

Repertory of Practice of United Nations Organs
Supplement No. 9

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Repertory of Practice of United Nations Organs)

ARTICLE 75

TEXT OF 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.

NOTE

1. The international trusteeship system for the administration and supervision of certain Territories was established during the first session of the General Assembly. In 1994, after the plebiscite held in Palau, the Trusteeship Council fulfilled its mandate¹.

2. After the plebiscite held in Palau:
 - The Secretary-General took note of the fulfillment of the mandate of the Trusteeship Council and recommended the General Assembly to proceed with its abolition in accordance with Article 108 of the Charter². Malta expressed its proposal to convert the Trusteeship Council into the guardian and trustee of the common heritage of mankind.³
 - While the proposal by Malta was favorably considered by some Member States, some others supported the view of the Secretary-General.⁴ However, a point was

¹ TC resolution 2199 (LXI).

² A/49/1, paras. 43-46. However, in para. 85 of his report A/51/950, the Secretary-General, taking into account the views of Member States, proposed that the Council be reconstituted "as the forum through which Member States exercise their collective trusteeship for the integrity of the global environment and common areas such as the oceans, atmosphere and outer space". He also pointed out that the Council "should serve to link the United Nations and civil society in addressing these areas of global concern". In this connection see also his Note A/52/849 submitted to the General Assembly pursuant to its resolution 52/12 B, as well as his Note A/52/850. See also *Repertory, Supplement No. 9*, vol. VI, under Article 108.

³ A/50/142. See also A/45/PV.82 and A/50/1011, Section II.

⁴ See, for instance, A/50/1011, Section II.

made that the amendments to the Charter of the United Nations linked to the elimination of the Council should at the appropriate time be further addressed by the Organization, together with other amendments.⁵ Some Member States expressed reservations about the proposal to disband a main organ of the United Nations, as it would require the amendment of many Articles of the Charter which is a complex procedure while simply keeping the Trusteeship Council would have no budget or operative implications.⁶

3. The General Assembly requested that proposals concerning the Trusteeship Council be considered by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization in the light of the reports of the Secretary-General and the views expressed by States.⁷

4. All three options were considered by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization as reflected in its reports to the General Assembly. Since no consensus was reached on these issues, no decision was taken during the period under review.⁸

⁵ A/50/1011, Section II.

⁶ *Ibid.*

⁷ G A resolutions 50/52 and 50/55 and subsequent resolutions 51/209, 52/161, 53/106 and 54/106. See also *Repertory, Supplement No. 9*, vol. II, under Article 13 (1) (a), para.72.

⁸ See G A (51), Suppl. No.33, A/51/33; G A (52), Suppl. No.33, A/52/33; G A (53), Suppl. No.33, A/53/33; and G A (54), Suppl. No.33, A/54/33. For consideration of this issue see also *Repertory, Supplement No. 9*, vol. VI, under Article 108.