

ARTICLE 90

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TEXT OF 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.

INTRODUCTORY NOTE

1. Only one general question of Charter interpretation has arisen with regard to Article 90, namely, whether the Trusteeship Council in adopting and revising its rules of procedure is bound to follow the directives given to it by the General Assembly. This question has, however, been dealt with together with all other aspects of the relationship between the General Assembly and the Trusteeship Council in this Repertory under Article 85.
2. The present study is confined to an account of those features of the procedures of the Council which have not been dealt with in connexion with other Articles of the Charter. The General Survey reviews the development of the rules of procedure of the Council. The Analytical Summary of Practice is divided into three sections; the first two of these deal with the two questions which are expressly referred to in the text of Article 90, namely, the selection of the President of the Council and the convening of its sessions. The third section provides an outline of other essential features of the procedures of the Council, dealing respectively with the preparation and adoption of its agendas, the manner in which it conducts its business and keeps its records and the extent to which it has established subsidiary bodies.
3. The rules of procedure adopted by the Council with respect to its supervisory functions under Article 87 and with respect to questionnaires and annual reports under Article 88 have been described in this Repertory under those Articles. In addition, the rules relating to representation and credentials, to voting and to relationship with other bodies have been dealt with in connexion with Articles 86, 89 and 91 respectively.

I. GENERAL SURVEY

4. Provisional rules of procedure for the Trusteeship Council were drafted by the Preparatory Commission and were included in chapter IV, section 2 of its report. 1/
5. The General Assembly, at the twenty-seventh plenary meeting of its first session, adopted without debate resolution 10 (I) which read as follows:

"The General Assembly requests the Secretary-General to transmit the 'Provisional rules of procedure of the Trusteeship Council' (section 2 of chapter IV of the Preparatory Commission's Report) to the Trusteeship Council as soon as it is constituted."

1/ Report of the Preparatory Commission of the United Nations, PC/20, 23 Dec. 1945.

6. At its first session, the Trusteeship Council considered as one of its working documents the rules 2/ recommended by the Preparatory Commission. The Secretariat also submitted to the Council, among other working documents, draft rules of procedure which took into consideration the experience of the General Assembly, the Security Council and the Economic and Social Council during the first year of their existence. 3/ The Trusteeship Council devoted seventeen of its meetings to the examination of the rules and agreed upon the substance to be included in each rule in question, while a Drafting Committee on the Rules of Procedure, composed of one representative of each member of the Council, was established to advise the Council on matters referred to it.

7. The Council unanimously adopted its rules of procedure 4/ at the twenty-second meeting of its first session.

8. The Trusteeship Council has, on several occasions, discussed problems arising from the application of the rules, and has approved certain modifications which it deemed appropriate. At its second session, the Trusteeship Council decided that amendments to several rules were necessary as set forth below. (1) An amendment to rule 3 to provide for the calling of a special session of the Trusteeship Council at the request of the Economic and Social Council. (2) An amendment to rule 8 to provide for the communication to the Economic and Social Council of the provisional agenda for each session of the Trusteeship Council. 5/ (3) An amendment to rule 85 to provide for the procedure to be followed in dealing with petitions of a manifestly inconsequential nature. (4) An amendment to rule 99, which governs the procedure concerning the transmission to the Council of the reports of visiting missions. Further, a new rule, numbered 80 bis, 6/ was approved authorizing the President, after consultation with the Administering Authority concerned, to inform a petitioner requesting an oral presentation that he would be heard by the Council. 7/ At its fourth session, the Council added certain new paragraphs to the rules concerning its records, and extended from four to six months the time-limit laid down in rule 72 (1) for the submission of the annual reports of the Administering Authorities. At its fifth session, the Council decided 8/ to amend rule 1 of its rules of procedure relating to the date of its sessions. The amended rules were issued in revised form. 9/

9. At its sixth session the Council adopted an amendment to rule 90 which granted ad hoc committees on petitions power to undertake a preliminary examination of written petitions. The Council also adopted amendments to rules 26 and 53 in order to clarify the right of the Secretary-General to make oral and written statements.

