory and for maintenance of international peace and security.

Article 8

The Administering Authority undertakes that in the discharge of its obligations under Article 3 of this agreement:

1. It will co-operate with the Trusteeship Council in the discharge of all the Council's functions under Articles 87 and 88 of the Charter.
2. It will, in accordance with its established policy:
 - (a) take into consideration the customs and usages of the inhabitants of New Guinea and respect the rights and safeguard the interests, both present and future, of the indigenous inhabitants of the Territory; and in particular ensure that no rights over native land in favour of any person not an indigenous inhabitant of New Guinea may be created or transferred except with the consent of the competent public authority;
 - (b) promote, as may be appropriate to the circumstances of the Territory, the educational and cultural advancement of the inhabitants;
 - (c) assure to the inhabitants of the Territory, as may be appropriate to the particular circumstances of the Territory and its peoples, a progressively increasing share in the administrative and other services of the Territory;
 - (d) guarantee to the inhabitants of the Territory, subject only to the requirements of public order, freedom of speech, of the press, of assembly and of petition, freedom of conscience and worship and freedom of religious teaching.

V. TRUSTEESHIP AGREEMENT FOR THE TERRITORY
OF TOGOLAND UNDER FRENCH ADMINISTRATION

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of its
First Session on 13 December 1946

WHEREAS the territory known as Togoland lying to the east of the line agreed upon in the Declaration signed on 10 July 1919 has been under French administration in accordance with the mandate defined under the terms of the instrument of 20 July 1922; and

WHEREAS, in accordance with Article 9 of that instrument, this part of Togoland has since then been "administered in accordance with the laws of the Mandatory as an integral part of his territory and subject to the provisions" of the mandate, and it is of importance, in the interests of the population of Togoland, to pursue the administrative and political development of the territories in question in such a way as to promote the political, economic and social advancement of the inhabitants in accordance with Article 76 of the Charter of the United Nations; and

WHEREAS France has indicated her desire to place under Trusteeship in accordance with Articles 75 and 77 of the said Charter that part of Togoland which is at present administered by her; and

WHEREAS Article 85 of the said Charter provides that the terms of the trusteeship agreements are to be submitted for approval by the General Assembly;

NOW, THEREFORE, the General Assembly of the United Nations approves the following terms of trusteeship for the said Territory.

Article 1

The Territory to which the present Trusteeship Agreement applies comprises that part of Togoland lying to the east of the boundary defined by the Franco-British Declaration of 10 July 1919.

/Article 2

Article 2

The French Government, in its capacity of Administering Authority for this Territory under the terms of Article 81 of the Charter of the United Nations, undertakes to exercise the duties of trusteeship as defined in the said Charter, to promote the basic objectives of the trusteeship system laid down in Article 76, and to collaborate fully with the General Assembly and the Trusteeship Council in the discharge of their functions as defined in Articles 87 and 88.

Accordingly the French Government undertakes;

1. To make to the General Assembly of the United Nations the annual report provided for in Article 88 of the Charter, on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with the said Article, and to attach to that report such memoranda as may be required by the General Assembly or the Trusteeship Council.

To include in that report information relating to the measures taken to give effect to the suggestions and recommendations of the General Assembly or of the Trusteeship Council.

To appoint a representative and, where necessary, qualified experts to attend the meetings of the Trusteeship Council or of the General Assembly at which the said reports and memoranda will be examined.

2. To appoint a representative and, where necessary, qualified experts to participate, in consultation with the General Assembly or the Trusteeship Council, in the examination of petitions received by those bodies.

3. To facilitate such periodic visits to the Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these bodies the dates on which such visits shall take place, and also to agree with them on all questions concerned with

/organizations

organizations and accomplishment of these visits.

4. To render general assistance to the General Assembly or to the Trusteeship Council in the application of these arrangements, and of such other arrangements as those bodies may make in accordance with the terms of the present Agreement.

Article 3

The Administering Authority shall be responsible for the peace, order and good government of the Territory.

It shall also be responsible for the defence of the said Territory and for ensuring that it shall play its part in the maintenance of international peace and security.

