
STATEMENT MADE BY THE REPRESENTATIVE OF THE UKRAINIAN
SOVIET SOCIALIST REPUBLIC AT THE SECOND MEETING OF
THE JOINT COMMITTEE OF THE SECURITY COUNCIL AND
THE TRUSTEESHIP COUNCIL ON 22 JULY 1948

Note: At the request of the representative of the Ukrainian Soviet Socialist Republic, the following statement is issued as an annex to the report of the Committee appointed by the Security Council on 18 June 1948 to confer with the Committee of the Trusteeship Council on the question of respective functions of the two Councils in regard to trusteeship of strategic areas (document S/916).

The discussion which took place at the ninth and tenth meetings of the third session of the Trusteeship Council on the question of the administration of strategic areas under the trusteeship of the United Nations shows that, in the Trusteeship Council as well as in the Security Council, there are two completely different approaches to that question.

The United States representatives in the Trusteeship Council and the Security Council took up a position on that question which not only fails to comply with the basic principles and provisions of the Charter but, on the contrary, is in sharp contradiction to them. What does the United States propose? Ignoring the Charter, it proposes to curtail the Security Council's rights with regard to the administration of strategic trust territories and other questions and to transfer them to another organ of the United Nations, in this case the Trusteeship Council. The reason why the United States is trying to do this is clear. Anyone who follows the United States' lead and supports its point of view flagrantly violates the United Nations Charter, whether or not that is the intention.

The Ukrainian delegation's position in this question is clear. It was explained in detail by the Ukrainian representative at a meeting of the Security Council and at the last meeting of this Committee. There is little left for me to add. Once again I should like to draw the attention

/of the members

of the members of the Committee to Article 83 of the Charter, which states quite clearly that "all functions of the United Nations relating to strategic areas...shall be exercised by the Security Council". That Article leaves no room for doubt about the Security Council's complete jurisdiction in this matter. If, however, some still have any doubts, perhaps despite their convictions, there is yet another Article of the Charter, namely Article 85 which states that "the functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic...shall be exercised by the General Assembly".

Thus, we have two Articles of the Charter, one of which lays down who should exercise the functions of the United Nations with regard to strategic areas (Article 83). Those functions should be exercised by the Security Council and the Security Council alone. The other Article (Article 85) lays down who should exercise the functions of the United Nations with regard to ordinary trust territories. Those functions should be exercised by the General Assembly or the Trusteeship Council operating under the authority of the General Assembly. This Article also lays down the trust territories with regard to which the Trusteeship Council should not exercise its functions, namely strategic areas.

Articles 87 and 88 of the Charter also give no grounds for asserting that the Trusteeship Council should exercise any functions with regard to strategic areas. Those two Articles contain a list of the functions which the United Nations should exercise with regard to strategic areas, while Articles 83 and 85 lay down who should exercise those functions. There is no reference to the Trusteeship Council in the Trusteeship Agreement for the islands which were under Japanese mandate.

Consequently, there is absolutely no legal basis for adopting the draft resolution submitted by a majority of the Committee of Experts. It is in sharp contradiction to the United Nations Charter, as are the statements made here by certain members of the Security Council and the Trusteeship Council.

The Ukrainian delegation cannot agree with them and will continue to maintain its stand on this question, since that stand is based on the Charter of the United Nations.