10. As a result of the approval by the General Assembly of the Trusteeship Agreement for Somaliland under Italian administration, the question of the revision of the rules of procedure was included in the agenda of the eighth session of the Council. A special committee, appointed by the Council, submitted a number of rules which were adopted by the Council as supplementary rules A to L. Under these rules, the Government of Italy was invited to designate a representative who might be present at all sessions

2/ T C (I), Suppl., p. 2, annex 2 (T/1).

3/ T C (I), Suppl. p. 29, annex 2b (T/4).

4/ T C (I), Suppl., p. 11, annex 2a (T/1/Rev.1).

5/ See in this Repertory under Article 91.

6/ Present rule 80 (2).

7/ For the revised text, see T/154.

8/ T C (V), 2nd mtg., pp. 5-7.

9/ The rules of procedure of the Trusteeship Council as approved at its first session and as amended at its second, fourth and fifth sessions were published as document T/1/Rev.2.

of the Council and who might participate, without vote, in the deliberations and submit draft resolutions and other motions or amendments on questions relating specifically to Somaliland and on general questions. Provisions relating to the participation of the members of the United Nations Advisory Council for Somaliland in the work of the Trusteeship Council were also adopted. 10/

11. As a result of its consideration of reports submitted to it by its Committee on Examination of Petitions 11/ and by its Committee on General Procedure 12/ the Council adopted resolution 467 (XI), by which it provided for amendments to rules 19, 24, 39, 41, 72, 84, 85, 86 13/ and 90 of its rules of procedure. 14/ Most of these amendments concerned the procedure for the examination of petitions, which was changed in particular by the establishment of a standing committee to examine petitions presenting specific grievances.

12. By resolution 998 (XIV), the Council, after considering a report 15/ by the Standing Committee on Petitions on the effectiveness of the new rules of procedure relating to petitions approved at the eleventh session, adopted further amendments to rule 86 and 90 proposed by the Committee.

II. ANALYTICAL SUMMARY OF PRACTICE

A. The method of selecting the President of the Trusteeship Council

13. Article 90 (1) expressly provides that the rules of procedure of the Trusteeship Council shall include the method of selecting its President.

14. The text of the relevant rule of the provisional rules of procedure as drafted by the Preparatory Commission read as follows:

"The Council shall, by secret ballot, elect at the beginning of each regular session a President and a Vice-President from among the representatives of the members of the Council." 16/

15. The Trusteeship Council considered this rule at its first session and voted in favour of the principle that the President should be elected for a one-year term. After adopting a proposal to replace the clause "at the beginning of its first regular session of each year", which the Drafting Committee had suggested, by the clause "at the beginning of its regular spring session" and after changing the word "spring" to "June", the Council adopted 17/ rule 19, which read as follows:

"The Trusteeship Council, by secret and separate ballots, shall elect, at the beginning of its regular session in June, a President and a Vice-President from among the representatives of the members of the Trusteeship Council."

10/ See in this Repertory under Article 86.

11/ T C (X), Annexes, a.i. 10, p. 1, T/L.243 and Corr.1.

12/ T C (XI), Annexes, a.i. 11, p. 2, T/L.265.

13/ The amendment to rule 86 superseded a previous amendment to that rule adopted at the ninth session under resolution 347 (IX).

14/ The rules of procedure of the Trusteeship Council as amended up to and during its eleventh session were published as United Nations Publications, Sales No.: 1952.I.19.

15/ T C (XIV), Annexes, a.i. 8, p. 1, T/L.465.

16/ Report of the Preparatory Commission of the United Nations, PC/20, 23 Dec. 1945, chap. IV, section 2, rule 9.

17/ T C (I), 22nd mtg., p. 597.

16. By a subsequent oral amendment, which did not affect the procedure for selecting the President, the Council deleted the words "by secret and separate ballots" from rule 19, while amending rule 41 in the section on voting to make it clear that the election of the President and the Vice-President should be by secret and separate ballots.

17. In the election of Presidents and Vice-Presidents, it has not been the practice to call for nominations. On the other hand, nominations have been called for in the election of chairmen of subsidiary bodies of the Council.