Article 4

For the above-mentioned purposes and in order to fulfill its obligations under the Charter and the present Agreement, the Administering Authority,

A. Shall:

1. Have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with French law as an integral part of French territory, subject to the provisions of the Charter and of this Agreement;

2. Be entitled, in order to ensure better administration, with the consent of the territorial representative Assembly, to constitute this Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between such territories and the Trust Territory, provided that such measures should promote the objectives of the international trusteeship system;

B. May:

1. Establish on the Territory military, naval or air bases, station national forces, and raise volunteer contingents therein.

/2. Within

2. Within the limits laid down in the Charter take all measures of organization and defence appropriate for ensuring:
- (a) the participation of the Territory in the maintenance of international peace and security;
 - (b) the respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council;
 - (c) the respect for internal law and order;
 - (d) the defence of the Territory within the framework of the special agreements for the maintenance of international peace and security.

Article 5

The Administering Authority shall take measures to ensure to the local inhabitants a share in the administration of the Territory by the development of representative democratic bodies, and in due course to arrange appropriate consultations to enable the inhabitants freely to express an opinion on their political regime and ensure the attainment of the objectives prescribed in Article 76 (b) of the Charter.

Article 6

The Administering Authority undertakes to maintain the application to the Territory of the international agreements and conventions which are at present in force there, and to apply therein any conventions and recommendations made by the United Nations or the specialized agencies referred to in Article 57 of the Charter, the application of which would be in the interests of the population and consistent with the basic objectives of the trusteeship system and the terms of the present Agreement.

Article 7

In framing laws relating to the holding or transfer of land, the Administering Authority shall, in order to promote the economic and social

/progress

progress of the native population, take into consideration local laws and customs.

No land belonging to a native or to a group of natives may be transferred except between natives, save with the previous consent of the competent public authority, who shall respect the rights and safeguard the interests, both present and future, of the native population. No real rights over native land in favour of non-natives may be created except with the same consent.

Article 8

Subject to the provisions of the following Article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals, and to this end:

1. Shall grant to all nationals of Members of the United Nations freedom of transit and navigation, including freedom of transit and navigation by air, and the protection of person and property, subject to the requirements of public order, and on condition of compliance with the local law;

2. Shall ensure the same rights to all nationals of Members of the United Nations as to its own nationals in respect of entry into and residence in the Territory, acquisition of property, both movable and immovable, and the exercise of professions and trades;

3. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;

4. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of States Members of

/the United Nations

the United Nations apply equally to companies and associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Nevertheless, pursuant to Article 76 of the Charter, such equal treatment shall be without prejudice to the attainment of the trusteeship objectives as prescribed in the said Article 76 and particularly in paragraph (b) of that Article.

Should special advantages of any kind be granted by a Power enjoying the equality of treatment referred to above to another Power, or to a territory whether self-governing or not, the same advantages shall automatically apply reciprocally to the Trust Territory and to its inhabitants, especially in the economic and commercial field.

Article 9

Measures taken to give effect to the preceding Article of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the Charter, to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system and to maintain peace, order and good government. The Administering Authority shall in particular be free, with the consent of the territorial representative Assembly:

1. To organize essential public services and works on such terms and such conditions as it thinks just.
2. To create monopolies of a purely fiscal character in the interest of the Territory and in order to provide the Territory with the fiscal resources which seem best suited to local requirements;
3. To establish or to permit to be established under conditions of proper public control, in conformity with Article 76, paragraph (d) of the Charter, such public enterprises or joint undertakings as appear to

/the Administering

the Administering Authority to be in the interest of the economic advancement of the inhabitants of the Territory.

Article 10

The Administering Authority shall ensure in the Territory complete freedom of thought and the free exercise of all forms of worship and of religious teaching which are consistent with public order and morality. Missionaries who are nationals of States Members of the United Nations shall be free to enter the Territory and to reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals throughout the Territory.

The Provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and morality and for the educational advancement of the inhabitants of the Territory.

The Administering Authority shall continue to develop elementary, secondary and technical education for the benefit of both children and adults. To the full extent compatible with the interests of the population, it shall afford to qualified students the opportunity of receiving higher general or professional education.

The Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly and of petition, subject only to the requirements of public order.

Article 11

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory thus placed under its trusteeship as a strategic area in accordance with Articles 82 and 83 of the Charter.

Article 12

The terms of the present Trusteeship Agreement shall not be altered or

/amended

amended except as provided in Articles 79, 82, 83 and 85, as the case may be, of the Charter.

