

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. The present study, like that of Article 90 in the Repertory, is confined to those features of the procedures of the Trusteeship Council which have not been dealt with in connexion with other Articles of the Charter. This study, therefore, does not deal with the procedural topics that fall under Articles 86, 87, 88, 89 and 91.

2. In the somewhat restricted field which is left, the procedures of the Council have remained virtually unchanged. The rules of procedure have been amended only in the minor respects described in the General Survey. These changes have not involved questions requiring treatment in the Analytical Summary of Practice; no such summary is contained in the present study therefore.

I. GENERAL SURVEY

3. The only amendments to the rules of procedure adopted by the Trusteeship Council during the period covered by the present study were those consequent on the admission of Italy as a Member of the United Nations and its assumption of membership in the Trusteeship Council as Administering Authority for the Trust Territory of Somaliland. 1/ At its seventeenth session, the Council adopted 2/ the proposals 3/ which, at its request, the Secretary-General had drawn up for that purpose and which consisted principally of the deletion of supplementary rules A to H.

1/ See in this Supplement, under Article 86.

2/ T C (XVII), 695th mtg., paras. 32-47.

3/ T C (XVII), annexes, a.i. 12, T/1235 and T/L.633.

4. At the same time, the Council corrected a discrepancy which existed between the English and French texts of rule 59 and which became apparent in the following circumstances. The delegation of the USSR had presented 4/ a proposal relating to the holding of nuclear tests in a particular Trust Territory, which it later withdrew. The representative of France thereupon requested 5/ that the draft resolution should be put to the vote under rule 59, paragraph 2. He, however, did not adopt the proposal as his own, as he should have done according to the English text of rule 59. A representative noted 6/ this failure but the representative of France pointed out 7/ that the French text did not contain a provision requiring him to adopt the draft resolution as his own. Later in a memorandum 8/ the Secretary-General explained that an error had been made in the French text during the initial drafting of the rules of procedure. He proposed a revised French text conforming exactly to the English text. This proposed text was approved 9/ by the Trusteeship Council during the same session.

5. At the conclusion of the seventeenth session, a revised text of the rules of procedure 10/ was printed, incorporating the changes referred to in the preceding paragraphs as well as those adopted at the fourteenth session.

6. With the exception mentioned below the President and Vice-President of the Council have continued to be elected by secret and separate ballots, at the beginning of the June session and to hold office throughout the following twelve months. They have continued to be chosen in alternate years from among representatives, respectively, of members which administer Trust Territories and those which do not. The one departure from previous practice arose in respect of the fifth special session held in 1955 during the session of the General Assembly. Since it was known in advance that neither the President nor the Vice-President would be able to attend that session, the Trusteeship Council at the close of its sixteenth session, decided 11/ to suspend rule 19 of its rules of procedure and elected Mr. M. R. Urquía (El Salvador), who had previously held the office of President, to serve as Temporary President during the special session. Particulars of the persons holding the offices of President and Vice-President appear in the annex to the present Article.

7. The rules of procedure of the Trusteeship Council relating to the time, place and method of convening regular and special sessions of the Trusteeship Council were observed with the single minor exception noted below. In fixing the opening date of its seventeenth session at the close of the sixteenth session, the Council, in order to allow the Administering Authorities time to study the reports of the 1955 Visiting Mission to Togoland under British administration and Togoland under French administration, and of the 1955 Visiting Mission to the Cameroons under British administration and to the Cameroons under French administration, decided 12/ that the seventeenth session should open on 7 February 1956 instead of during January, as provided by rule 1.

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- 4/ T C (XVII), 671st, 673rd, and 674th mtgs; T C (XVII), annexes, a.i. 9, T/L.642.
5/ T C (XVII), 674th mtg., para. 77.
6/ Ibid., para. 78.
7/ Ibid., para. 80.
8/ T C (XVII), annexes, a.i. 12, T/1235.
9/ T C (XVII), 695th mtg., para. 47.
10/ United Nations Publication, Sales No.: 1956.I.15.
11/ T C (XVI), 643rd mtg., para. 30.
12/ T C (S-5), 652nd mtg., para. 15.

8. During its sixteenth session, the Council decided 13/ that a special session (its fifth) should be called by the President on an appropriate date to consider the special report of the Visiting Mission to Togoland under British administration and Togoland under French administration, 1955. The special session was held from October to December 1955. In addition to considering the Togoland unification problem and the future of Togoland under British administration the Council made arrangements for the 1956 Visiting Mission to Trust Territories in the Pacific. At the close of its eighteenth session, the Council decided 14/ that it would hold a further special session opening on a date to be fixed by the President to consider the report submitted by a Mission of the International Bank for Reconstruction and Development on the economic situation of Somaliland under Italian administration. There have been no other proposals for special sessions.

9. There is no occasion to add here to what was said in the Repertory concerning other essential features of the rules of procedure of the Council. The rules of procedure of the Council and its practices governing the conduct of its business have remained unchanged.

ANNEX

Sessions of the Trusteeship Council a/

<u>Number of session</u>	<u>Dates</u>	<u>Meetings</u>	<u>President</u>	<u>Vice-President</u>
Fifteenth	25 January to 28 March 1955	563rd to 610th	Mr. Miguel Rafael Urquía (El Salvador)	Mr. Robert Barges (France)
Sixteenth	8 June to 22 July 1955	611th to 646th	Mr. Mason Sears (United States of America)	Mr. Max H. Dorsinville (Haiti)
Fifth special session	24 October to 14 December 1955	647th to 652nd	Mr. Miguel Rafael Urquía (El Salvador) -Temporary President	
Seventeenth	7 February to 6 April 1956	653rd to 700th	Mr. Mason Sears (United States of America)	Mr. Max H. Dorsinville (Haiti)
Eighteenth	7 June to 14 August 1956	701st to 745th	Mr. Rafik Asha (Syria)	Mr. Remigio Grillo (Italy)

a/ All sessions were held at United Nations Headquarters.

13/ T C (XVI), 633rd mtg., para. 45.

14/ T C (XVIII), 745th mtg., para. 49.

