

ARTICLE 91

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TEXT OF ARTICLE 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

INTRODUCTORY NOTE

1. The present study is simpler than that in the Repertory. It is confined to indicating the extent to which procedures for collaboration between the Trusteeship Council and the Economic and Social Council and the specialized agencies have been utilized in the period under review. Instances of this collaboration were dealt with in the Repertory study in section E of the Analytical Summary of Practice. For the period under review it has been deemed sufficient to deal with the material entirely in the General Survey.

GENERAL SURVEY

2. The Trusteeship Council has not taken action to request assistance from the Economic and Social Council. On the other hand, the latter Council has adopted, on the reports of the Commission on the Status of Women, two resolutions relating respectively to customs, ancient laws and practices affecting the human dignity of women 1/ and opportunities for women in handicrafts and cottage industries 2/ in which it drew the attention of the Trusteeship Council to problems of special relevance to Trust Territories and other Non-Self-Governing Territories. The Trusteeship Council in each case took note 3/ of the resolution in question.

3. By resolution 47 (IV), the Trusteeship Council recommended that the "specialized agencies study the annual reports on the administration of Trust Territories with a view to making such observations and suggestions as they may consider proper in order to facilitate the work of the Trusteeship Council".

1/ E S C resolution 547 H (XVIII).

2/ E S C resolution 587 F (XX).

3/ T C (XV), 608th mtg., para. 36; T C (XVII), 695th mtg., para. 48.

4. The United Nations Educational, Scientific and Cultural Organization has continued to submit observations on most of the annual reports of Administering Authorities. 4/ At the fifteenth and sixteenth sessions of the Trusteeship Council, the World Health Organization also submitted observations on some of the annual reports. 5/ The Council has taken these observations into consideration during its examination of the reports and on several occasions has specially commended 6/ such observations or suggestions to the attention of the Administering Authority concerned.

5. The International Labour Organisation has not presented observations on the annual reports, but in reply to requests made by the Council, it submitted reports on the action taken by the ILO on the question of penal sanctions for breaches of contract by indigenous workers and on the question of migrant labour. 7/ During the seventeenth session of the Trusteeship Council, the representative of the ILO made a statement 8/ covering the subsequent action taken by that organization on these matters.

6. At a later date during the same session, the representative of India submitted a draft resolution 9/ which after noting the valuable co-operation of WHO, ILO and UNESCO in response to resolution 47 (IV) expressed the hope that this co-operation would increase in the future and further that the Food and Agriculture Organization of the United Nations (FAO) would also collaborate with the Council. The representative of FAO explained 10/ that in the course of its nutritional and agricultural work it was engaged in a number of tasks relating to African territories. The Organization had not hitherto felt that it could make any useful comments on the annual reports on the Trust Territories, but it would give the matter careful consideration and submit any necessary observations.

7. The sponsor of the draft resolution revised it to take note of the statement of the representative of FAO and it was adopted, 11/ as revised, 12/ by the Trusteeship Council by 6 votes to none, with 8 abstentions. The abstaining delegations thought it unwise to single out a particular specialized agency for special mention.

8. Under the Agreement between the United Nations and the International Bank for Reconstruction and Development, the Trusteeship Council is not entitled to request aid for particular territories. As noted in this Supplement under Article 76, the Trusteeship Council has, however, made clear its desire that the Bank should send a technical mission to Somaliland under Italian administration; the Council therefore recommended that the Administering Authority should make a request to the Bank. The request was subsequently made by the Administering Authority, and the Bank complied. The report, when received by the Administering Authority, will be transmitted to the Trusteeship Council for discussion.

9. The Trusteeship Council has not addressed any requests for assistance, under rule 105 of its rules of procedure, to "appropriate inter-governmental regional bodies."

4/ T C (XV), annexes, a.i. 3, T/1150; T C (XVI), annexes, a.i. 4, T/1180, 1181, 1187, 1188; T C (XVII), annexes, a.i. 3, T/1223; T C (XVIII), annexes, a.i. 4, T/1253, 1254, 1259, 1262 and 1268.

5/ T C (XV), annexes, a.i. 3, T/1152, 1153, 1155, 1156, 1158 and 1159; T C (XVI) annexes, a.i. 4, T/1176.

6/ See, for example, G A (X), Suppl. No. 4 (A/2933), pp. 68, 71, 153, 155 and 156; G A (XI), Suppl. No. 4 (A/3170), pp. 84, 85 and 289.

7/ See in the Repertory, vol. IV, under Article 91, paras. 49-51.

8/ T C (XVII), 654th mtg., paras. 44-53.

9/ T C (XVII), annexes, a.i. 3, p. 29, T/L.650.

10/ T C (XVII), 695th mtg., paras. 59-61.

11/ T C (XVII), 698th mtg., para. 9.

12/ T C resolution 1370 (XVII).

Chapter XIV

THE INTERNATIONAL COURT OF JUSTICE

