



The following information from the Registry of the International Court of Justice is communicated to the Press:

On 4 November 1960 Applications were filed in the Registry of the Court on behalf of the Government of Ethiopia and on behalf of the Government of Liberia instituting separate proceedings before the Court against the Union of South Africa.

In both Applications, the subject of the dispute is stated to be the continued existence of the Mandate for South West Africa and the duties and performance of the Union, as Mandatory, thereunder. The Applications refer to Article 80, paragraph 1, of the Charter of the United Nations, and found the jurisdiction of the Court on Article 7 of the Mandate for German South West Africa made at Geneva on 17 December 1920, and on Article 37 of the Statute of the Court.

Both Applications, after reciting the circumstances in which a Mandate for the former German protectorate of South West Africa was conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa, set forth the duties which, it is contended, thereupon devolved upon the Mandatory. The Applicants allege that the Union, acting through official bodies created by it to administer the Territory, has violated, and continues to violate, Article 2 of the Mandate and Article 22 of the Covenant of the League of Nations, by failing to promote to the utmost the material and moral well-being and social progress of the inhabitants; by distinguishing as to race, colour, national and tribal origin in establishing the rights and duties of the peoples of the Territory by the practice of apartheid; by legislation which is arbitrary, unreasonable, unjust, and detrimental to human dignity; by the suppression of rights and liberties of the inhabitants essential to their orderly evolution towards self-government.

The Applicants further allege that the Union has violated, and continues to violate, Article 6 of the Mandate by its failure to render to the General Assembly of the United Nations annual reports with regard to the Territory; and Article 2 of the Mandate and Article 22 of the Covenant, by the exercise of powers of administration and legislation inconsistent with the international status of the Territory and in violation of its duty to exercise an international function of administration on behalf of the United Nations; that the Union has violated, and continues to violate, the League of Nations rules by refusing to transmit petitions to the General Assembly of the United Nations, and Article 2 of the Mandate and Article 22 of the Covenant by preventing residents of the Territory from appearing before United Nations bodies. It is contended that the Union has thereby substantially modified the terms of the Mandate without the consent of the United Nations.

The Applications respectively state that a dispute exists and has existed for more than ten years between the Applicants and the Union regarding the interpretation and application of the Mandate.

The Applications seek declarations by the Court in accordance with their allegations.

The Hague, 5 November 1960

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