

**Repertory of Practice of United Nations Organs**  
**Supplement No. 8**

(Advance version, to be issued in volume I of Supplement No. 9 (forthcoming) of the  
*Repertory of Practice of United Nations Organs*)

**Article 86**

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## Article 86

### Text of Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:
  - (a) those Members administering trust territories;
  - (b) such of those Members mentioned by name in Article 23 as are not administering trust territories; and
  - (c) as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.
  
2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

### Introductory Note

1. The material contained in the present study has been set up under the headings used in previous *Supplements*.
2. As in previous supplements of the *Repertory*, there is no material requiring treatment under section E, entitled “Qualifications of representatives of members”.

### I. General Survey

3. As noted in the previous supplements<sup>1</sup>, after the attainment of independence by the Trust Territory of New Guinea, the parity of membership between the administering and the non-administering members in the Trusteeship Council could not be maintained.

4. In contrast to its practice during previous periods under review<sup>2</sup>, China, member of the Council by virtue of Article 86(1)b, did participate in the sessions of the Trusteeship Council starting with the 1661<sup>st</sup> meeting of the fifty-sixth session of the

<sup>1</sup> Repertory, Supplement No. 3, vol. II, under Article 86, paras. 17-24.

<sup>2</sup> See for example *Repertory Supplement No. 6*, vol. V, under Article 86, para. 16 or *Repertory Supplement No. 7*, vol. V, under Article 86, para. 17.

Council, held from 15 May to 1 August 1989.<sup>3</sup> China did also participate in three visiting missions during the period under review.<sup>4</sup>

5. Fiji and Papua New Guinea, non-members of the Trusteeship council, participated, without the right to vote, in the twentieth special session, held on 8 January 1990, to discuss the dispatch of a visiting mission to observe the plebiscite in Palau on 6 February 1990.<sup>5</sup>
6. Starting from the fifty-ninth session of the Trusteeship Council, held from 26 May to 21 December 1992, the Russian Federation assumed the membership of the Union of Soviet Socialist Republics in the Trusteeship Council.<sup>6</sup>
7. During the period under review, the practice of including representatives of indigenous populations of the Trust Territories in the delegation of the Administering Authority continued.

## II. Analytical Summary of Practice

### A. Parity of membership between administering and non-administering Members of the United Nations

#### 1. COMPOSITION OF THE TRUSTEESHIP COUNCIL

8. During the nineteenth special session, the fifty-sixth session, the twenties special session, the fifty-seventh session, the fifty-eighth session and the twentieth special session of the Trusteeship Council, the composition of the Trusteeship Council remained as follows:

*Members administering a Trust Territory:*

United States of America

*Members mentioned by name in Article 23 of the Charter but not administering Trust Territories:*

China  
France  
Union of Soviet Socialist Republics  
United Kingdom of Great Britain and Northern Ireland

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<sup>3</sup> T/PV.1661.

<sup>4</sup> For further details see, in the present *Supplement*, under Article 86, para. 12-14.

<sup>5</sup> T/PV.1673.

<sup>6</sup> T/PV.1691.

9. Starting from the fifty-ninth session of the Trusteeship Council, the composition of the Council was as follows:

*Members administering a Trust Territory:*

United States of America

*Members mentioned by name in Article 23 of the Charter but not administering Trust Territories:*

China

France

Russian Federation

United Kingdom of Great Britain and Northern Ireland

2. COMPOSITION OF SUBSIDIARY BODIES

10. The Trusteeship Council, in keeping with its practice of previous years, continued to appoint a drafting committee to propose conclusions and recommendations on the Trust Territory of the Pacific Islands. Representatives of France and the United Kingdom were appointed as members of the Drafting Committee during the period under review, i.e. from the fifty-sixth through the sixty-first session of the Council, inclusive.<sup>7</sup>

3. COMPOSITION OF VISITING MISSIONS

11. During the period under review, the Trusteeship Council dispatched a series of visiting missions to the Trust Territory of the Pacific Islands.<sup>8</sup> At its nineteenth Special Session, held from 16 to 17 March 1989, the Council decided<sup>9</sup> that the periodic visiting mission to the Trust Territories of the Pacific Islands should be composed of France and the United Kingdom.
12. At its twentieth Special Session, held on 8 January 1990, the Trusteeship Council decided<sup>10</sup> that the visiting mission to observe a plebiscite on the Compact of Free Association in Palau should be composed of representatives of China, Fiji, France, Papua New Guinea and the United Kingdom.