18. Rule 20 provides that the President and Vice-President shall not be eligible for immediate re-election. It is to be noted, however, that a retiring Vice-President has, on several occasions, been elected President.

19. Although not required under the rules, it has become common practice to select the President alternately from among representatives of Administering Authorities on the Council and of representatives of members which do not administer Trust Territories. The Vice-President has been elected from among representatives of the category of members other than that from which the President has been chosen.

B. The convening of sessions of the Trusteeship Council

1. Regular sessions

20. Under the heading "Sessions", rules 1 to 7 of the rules of procedure of the Trusteeship Council deal with the time, place and method of convening regular and special sessions of the Trusteeship Council.

21. During the discussion at the first session of the Trusteeship Council, there was basic agreement among the representatives that two regular sessions should be held each year. At the twenty-second meeting of its first session, the Council adopted rule 1, which read as follows:

"The Trusteeship Council shall meet in two regular sessions each year. The first of such sessions shall be convened during the latter half of June and the second shall be convened during the latter half of November."

22. The second and third sessions were convened in accordance with this rule in November 1947 and June 1948 respectively, but because of the length of the third session of the General Assembly, it was not possible to convene the fourth session of the Trusteeship Council until January 1949. Considering that the probable length of future sessions of the General Assembly as well as its own prospective programme of work could make it impracticable to hold sessions in November, the Trusteeship Council, at its fifth session, amended the second sentence of rule 1 to read as follows:

"The first of these sessions shall be convened during the month of January and the second during the month of June."

23. Since that date, regular sessions of the Council have been convened in accordance with its rules of procedure with the following exceptions:

(a) The opening of the tenth session of the Council was delayed until 27 February 1952 because of the late conclusion of the sixth session of the General Assembly;

(b) Only one session of the Council, its twelfth, was held during 1953. The reason for this was that under the schedule for the examination of annual reports which it had

adopted at its eleventh session, ^{18/} there were no annual reports to be examined until the June session of 1953. Accordingly, the Council decided that it would not hold a session in January 1953, unless the matters referred to it by the General Assembly during the course of its seventh session warranted the holding of such a session, which was not the case.

24. The precise dates of sessions of the Council are fixed in each case, in the light of the prospective programme of work, either by decision of the Council at the close of a previous session, or, more frequently, by the President after informal conversations with the members of the Council. In the case of the tenth session, the opening date was fixed at a session specially held for that purpose.

25. Requests for a change of the date of a regular session may, under rule 5, be made by any member of the Trusteeship Council and are dealt with in the same manner as a request for special sessions under rule 3, as described below. There have, however, been no formal requests for such a change of date.

2. Special sessions

26. Rule 2 provides that special sessions shall be held at the request of a majority of the members of the Council, by decision of the Council itself, at the request of the General Assembly, or at the request of the Security Council acting in pursuance of the relevant provisions of the Charter. Rule 3 provides, in addition, that a request by any member of the Trusteeship Council, or by the Economic and Social Council, shall be communicated to the other members and that a special session shall be convened if and when the majority of the members have concurred. In addition, supplementary rule D provides that Italy may request a special session.

27. During the discussion of rule 2 at the first session of the Trusteeship Council, one representative asked ^{19/} whether a special session of the Trusteeship Council should necessarily be called when the Security Council so requested. A proposal was ^{made} ^{20/} to limit the right of the Security Council by adding the phrase "acting in pursuance of Article 83 of the Charter" to the rule. After other representatives had observed that the Security Council might act under several Articles and after it had been made clear that no language adopted could affect the prerogatives under the Charter of either the General Assembly or the Security Council, it was decided to add after the words "Security Council" the phrase "acting in pursuance of the relevant provisions of the Charter". It was also decided that it would not be necessary to include a similar provision in rule 2 in respect of the Economic and Social Council.

28. Three of the four special sessions held by the Council have been convened during sessions of the General Assembly when, after members of the Council agreed, in the course of oral consultations, that such a session should be held. Questions relating to the organization of sessions of the Council and, in one case, to the membership of a visiting mission, were included in the agenda and in each case a single meeting was sufficient to dispose of the items under discussion. The second special session was convened as a result of the adoption by the General Assembly of resolution 289 (IV), by which it requested that the Trusteeship Council negotiate with Italy a Trusteeship Agreement for the former Italian colony of Somaliland. Eight meetings were devoted to discussions of that question and of the question of the international régime for Jerusalem, which was subsequently added to the agenda.