Article 13

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the Charter of the United Nations.

Article 14

The Administering Authority may enter, on behalf of the Territory, any consultative regional commission, technical organ or voluntary association of States which may be constituted. It may also collaborate, on behalf of the Territory, with international public or private institutions or participate in any form of international co-operation in accordance with the spirit of the Charter.

Article 15

The present agreement shall enter into force as soon as it has received the approval of the General Assembly of the United Nations.

VI. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF
THE CAMEROONS UNDER FRENCH ADMINISTRATION

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of its
First Session on 13 December 1946

WHEREAS the territory known as the Cameroons lying to the east of the line agreed upon in the Declaration signed on 10 July 1919 has been under French administration in accordance with the mandate defined under the terms of the instrument of 20 July 1922; and

WHEREAS, in accordance with Article 9 of that instrument, this part of the Cameroons has since then been "administered in accordance with the laws of the Mandatory as an integral part of his territory and subject to the provisions" of the mandate, and it is of importance, in the interests of the population of the Cameroons, to pursue the administrative and political development of the territories in question, in such a way as to promote the political, economic and social advancement of the inhabitants in accordance with Article 76 of the Charter of the United Nations; and

WHEREAS France has indicated her desire to place under trusteeship in accordance with Articles 75 and 77 of the said Charter that part of the Cameroons which is at present administered by her; and

WHEREAS Article 85 of the said Charter provides that the terms of trusteeship are to be submitted for approval by the General Assembly;

NOW, THEREFORE, the General Assembly of the United Nations approves the following terms of trusteeship for the said Territory.

Article 1

The Territory to which the present Trusteeship Agreement applies comprises that part of the Cameroons lying to the east of the boundary defined by the Franco-British Declaration of 10 July 1919.

Article 2

The French Government in its capacity of Administering Authority for this Territory under the terms of Article 81 of the Charter of the

/United Nations,

United Nations, undertakes to exercise therein the duties of trusteeship as defined in the said Charter, to promote the basic objectives of the trusteeship system laid down in Article 76 and to collaborate fully with the General Assembly and the Trusteeship Council in the discharge of their functions as defined in Articles 87 and 88.

Accordingly the French Government undertakes:

1. To make to the General Assembly of the United Nations the annual report provided for in Article 88 of the Charter, on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with the said Article, and to attach to that report such memoranda as may be required by the General Assembly or the Trusteeship Council.

To include in that report information relating to the measures taken to give effect to the suggestions and recommendations of the General Assembly or of the Trusteeship Council.

To appoint a representative and, where necessary, qualified experts to attend the meetings of the Trusteeship Council or of the General Assembly at which the said reports and memoranda will be examined.

2. To appoint a representative and, where necessary, qualified experts to participate, in consultation with the General Assembly or the Trusteeship Council, in the examination of petitions received by those bodies.

3. To facilitate such periodic visits to the Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these bodies the dates on which such visits shall take place, and also to agree jointly with them on all questions concerned with the organization and accomplishment of these visits.

4. To render general assistance to the General Assembly or the Trusteeship Council in the application of these arrangements, and of such other arrangements as these bodies may take in accordance with the terms of the present Agreement.

Article 3

The Administering Authority shall be responsible for the peace, order and good government of the Territory.

It shall also be responsible for the defence of the said Territory and ensure that it shall play its part in the maintenance of international peace and security.

Article 4

For the above-mentioned purposes and in order to fulfill its obligations under the Charter and the present Agreement, the Administering Authority:

A. Shall

1. Have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with French law as an integral part of the French territory, subject to the provisions of the Charter and of this Agreement.

2. Be entitled, in order to ensure better administration, with the consent of the territorial representative Assembly, to constitute this Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between such territories and the Trust Territory, provided that such measures should promote the objectives of the international trusteeship system.

B. May

1. Establish on the Territory military, naval or air bases, station national forces and raise volunteer contingents therein.

2. Within the limits laid down in the Charter take all measures of organization and defence appropriate for ensuring:

(a) the participation of the Territory in the maintenance of international peace and security,

(b) the respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council,

/(c) the respect

- (c) the respect for internal law and order,
- (d) the defence of the Territory within the framework of the special agreements for the maintenance of international peace and security.