13. At its twenty-first Special Session, held on 19 December 1991, the Trusteeship Council decided<sup>11</sup> that the visiting mission to observe a plebiscite on the Compact of Free Association in Palau should be composed of representatives of China, Federated

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<sup>7</sup> T/PV.1661, T/PV.1674, T/PV.1683, T/PV.1691, T/PV.1698, T/PV.1704.

<sup>8</sup> For further detail see, in the present *Supplement*, under Article 83.

<sup>9</sup> TC resolution T/RES/2190 (S-XIX).

<sup>10</sup> TC resolution T/RES/2192 (S-XX).

<sup>11</sup> TC resolution T/RES/2194 (S-XXI).

States of Micronesia, France, Papua New Guinea, the Russian Federation and the United Kingdom.

14. At its sixtieth session, held from 12 May 1993 to 18 January 1994, the Trusteeship Council decided<sup>12</sup> that the visiting mission to observe a plebiscite on the Compact of Free Association in Palau should be composed of representatives of China, France, Marshall Islands, the Russian Federation, Samoa and the United Kingdom.

#### **B. Participation of States not members of the Trusteeship Council in the work of the Council**

15. During the Twentieth Special Session of the Trusteeship Council, held on 8 January 1990, the Council, in response to the request of Fiji and Papua New Guinea, consented to their participation without the right to vote in the Councils deliberations.<sup>13</sup>

16. During the 1702<sup>nd</sup> meeting of the sixtieth session of the Trusteeship Council, held on 1 November 1993, the Council decided to accede to the request of the delegations of the Marshall Islands and of Samoa to sit at the Council table during that meeting.<sup>14</sup>

#### **C. Participation of representatives of the indigenous populations of Trust Territories in the work of the Trusteeship Council**

17. Representatives of indigenous populations continued to be attached to the delegation of the Administering Authority to the Trusteeship Council in several capacities. They served as advisors, special advisors and special representatives of the Administering Authority. They made statements to the Trusteeship Council and replied to questions concerning conditions in the Territory posed by the members of the Council or by the representatives of the Administering Authority.

#### **D. Question of the verification of the composition of the Trusteeship Council in accordance with the terms of the Charter**

18. During the period under review, the Trusteeship Council, consistent with its practice of previous periods, continued to consider the reports of the Secretary-General<sup>15</sup> on the credentials of the members of the Council, but did not examine the credentials of each member separately.

19. At each session, the Trusteeship Council decided to take note of the report of the Secretary-General on credentials.

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<sup>12</sup> TC resolution T/RES/2197 (S-LX).

<sup>13</sup> T/PV.1673.

<sup>14</sup> T/PV.1702.

<sup>15</sup> T/1932, T/1938, T/1946, T/1949 and Add. 1, T/1958, T/1967, T/1968, T/1973, T/1973/Rev.1, T/1984.

**\*\*E. Qualifications of representatives of members**

## ANNEX

## Membership of subsidiary bodies of the Trusteeship Council

Visiting Mission	Members not administering Trust Territories	Non-members of the Trusteeship Council
UN Periodic Mission to the Trust Territories of the Pacific Islands, April 1989 <sup>16</sup>	Mr. Jean-Michel Gaussoit (France, Chairman), Mr. J. Stephen Smith (United Kingdom)	
UN Visiting Mission to observe a plebiscite on the Compact of Free Association in Palau, February 1990 <sup>17</sup>	Mr. Louis Amigues (France, Chairman), Mr. J. Stephen Smith (United Kingdom), Mr. Lu Yongshou (People's Republic of China)	Mr. Isikia Rabici Savua (Fiji), Mr. Samuel Pulup (Papua New Guinea)
UN Visiting Mission to observe a plebiscite on the Compact of Free Association in Palau, March 1992 <sup>18</sup>	Mr. Thomas L. Richardson (United Kingdom, Chairman) Mr. Wang Guangya (People's Republic of China), Mr. Jean Felix-Paganon (France), Mr. Valentine N. Berezovsky (Russian Federation)	H.E. Mr. Jesse B. Marehalau (Federated States of Micronesia), H.E. Mr. Renagi R. Lohia (Papua New Guinea)
UN Visiting Mission to observe a plebiscite on the Compact of Free Association in Palau, November 1993 <sup>19</sup>	Mr. Alain Pallu de Beauvuy (France, Chairman), Mr. David J. Howlett (United Kingdom), Mr. Zhang Yan (People's Republic of China), Mr. Semyon A. Dzakhaev (Russian Federation)	Mr. Carl L. Heine (Marshall Islands), Mr. Tuiloma Neroni Slade (Samoa)

<sup>16</sup> T/1935.<sup>17</sup> T/1942.<sup>18</sup> T/1964.<sup>19</sup> T/1978.