^{18/} T C (XI), 453rd mtg., pp. 2-5.

^{19/} T C (I), 3rd mtg., p. 47.

^{20/} Ibid., p. 49.

C. Other essential features of the rules of procedure of the Council

1. Agenda

29. Rules 8 to 10, relating to the preparation, circulation and adoption of the agendas of sessions of the Council, were adopted ^{21/} at the first session with little discussion and have, in practice, operated in a flexible manner and without difficulty.

30. Rule 8 provides that the provisional agenda for each session of the Trusteeship Council shall be drawn up by the Secretary-General in consultation with the President and shall be communicated, together with the notice summoning the Council, to the organs, members and specialized agencies referred to in rule 4. ^{22/} It is now customary for the Secretariat to prepare and circulate also a tentative timetable for the work of the session, in which, in particular, dates suitable to the Administering Authorities concerned are set for the examination of conditions in the Trust Territories on which annual reports are to be examined.

31. Rule 9 provides that the provisional agenda shall include consideration of:

- (a) Such annual reports and other documents as may have been submitted by the Administering Authorities;
- (b) Such petitions as may have been presented, a list of which shall be attached;
- (c) Arrangements for and reports on visits to Trust Territories;
- (d) All items proposed by the Trusteeship Council at a previous session;
- (e) All items proposed by any Member of the United Nations;
- (f) All items proposed by the General Assembly, the Security Council, the Economic and Social Council, or a specialized agency under the terms of its agreement with the United Nations; and
- (g) All items or reports which the President or the Secretary-General may deem necessary to put before the Trusteeship Council.

32. In practice, the greater part of the workload of the sessions of the Council has consisted of items under (a) to (c), that is to say the carrying out by the Trusteeship Council of its functions under Article 87. Detailed rules governing the placing of annual reports, petitions and reports of visiting missions on the agenda are described in this Repertory under that Article. The next most important category of agenda item has related to questions which the General Assembly has, by resolution, referred to the Trusteeship Council for action or further study. Items under (d) have also consisted, for the most part, of questions which, in the first instance, have been referred to the Council by the General Assembly. In a few cases, the Economic and Social Council has brought to the attention of the Council questions of an economic and social nature applying to Trust Territories as well as to other areas, while the Secretary-General has, from time to time, submitted reports on procedural questions and on the carrying out of the functions entrusted to him by the Council. The only occasions on which the Security Council has proposed items to the Trusteeship Council occurred at the third and fourth sessions of the latter, when the determination of the relationship between the two organs under Article 83 (3) in respect of strategic areas under trusteeship was under discussion. No items have been proposed by Members of the United Nations not members of the Council or by specialized agencies.

^{21/} T C (I), 4th mtg., p. 76. For the relevant rules, see T C (I), Suppl., p. 2, annex 2 (T/1), rules 5, 6 and 8.

^{22/} A minor clarifying amendment was adopted without objection at the second session of the Council.

33. Rule 10 provides that the first item on the provisional agenda of any meeting of the Trusteeship Council shall be the adoption of the agenda. In practice, the adoption of the provisional agenda has taken place only at the beginning of sessions or when there has been a considerable interval between meetings of the same session. Agendas for other meetings are drawn up in accordance with the timetable with such modifications as the Council may adopt from time to time during the session.

34. Rule 10 also specifies that the Trusteeship Council may revise the agenda and may, as appropriate, add, defer or delete items. The power to delete items from the agenda was not specified in the provisional rule transmitted by the Preparatory Commission and was added following a discussion ^{23/} in which members considered that it should be made clear that the Council should have the right of deciding upon its agenda. Except on rare occasions when petitions listed in the annex have been declared inadmissible, the Council has not deleted items from the agenda. However, consideration of items has frequently been postponed from one session of the Council to another. For example, the Council decided to postpone discussion of the report of the Visiting Mission to Trust Territories in East Africa (agenda item 6 of its fourth session) until its fifth session. ^{24/}

2. Conduct of business

35. The rules of procedure of the Council for the conduct of its business, as well as for such related matters as the languages to be used in its proceedings and the form of its official records, were in essence based on the rules of procedure of other organs of the United Nations which were in effect when the Trusteeship Council met for the first time in April 1947.