Article 5

The Administering Authority shall take measures to ensure to the local inhabitants a share in the administration of the Territory by the development of representative democratic bodies, and in due course, to arrange appropriate consultations to enable the inhabitants freely to express an opinion on their political regime and ensure the attainment of the objectives prescribed in Article 76 (b) of the Charter.

Article 6

The Administering Authority undertakes to maintain the application to the Territory, of the international agreements and conventions which are at present in force there, and to apply therein any conventions and recommendations made by the United Nations or the specialized agencies referred to in Article 57 of the Charter, the application of which would be in the interests of the population and consistent with the basic objectives of the trusteeship system and the terms of the present Agreement.

Article 7

In framing laws relating to the holding or transfer of land, the Administering Authority shall, in order to promote the economic and social progress of the native population, take into consideration local laws and customs.

No land belonging to a native or to a group of natives may be transferred, except between natives, save with the previous consent of the competent public authority, who shall respect the rights and safeguard the interests, both present and future, of the natives. No real rights over native land in favour of non-natives may be created except with the same consent.

Article 8

Article 8

Subject to the provisions of the following Article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals and to this end:

1. Shall grant to all nationals of Members of the United Nations freedom of transit and navigation, including freedom of transit and navigation by air, and the protection of person and property, subject to the requirements of public order, and on condition of compliance with the local law.
2. Shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, acquisition of property, both movable and immovable, and the exercise of professions and trades.
3. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly.
4. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on the nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Nevertheless, pursuant to Article 76 of the Charter, such equal treatment shall be without prejudice to the attainment of the trusteeship objectives as prescribed in the said Article 76 and particularly in paragraph (b) of that Article.

/Should

Should special advantages of any kind be granted by a Power enjoying the equality of treatment referred to above to another Power, or to a territory whether self-governing or not, the same advantages shall automatically apply reciprocally to the Trust Territory and to its inhabitants, especially in the economic and commercial field.

Article 9

Measures taken to give effect to the preceding article of this Agreement shall be subject to the overriding duty of the Administering Authority, in accordance with Article 76 of the Charter, to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system and to maintain peace, order and good government. The Administering Authority shall in particular be free, with the consent of the territorial representative Assembly:

1. To organize essential public services and works on such terms and such conditions as it thinks just.
2. To create monopolies of a purely fiscal character in the interest of the Territory and in order to provide the Territory with the fiscal resources which seem best suited to local requirements.
3. To establish or to permit to be established under conditions of proper public control, in conformity with Article 76, paragraph (d) of the Charter, such public enterprises or joint undertakings as appear to the Administering Authority to be in the interest of the economic advancement of the inhabitants of the Territory.

Article 10

The Administering Authority shall ensure in the Territory complete freedom of thought and the free exercise of all forms of worship and of religious teaching which are consistent with public order and morality. Missionaries who are nationals of States Members of the United Nations shall be free to enter the Territory and to reside therein, to acquire and possess
/property,

property, to erect religious buildings and to open schools and hospitals throughout the Territory.

The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and morality, and for the educational advancement of the inhabitants of the Territory.

The Administering Authority shall continue to develop elementary, secondary and technical education for the benefit of both children and adults. To the full extent compatible with the interests of the population it shall afford to qualified students the opportunity of receiving higher general or professional education.

The Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly and of petition, subject only to the requirements of public order.

Article 11

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory thus placed under its trusteeship as a strategic area in accordance with Articles 82 and 83 of the Charter

Article 12

The terms of the present Trusteeship Agreement shall not be altered or amended except as provided in Articles 79, 82, 83 and 85, as the case may be, of the Charter.

Article 13

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for by Chapter XIV of the Charter of the United Nations.

/Article 14

Article 14

The Administering Authority may enter, on behalf of the Territory, any consultative regional commission, technical organ or voluntary association of States which may be constituted. It may also collaborate, on behalf of the Territory, with international public or private institutions or participate in any form of international co-operation in accordance with the spirit of the Charter.

Article 15

The present Agreement shall enter into force as soon as it has received the approval of the General Assembly of the United Nations.

