



LIMITED

T/AC.41/L.17

26 July 1951

ORIGINAL: ENGLISH

47

Ninth session

Item 10 of the agenda

EXAMINATION OF PETITIONS

(GENERAL ASSEMBLY RESOLUTION 435 (V))

Draft Tenth report of the Ad Hoc Committee on Petitions

Chairman: Prince WAN WAITHAYAKON
(Thailand)

1. The Ad Hoc Committee on Petitions, established by the Trusteeship Council at the first meeting of its ninth session, and composed of the representatives of Argentina, Belgium, New Zealand, Thailand, the Union of Soviet Socialist Republics and the United States of America, examined during its nineteenth, twenty-second and twenty-third meetings on 20, 25 and 27 July 1951, General Assembly Resolution 435 (V) which had been referred to it by the Council at its 347th meeting.
2. The Ad Hoc Committee considered written observations submitted on this question by France (document T/AC.41/L.1), the United Kingdom (document T/AC.41/L.5) and Australia (document T/AC.41/L.6).
3. The Ad Hoc Committee also considered a draft resolution prepared by the Secretariat, at the request of the Ad Hoc Committee (Document T/AC.41/L.13) and a draft resolution submitted by Belgium and New Zealand (document T/AC.41/L.14).
4. The Ad Hoc Committee decided to take the draft resolution prepared by Belgium and New Zealand as a basis for discussion.
5. It then considered and rejected by 2 votes in favour, 3 against and 1 abstention, an amendment proposed by the Union of Soviet Socialist Republics to the third paragraph of the preamble of the draft resolution to delete the words "at which the Territory in question comes under examination".

/6. It considered

6. It considered and adopted by 3 votes in favour, none against and 3 abstentions, an amendment proposed by the United States of America to substitute two paragraphs for paragraph 1 of the operative part of the draft resolution.
7. It considered and adopted by 3 votes in favour, none against and 3 abstentions an amendment proposed by the United States of America to modify paragraph 2 of the operative part of the draft resolution and to divide it into two paragraphs.
8. It adopted paragraph 3 of the draft resolution by 4 votes in favour, none against and 2 abstentions.
9. It then adopted the resolution as amended, as a whole, with minor drafting changes, by 4 votes in favour, 1 against and 1 abstention.
10. The representative of Belgium stated that he had abstained, because of the adoption of paragraphs 1 and 2 of the operative part. While having no objection against the text as adopted, he preferred the paragraph contained in the draft resolution presented by Belgium and New Zealand, the text of which reads as follows:

"Decides that the procedure now applied for the examination of petitions appears to be adequate, and that the need for a committee on petitions which would meet between sessions has not been conclusively demonstrated."

11. The Ad Hoc Committee recommends to the Trusteeship Council the adoption of the following resolution:

EXAMINATION OF PETITIONS

(General Assembly resolution 435 (V))

The Trusteeship Council

Having considered resolution 435 (V) of the General Assembly;

Considering that the acceptance and examination of petitions is one of the most important responsibilities of the Trusteeship Council;

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Considering that the Trusteeship Council should continue to keep its procedure under review to ensure that it remains able to consider petitions presented in accordance with the rules of procedure not later than at the session, following their receipt, at which the Territory in question comes under examination;

Considering that the Council, since its first session in 1947, has accepted and examined more than 700 petitions, with the co-operation of the Administering Authorities who have agreed on many occasions to examine petitions on shorter notice than is prescribed in the rules of procedure;

1. Considers that there might be certain advantages in a further review of its procedures for the examination of petitions;

2. Requests members to give further study to possible media of improving such procedures so that they will be in a position to give their views at the tenth session of the Council, possibly in conjunction with the revision of the rules of procedure proposed by the Council's Committee on General Procedure,

3. Decides to amend rule 86, paragraph 2 of its rules of procedure and replace it by the following text:

"The Administering Authority concerned shall, whenever possible, transmit to the Secretary-General in writing, not less than fourteen days before the opening of the session at which the petitions will be examined, its observations on these petitions, for circulation to the members of the Trusteeship Council."

4. Requests the Administering Authorities concerned to transmit whenever possible the written observations mentioned in Rule 86 paragraph 2, not later than two months after the receipt of the petitions by them;

5. Invites the Administering Authority, while continuing to give in its annual reports information regarding problems raised in the petitions, to submit special information concerning action taken on the recommendations of the Council in respect of petitions examined, in cases where the Trusteeship Council has indicated such action to be necessary.