36. The provisional rules formulated by the Preparatory Commission, after specifying, in rule 30, that two-thirds of the members should constitute a quorum, went on to provide in rule 31 that, until otherwise decided, the rules for the conduct of the business of the Council should be those of the General Assembly in so far as applicable, while rule 18 stated that the rules adopted at the San Francisco Conference regarding languages should prevail until otherwise decided. However, in adopting its rules, the Trusteeship Council accepted a suggestion of the Secretariat that it adopt more precise rules which would take into account the experience then acquired by the General Assembly itself and by other organs, as well as the specific characteristics of the Trusteeship Council. The rules proposed by the Secretariat were, with some further elaboration, adopted by the Council at its first session. With the exception of one small consequential amendment to rule 53, ^{25/} they have remained unchanged.

37. The small size of the Council and the relatively technical nature of its work is reflected in rule 56 (3), which reads as follows:

"A motion for closure of debate on a draft resolution or other motion shall not be considered by the Trusteeship Council until each representative shall have had the opportunity to speak on that draft resolution or other motion. Debate on a motion for closure of debate shall be limited to one speaker for each side."

In practice, the closure of the debate was moved on a few occasions at the earlier sessions of the Council, but partly because of the provisions of the rule it has never been pressed to the vote. At later sessions, it has been the invariable practice to

^{23/} T C (I), 4th mtg., pp. 68-76.

^{24/} T C (IV), 34th mtg., p. 447; 41st mtg., p. 531.

^{25/} This was made necessary by the amendment of rule 26.

allow the discussion on each question to be completed before proceeding to a vote, subject only to such appeals as the President might make from time to time for the expeditious conduct of the business of the Council. Similarly, motions to limit the time of each speaker are specifically mentioned in rule 56, but have not, in fact, been introduced.

38. Rule 57 states that the Council may decide to postpone the consideration of draft resolutions and other substantive motions or amendments, the copies of which have not been circulated twenty-four hours in advance of the meeting at which they are to be considered. It has been the normal practice to grant such a postponement whenever a member has requested it. More generally, the Council has usually been prepared to postpone or to advance the consideration of items to suit the convenience of individual delegations, particularly the delegation of the Administering Authority concerned. Such postponements have usually followed a request acceded to without objection rather than a formal motion.

39. The rules of procedure provide that the President shall have complete control of the proceedings of any meeting, subject to the rules of procedure; in particular, he is empowered to declare the opening and closing of each meeting, to direct the discussions, to ensure observance of the rules of procedure, to accord the right to speak, to put questions and to announce decisions. ^{26/} No one may address the Council without having previously obtained his permission. He may call a speaker to order if his remarks are not relevant to the subject under discussion. ^{27/}

40. While the practice has varied slightly from one President to another, Presidents have, in general, allowed members wide latitude to comment on the way in which the meetings of the Council should be controlled and the rules of procedure applied. While this may, from time to time, have led to procedural discussions on points which might otherwise have been decided by a ruling of the President, the result has been that points of order to be immediately decided upon by the President in accordance with rule 54 have very seldom been raised in the Council and there have been virtually no appeals from rulings of the President under rule 55.

41. The practice with regard to calling speakers to order has also varied, but the relevant provision of the rules has been only infrequently applied. Such instances as have occurred have been, for the most part, cases in which representatives have, for purposes of illustration or argument, referred to areas other than Trust Territories.

42. While Presidents have, with few exceptions, appointed other members of their delegations to act in their place as representatives of their respective States, they have, nevertheless, continued to play an active and influential part in the proceedings of the Council. This is due largely to the fact that many items on the agendas of the Council are not the subject of formal proposals by delegations, but are discussed on the basis of informal oral suggestions for action. It is the practice for the President to take an active part in such proceedings of the Council, summing up the points of agreement reached in the Council and, in many cases, proposing the final decision. In fact, on procedural and noncontentious items, it is normal for the President to take the initiative in placing proposals before the Council and it is not unusual for such proposals to be accepted without amendment or even without discussion.