VII. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF RUANDA-URUNDI

Approved by the General Assembly of the United Nations
at the Sixty-Second Plenary Meeting of
its First Session on 13 December 1946

WHEREAS the territory known as Ruanda-Urundi has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred upon Belgium;

WHEREAS Article 75 of the United Nations Charter signed at San Francisco on 26 June 1945 provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements;

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under mandate;

WHEREAS the Belgian Government has indicated its desire to place Ruanda-Urundi under the international trusteeship system; and

WHEREAS under Articles 75 and 77 of the Charter the placing of a territory under the international trusteeship system is to be affected by means of a trusteeship agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Ruanda-Urundi.

Article 1

The present Trusteeship Agreement shall apply to the whole of the territory of Ruanda-Urundi as at present administered by Belgium and as defined by Article 1 of the Belgian Mandate and by the Treaty concluded in London on 22 November 1934 by Belgium and the United Kingdom.

Article 2

By the present Agreement, the Belgian Government is designated as Administering Authority for Ruanda-Urundi in accordance with Article 75 of the Charter. The said Government shall assume responsibility for the administration of the said Territory.

/Article 3

Article 3

The Administering Authority undertakes to administer Ruanda-Urundi in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and with the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter.

It likewise undertakes to facilitate such periodic visits to the Trust Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these organs the dates on which such visits shall take place and also to agree jointly with them on all questions concerned with the organization and accomplishment of these visits.

Article 4

The Administering Authority shall ensure the maintenance of peace and order as well as the good government and defence of the Territory. The said Authority shall ensure that the Territory shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes, and in order to fulfil the obligations arising under the Charter and the present Agreement, the Administering Authority:

1. Shall have full powers of legislation, administration and jurisdiction in the territory of Ruanda-Urundi and shall administer it in accordance with Belgian law as an integral part of Belgian territory, subject to the provisions of the Charter and of this Agreement
2. Shall be entitled to constitute Ruanda-Urundi into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty and to establish common services between such territories and Ruanda-Urundi, provided that such measures are not

/inconsistent

inconsistent with the objectives of the international trusteeship system and with the provisions of this Agreement.

3. May establish on the Trust Territory military bases, including air bases, erect fortifications, station its own armed forces and raise volunteer contingents therein.

The Administering Authority may likewise, within the limits laid down by the Charter, take all measures of organization and defence appropriate for ensuring:

The participation of the Territory in the maintenance of international peace and security.

The respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council.

The respect for internal law and order.

The defence of the Territory within the framework of special agreements for the maintenance of international peace and security.

Article 6

The Administering Authority shall promote the development of free political institutions suited to Ruanda-Urundi. To this end the Administering Authority shall ensure to the inhabitants of Ruanda-Urundi an increasing share in the administration and services, both central and local, of the Territory; it shall further such participation of the inhabitants in the representative organs of the population as may be appropriate to the particular conditions of the Territory.

In short, the Administering Authority shall take all measures conducive to the political advancement of the population of Ruanda-Urundi in accordance with Article 76 (b) of the Charter of the United Nations.

Article 7

The Administering Authority undertakes to apply to Ruanda-Urundi the provisions of all present or future international conventions which may be

/appropriate

appropriate to the particular conditions of the Territory and which would be conducive to the achievement of the basic objectives of the international trusteeship system:

Article 8

In framing laws relating to the ownership of land and the rights over natural resources, and to their transfer, the Administering Authority shall take into consideration native laws and customs and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or native-owned natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or native-owned resources of the sub-soil, in favour of non-natives, may be created except with the same consent.

Article 9

Subject to the provisions of the following article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals and to this end:

1. Shall ensure to all nationals of Members of the United Nations the same rights as are enjoyed by its own nationals in respect of entry into and residence in Ruanda-Urundi; freedom of transit and navigation, including freedom of transit and navigation by air, the acquisition of property, both movable and immovable, the protection of person and property, and the exercise of professions and trades.
2. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of natural resources of the Territory and shall not grant concessions having the character of a general monopoly.

/3. Shall ensure

3. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this article on the nationals of States Members of the United Nations apply equally to companies or associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to the provisions of the preceding article shall be subject always to the overriding duty of the United Nations and of the Administering Authority to promote the political, economic, social and cultural advancement of the inhabitants of the Territory, and to pursue the other objectives of the trusteeship system as laid down in Article 76 of the Charter of the United Nations.

