

TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF WESTERN SAMOA

AS APPROVED BY THE GENERAL ASSEMBLY AT THE
SIXTY - SECOND PLENARY MEETING OF ITS
FIRST SESSION ON 13 DECEMBER, 1946

EXPLANATORY NOTE

Chapters XII and XIII of the Charter of the United Nations make provision 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. Territories held under mandate are listed first in the various categories of territories to which the international trusteeship system may apply (Article 77).

2. The Government decided, in December, 1945, that the former Mandated Territory of Western Samoa should be placed under trusteeship, and this decision was communicated to the General Assembly of the United Nations by the Prime Minister at the first part of the First Session on 18 January, 1946.¹ A similar announcement was made by the New Zealand delegation to the final meeting of the Assembly of the League of Nations at Geneva in April, 1946. The New Zealand representative then stated that the New Zealand Government did not consider that the dissolution of the League of Nations would have the effect of diminishing New Zealand's obligations in respect of Western Samoa, or of increasing her rights in the Territory.²

3. The Territory of Western Samoa has been administered in the past pursuant to a mandate which was offered to and accepted by New Zealand under the Treaty of Versailles, and the terms of which were confirmed and defined by the Council of the League of Nations on 17 December, 1920. The mandate imposed specific obligations upon the mandatory Power, notably to promote to the utmost the material and moral well-being and the social progress of the inhabitants, to prohibit slavery and forced labour, to control traffic in arms, to exclude alcoholic beverages, to permit freedom of worship and missionary activities, to refrain from building fortifications and military bases, and to submit an annual report to the League of Nations.

¹ The relevant passage in the Prime Minister's speech before the General Assembly appears at page 11 in the report of the New Zealand delegation on the first part of the First Regular Session of the General Assembly held at London, 10 January-14 February, 1946 [Paper A.-2 (1946)].

² The text of the statement is reproduced as Appendix A to the report of the New Zealand delegation on the adjourned 20th Session and the 21st (Final) Session of the Assembly of the League of Nations held at Geneva 8-18 April, 1946, [Paper A.-5 (1946)].