^{26/} Rule 51.

^{27/} Rule 53.

43. Because so many of the decisions of the Council have been adopted in the form of brief decisions, a list of "other decisions taken" has been annexed to the volume of resolutions adopted by the Trusteeship Council at each session beginning with the seventh.

44. With respect to the material aspects of conducting the business of the Council, it may be noted that the rules of the Council with regard to languages were a close adaptation of the provisional rules of procedure used by the General Assembly during 1946-1947. They have not been changed to take into consideration the fact that simultaneous interpretation has been available in all five official languages since the second session of the Council in November 1947. There has been no proposal that any language other than English or French should become a working language of the Council. It may further be pointed out that many of the documents considered by the Council, particularly at its earlier sessions, have been available in only one of the working languages at the time they were considered; moreover, the lengthy annual reports presented by the Administering Authorities have not been reproduced as a document of the Council and have therefore not been translated into the other working language.

45. The form of the records of the Council has changed frequently during the course of its sessions. Initially, the Council adopted verbatim records as its official records, but at its second session it accepted 28/ a request by the General Assembly that it dispense with verbatim records for reasons of economy. The records of the Council were therefore kept in summary form beginning with the second part of the second session. However, at the third session, by resolution 44 (III), the Council expressed the opinion that the absence of verbatim records considerably impeded its work and requested the General Assembly to make regular budgetary appropriations to provide the Council with facilities for making available in mimeographed form verbatim records of its meetings in the future, in addition to the preparation and publication of summary records as the official records of the Council.

46. At part of the third session and at subsequent sessions, the Council has been provided with "unofficial" verbatim records not subject to correction, with the exception of a few meetings mainly devoted to procedural matters at which only summary records were prepared and with the additional exception that, at the twelfth and thirteenth sessions, the verbatim records were used, on an experimental basis, as the source from which the official records were prepared.

47. Finally, it may be noted that rule 44 provides that the meetings of the Trusteeship Council and of all of its subsidiary bodies shall be held in public, unless the Council or subsidiary body concerned decides that circumstances require that meetings be held in private. All meetings of the Council itself, with the exception of parts of two meetings, have been held in public. The two exceptions were a meeting at the second session at which certain information concerning the situation in Jerusalem was communicated 29/ to the Council by the representative of the United Kingdom and a meeting at the third session, at which the membership of the 1948 Visiting Mission to Trust Territories in East Africa was discussed. 30/

3. *Subsidiary organs*

48. Except in so far as may be implied from its power to arrange for periodic visits to Trust Territories under Article 87 c, Chapter XIII does not refer to the possibility

28/ T C resolution 30 (II). See also T C (II), 35th mtg., pp. 180-186.

29/ T C (II), 43rd mtg., p. 78.

30/ T C (III), 17th mtg., p. 220.

of the establishment by the Trusteeship Council of subsidiary organs, whereas the power of the General Assembly, the Security Council and the Economic and Social Council to establish such subsidiary organs as they may deem necessary is explicitly stated in Articles 22, 29 and 68 respectively. Nevertheless, the establishment of subsidiary organs had been envisaged in rule 32 of the provisional rules of procedure formulated by the Preparatory Commission, which stated: 31/

"The Council may seek the advice of individual technical experts, or establish advisory commissions of technical experts."

49. When the Council considered its rules of procedure, it rejected the proposed rule 32. It also rejected a proposed rule 32/ based on the provisional rules of the Security Council, which would have provided that "The Trusteeship Council may appoint rapporteurs for specified questions. The Secretary-General or his deputy may be appointed rapporteur". In doing so, however, it made it clear that it did not consider itself debarred from appointing advisory commissions of experts if it saw fit or from referring a question to the Secretary-General or to a rapporteur, who might be the Secretary-General. Rule 56 (1) (f) makes it clear that motions to that effect can be entertained. In fact, no advisory commissions of experts have been appointed and no substantive question has been referred to a rapporteur or to the Secretary-General for study and report.