The Administering Authority shall, in particular, be free:

1. To organize essential public services and works on such terms and such conditions as it thinks just;
2. To create, in the interests of Ruanda-Urundi, monopolies of a purely fiscal character in order to provide the Territory with the resources which seem best suited to local requirements;
3. Where the interests or the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them

an element of monopoly, under conditions of proper public control provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering

Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies or associations the

/benefits

benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of Ruanda-Urundi equality of treatment with the nationals, companies and associations of the state which it treats most favourably.

Article 12

The Administering Authority shall develop the system of elementary education in the Trust Territory in order to reduce the number of illiterates to train the inhabitants in manual skill, and to improve the education of the population. The Administering Authority shall, so far as possible, provide the necessary facilities to enable qualified students to receive higher education, more especially professional education.

Article 13

The Administering Authority shall ensure throughout the Trust Territory complete freedom of conscience, freedom of religious teaching and the free exercise of all forms of worship which are consistent with public order and morality; all missionaries who are nationals of any State Member of the United Nations shall be free to enter, travel and reside in the Trust Territory, to acquire and possess property, to erect religious buildings and to open schools and hospitals therein. The provisions of the present article shall not, however, affect the duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and good government and also the quality and progress of education.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Trust Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may, on behalf of the Trust Territory, accept membership in any advisory regional commission (regional authority), technical organization, or other voluntary association of States. It may

/co-operate

co-operate with specialized agencies, whether public or private, and participate in other forms of international co-operation not inconsistent with the Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the Charter of the United Nations.

Such reports shall include information regarding the measures taken in order to give effect to the suggestions and recommendations of the General Assembly and of the Trusteeship Council.

The Administering Authority shall appoint an accredited representative to attend the meetings of the Trusteeship Council at which the reports of the Administering Authority for Ruanda-Urundi will be examined.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory as a strategic area in accordance with Articles 82 and 83 of the Charter.

Article 18

The terms of the present Trusteeship Agreement may not be altered or amended except as provided in Articles 79, 83 or 85 of the Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for by Chapter XIV of the Charter of the United Nations.

VIII. TRUSTEESHIP AGREEMENT FOR THE
TERRITORY OF WESTERN SAMOA

Approved by the General Assembly at the Sixty-Second
Plenary Meeting of Its First Session
On 13 December, 1946

WHEREAS the territory of Western Samoa has been administered in accordance with Article 22 of the Covenant of the League of Nations and pursuant to a mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of New Zealand;

Article 75

AND WHEREAS the Charter of the United Nations signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be the subject of trusteeship agreements;

Article 77

AND WHEREAS under the said Charter the international trusteeship system may be applied to territories now held under mandate;

AND WHEREAS the Government of New Zealand have indicated their willingness that the said international trusteeship system be applied to Western Samoa;

AND WHEREAS the said Charter provides further that the terms of trusteeship are to be approved by the United Nations;

Article 85

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Western Samoa, in substitution for the terms of the aforesaid mandate.

/Article 1

Article 1

The Territory to which this Agreement applies is the territory known as Western Samoa comprising the islands of Upola, Savai'i, Manono, and Apolima, together with all other islands and rocks adjacent thereto.

Article 2

The Government of New Zealand are hereby designated as the Administering Authority for Western Samoa.

Article 3

The Administering Authority shall have full powers of administration, legislation and jurisdiction over the territory, subject to the provisions of this Agreement, and of the Charter of the United Nations, and may apply to the Territory, subject to any modifications which the Administering Authority may consider desirable, such of the laws of New Zealand as may seem appropriate to local conditions and requirements.

Article 4

The Administering Authority undertakes to administer Western Samoa in such a manner as to achieve in that Territory the basic objectives of the international trusteeship system, as expressed in Article 76 of the Charter of the United Nations, namely:

- "(a) to further international peace and security;
- "(b) to promote the political, economic, social and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- "(c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and to encourage recognition of the inter-dependence of the peoples of the world; and

/"(d) to ensure

"(d) to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80".