50. Moreover, the Council adopted rule 66, which provides that:

"The Trusteeship Council may set up such committees as it deems necessary, define their composition and their terms of reference, and refer to them any questions on the agenda for study and report. The committees may be authorized to sit while the Trusteeship Council is not in session."

Under this rule, the Council has, in the course of its first fourteen sessions, established approximately ninety committees, varying in size from twelve members to two, and, with regard to terms of reference, ranging from committees charged with detailed studies of complicated substantive problems extending over a long period of time to small committees established to draft a resolution or report which may have been able to perform their task in the space of one brief meeting.

51. When the Council discussed the rules with regard to subsidiary organs, the President expressed doubt 33/ whether the Council could create standing committees without the advice or action of the General Assembly. In the ensuing discussion, 34/ some representatives expressed agreement with this view, while one representative expressed the view that the establishment of such committees or commissions was permissible. However, the rules as adopted contain no reference to standing committees.

52. At the seventh session, the Ad Hoc Committee appointed by the Council to study the question of administrative unions between Trust Territories and adjacent Non-Self-Governing Territories, presented a report to the Council in which it proposed that the Council establish a Standing Committee on Administrative Unions which should regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participated. When the

31/ Report of the Preparatory Commission of the United Nations, PC/20, 23 Dec. 1945, Chap. IV, section 2.

32/ T C (I), Suppl., annex 2 b (T/4), p. 48, rule 69.

33/ T C (I), 14th mtg., p. 338.

34/ Ibid., pp. 338-342.

draft resolution proposed by the Committee was considered, 35/ no comment was made on the proposal for the creation of a standing committee and the draft resolution was adopted without objection and became resolution 293 (VII). The Standing Committee was duly constituted 36/ at the close of the session, and has functioned since that date. A Standing Committee on Petitions was constituted at the tenth session, by resolution 425 (X), to carry out as its principal task the preliminary examination of all petitions containing individual grievances and to make recommendations on the action to be taken thereon by the Trusteeship Council. 37/

53. It is possible to divide the functions which have been assigned by the Council to its committees into the categories set forth below.

(a) As exemplified by the Standing Committee on Petitions and by ad hoc committees on petitions which were appointed at the sixth to ninth sessions inclusive, the Council has delegated to its committees the detailed work in connexion with one of its supervisory functions enumerated in Article 87.

(b) The Council has referred to certain committees questions affecting several or all Trust Territories for substantive study and report. In some cases these studies, because of their complexity, have extended over two or more sessions of the Trusteeship Council and the committees concerned have held meetings between sessions. Among the questions in this category have been higher education in the Trust Territories in Africa, 38/ rural economic development of the Trust Territories on which a committee appointed 39/ by the Council at its eighth session has collected much information, but has not yet reached the stage of presenting the Council with a final report, and the question of administrative unions, which, as has been noted above, has been transformed from a question on which the Council requested a special study into a matter which receives the continued attention of a standing committee.

(c) The Council has, on several occasions, referred certain aspects of its own procedures to committees for study and report. Thus, at its eighth and tenth sessions, it established committees on the organization and methods of functioning of visiting missions; at its tenth session, it established a committee on petitions procedures; at its sixth and ninth sessions, it appointed committees to review its procedure in general; and at its first and seventh sessions, it appointed committees to draft and revise respectively the Questionnaire provided for in Article 88.

(d) The Council has appointed numerous drafting committees to prepare draft resolutions or reports to the General Assembly on the basis of discussions already held in the Trusteeship Council itself. For instance, at the first session of the Council, a drafting committee on the rules of procedure was established, at the second session a committee drafted questions to be addressed to the Government of Australia in connexion with the examination of a report on New Guinea, and at several early sessions of the Council drafting committees prepared resolutions on petitions after the petitions had been examined in the Council. The most regularly recurrent drafting committees have been those appointed at the conclusion of the discussion on each annual review of conditions in a Trust Territory to draft the report of the Council to the General Assembly on conditions in that particular Territory. 40/

35/ T C (VII), 28th mtg., paras. 36-78.

36/ Ibid., 30th mtg., para. 57.

37/ For further details of the terms of reference of the Committee, see in this Repertory under Article 87.

38/ T C resolution 110 (V).

39/ T C resolution 305 (VIII).

40/ See in this Repertory under Article 87 a.

54. Under rule 67 some of the rules of procedure of the Council apply to the proceedings of committees, which may decide upon the form of the records and adopt such other rules of procedure as may be necessary. In general, drafting committees and most committees on questions of procedure have met in private and their reports to the Council have represented the only official record of their activity. The standing committees and, in general, committees studying substantive questions have kept summary records of their activities and the papers considered by them have been issued as documents. In such cases, the meetings of these committees have been held in public. 41/

41/ No reference is made in the present study to committees appointed by the Trusteeship Council to consider items specially referred to the Council by the General Assembly, for example, the Working Committee on Jerusalem appointed at the second session and drafting committees on South West Africa appointed at the second and third sessions.

ANNEX

Sessions of the Trusteeship Council

Number of session	Date	Place	President	Vice-President
<u>Regular sessions</u>				
First session	26 March to 28 April 1947	Lake Success	Mr. Francis B. Sayre (United States)	Sir Carl Berendsen (New Zealand)
Second session				
First part	20 November to 16 December 1947	Lake Success	Mr. Francis B. Sayre (United States)	Sir Carl Berendsen (New Zealand)
Second part	18 February to 10 March 1948			
Third part	21 April to 4 May 1948			
Third session	16 June to 5 August 1948	Lake Success	Mr. Liu Chieh (China)	Sir Alan Burns (United Kingdom)
Fourth session	24 January to 25 March 1949	Lake Success	Mr. Liu Chieh (China)	Sir Alan Burns (United Kingdom)
Fifth session	15 June to 22 July 1949	Lake Success	Mr. Roger Garreau (France)	Mr. Luis Padilla Nervo (Mexico)
Sixth session	19 January to 4 April 1950	Geneva	Mr. Roger Garreau (France)	Mr. Max Henríquez-Ureña (Dominican Republic)
Seventh session	1 June to 21 July 1950	Lake Success	Mr. Max Henríquez- Ureña (Dominican Republic)	Mr. Pierre Ryckmans (Belgium)
Eighth session	30 January to 16 March 1951	Lake Success	Mr. Max Henríquez- Ureña (Dominican Republic)	Mr. Pierre Ryckmans (Belgium)
Ninth session	5 June to 30 July 1951	Flushing Meadows	Sir Alan Burns (United Kingdom)	Mr. Awni Khalidy (Iraq)

Number of session	Date	Place	President	Vice-President
<u>Regular sessions (continued)</u>				
Tenth session	27 February to 1 April 1952	Headquarters	Sir Alan Burns (United Kingdom)	Mr. Awni Khalidy (Iraq)
Eleventh session				
First part	3 June to) 24 July 1952)	Headquarters	Mr. Awni Khalidy (Iraq)	Mr. W.D. Forsyth (Australia)
Second part	19 November to) 3 December 1952)			
Twelfth session	16 June to 21 July 1953	Headquarters	Mr. L.K. Munro (New Zealand)	Mr. M.R. Urquía (El Salvador)
Thirteenth session	28 January to 25 March 1954	Headquarters	Mr. L.K. Munro (New Zealand)	Mr. M.R. Urquía (El Salvador)
Fourteenth session	2 June to 16 July 1954	Headquarters	Mr. M.R. Urquía (El Salvador)	Mr. L. Pignon (France)
<u>Special sessions</u>				
First special session	27 September 1949	Lake Success	Mr. Roger Garreau (France)	Mr. Luis Padilla Nervo (Mexico)
Second special session	8 to 20 December 1949	Lake Success	Mr. Roger Garreau (France)	Mr. Luis Padilla Nervo (Mexico)
Third special session	22 November 1950	Lake Success	Mr. Max Henríquez- Ureña (Dominican Republic)	Mr. Pierre Ryckmans (Belgium)
Fourth special session	18 December 1951	Paris	Sir Alan Burns (United Kingdom)	Mr. Awni Khalidy (Iraq)