Article 5

The Administering Authority shall promote the development of free political institutions suited to Western Samoa. To this end and as may be appropriate to the particular circumstances of the Territory and its peoples, the Administering Authority shall assure to the inhabitants of Western Samoa a progressively increasing share in the administrative and other services of the Territory, shall develop the participation of the inhabitants of Western Samoa in advisory and legislative bodies and in the government of the Territory, and shall take all other appropriate measures with a view to the political advancement of the inhabitants of Western Samoa in accordance with Article 76 (b) of the Charter of the United Nations.

Article 6

In pursuance of its undertakings to promote the social advancement of the inhabitants of the Trust Territory, and without in any way limiting its obligations thereunder, the Administering Authority shall:

1. Prohibit all forms of slavery and slave-trading;
2. Prohibit all forms of forced or compulsory labour, except for essential public works and services as specifically authorized by the local administration and then only in times of public emergency, with adequate remuneration and adequate protection of the welfare of the workers;
3. Control the traffic in arms and ammunition;
4. Control, in the interest of the inhabitants, the manufacture, importation and distribution of intoxicating spirits and beverages; and
5. Control the production, importation, manufacture, and distribution of opium and narcotic drugs.

Article 7

The Administering Authority undertakes to apply in Western Samoa the provisions of any international conventions and recommendations as drawn up by the United Nations or its specialized agencies which are, in the opinion of the Administering Authority, appropriate to the needs and conditions of the Trust Territory, and conducive to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing the laws to be applied in Western Samoa, the Administering Authority shall take into consideration Samoan customs and usages and shall respect the rights and safeguard the interests, both present and future, of the Samoan population.

In particular, the laws relating to the holding or transfer of land shall ensure that no native land may be transferred save with the prior consent of the competent public authority and that no right over native land in favour of any person not a Samoan may be created except with the same consent.

Article 9

The Administering Authority shall ensure in the Territory freedom of conscience and the free exercise of all forms of worship, and shall allow missionaries, nationals of any State Member of the United Nations, to enter into, travel and reside in the Territory for the purpose of prosecuting their calling. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as it may consider necessary for the maintenance of peace, order and good government.

Article 10

The Administering Authority shall ensure that the Trust Territory of Western Samoa shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the Administering Authority shall be entitled:

1. To establish naval, military and air bases and to erect

/fortifications

fortifications in the Trust Territory.

2. To station and employ armed forces in the Territory.
3. To make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations toward the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Trust Territory.
4. To take all such other measures in accordance with the Purposes and Principles of the Charter of the United Nations as are in the opinion of the Administering Authority necessary to the maintenance of international peace and security and the defence of Western Samoa.

Article 11

The Administering Authority shall as may be appropriate to the circumstances of the Trust Territory, continue and extend a general system of education, including post-primary education and professional training.

Article 12

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Trust Territory, freedom of speech, of the press, of assembly and of petition.

Article 13

The Administering Authority may arrange for the co-operation of Western Samoa in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the Charter of the United Nations.

Article 14

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with the Charter of the United Nations and shall otherwise collaborate fully with the Trusteeship Council in the

/discharge

discharge of all the Council's functions in accordance with Articles 87 and 88 of the Charter. The Administering Authority shall arrange to be represented at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to Western Samoa are considered.

Article 15

The terms of this Agreement shall not be altered or amended except as provided in Article 79 of the Charter of the United Nations.

Article 16

If any dispute should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or similar means, shall be submitted to the International Court of Justice.

APPENDIX TO TRUSTEESHIP AGREEMENT FOR WESTERN SAMOA

TEXT OF CHAPTERS XII AND XIII OF THE CHARTER OF THE UNITED NATIONS

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- (a) to further international peace and security;
- (b) to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- (c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the inter-dependence of the people of the world; and
- (d) to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:
 - (a) territories now held under mandate;
 - (b) territories which may be detached from enemy states as a result of the Second World War; and
 - (c) territories voluntarily placed under the system by states responsible for their administration.
2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.
2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements

/for placing

for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.
2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.
3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this

/regard

regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.
2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

COMPOSITION

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:
 - (a) those Members administering trust territories;
 - (b) such of those Members mentioned by name in Article 23 as are not administering trust territories; and
 - (c) as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.
2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

FUNCTIONS AND POWERS

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

/(a) consider

- (a) consider reports submitted by the administering authority;
- (b) accept petitions and examine them in consultation with the administering authority;
- (c) provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- (d) take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

VOTING

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

PROCEDURE

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.