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SECOND SESSION, SECOND PART

QUESTION OF THE STATUTE FOR THE CITY OF JERUSALEM

Report to the Trusteeship Council by the Committee on the Rules of Procedure of the Trusteeship Council when concerned with the Affairs of the City of Jerusalem.

The Committee, consisting of the representatives of Belgium and the United Kingdom, was established by a Resolution of the Trusteeship Council adopted at its twentieth meeting on 19 February 1948. It met on 26 February and 6 March 1948.

The Committee recommends the adoption by the Trusteeship Council of the draft Supplementary Rules of Procedure annexed to this Report.

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SUPPLEMENTARY RULES OF PROCEDURE FOR THE TRUSTEESHIP COUNCIL
WHEN CONCERNED WITH THE AFFAIRS OF THE CITY OF JERUSALEM

I. General

Rule 1

The procedure of the Trusteeship Council when concerned with the affairs of the City of Jerusalem (hereinafter referred to as "the City") shall be governed by these Supplementary Rules of Procedure (hereinafter referred to as "these Rules") as well as by the following of the Rules of Procedure of the Trusteeship Council (hereinafter referred to as "the Rules of Procedure") except insofar as these Rules may require otherwise:

Rules 1 to 67 inclusive;

Rules 102 and 103;

Rules 105 and 106;

but shall not be governed by the following Rules of Procedure:

Rules 68 to 101 inclusive;

Rules 104 and 107.

II. Sessions

Rule 2

A special session of the Trusteeship Council may be convened by the Secretary-General acting in accordance with Rule 9 or paragraph 3 of Rule 10 of these Rules.

Rule 3

The Secretary-General shall notify the Governor of the date and place of the first meeting of each session of the Trusteeship Council.

III. Agenda

Rule 4

The provisional agenda for each regular session of the Trusteeship Council shall include consideration of:

(a) such reports and other communications as may have been submitted by the Governor of the City of Jerusalem (hereinafter referred to as "the Governor"), and

(b) such petitions as may have been presented in accordance with Part IX of these Rules, a list of which shall be attached, and

(c) any other matters concerning the affairs of the City. Such matters shall appear on the provisional agenda immediately following matters falling under item (c) of Rule 9 of the Rules of Procedure.

Rule 5

The provisional agenda for each session of the Trusteeship Council shall be communicated to the Governor.

IV. Representation

Rule 6

1. The Trusteeship Council may require the Governor, or his representative, to be present at meetings of the Council at which the affairs of the City are deliberated.
2. If he so requests, the Governor or his representative shall be entitled to be present at meetings of the Council at which any matter concerning the administration of the City is deliberated.
3. The Governor or his representative, when present at meetings of the Trusteeship Council in accordance with paragraphs 1 and 2 of this Rule, may, with the permission of the Council, participate without vote in its deliberations.

V. Secretariat

Rule 7

The Secretary-General shall be the medium of communication between the Trusteeship Council and the Governor. The Secretary-General shall also perform such other functions as are conferred upon him by these Rules.

VI. Conduct of Business and Voting

Rule 8

1. Every communication from the Governor to the Trusteeship Council shall be transmitted to the members of the Council by the Secretary-General with such further factual information as may be available to him and such comments as he sees fit to make.
2. (i) Should the Governor represent to the Trusteeship Council that subject matter of a communication from him is of urgency, the Secretary-General shall transmit the communication to the members of the Council. The Secretary-General may request such further information of the Governor and such further factual information available to him as he may feel to be required by the circumstances of the case.
(ii) If the Secretary-General has reason to believe that the subject matter of a communication from the Governor, although not so represented by the Governor, is of such urgency that it cannot await the next regular session of the Trusteeship Council, he shall at once communicate to the Governor the reasons for such
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belief. If, after learning of these reasons, the Governor agrees that the matter is urgent, the Secretary-General shall transmit the communication to the members of the Trusteeship Council in accordance with sub-paragraph (i) of this paragraph. If the Governor adheres to the view that the matter is not of such urgency that it cannot await the next regular session of the Trusteeship Council, the Secretary-General shall transmit the communication to the members of the Trusteeship Council, together with copies of the relevant correspondence with the Governor.

Rule 9

If, upon receipt of a communication from the Governor, transmitted by the Secretary-General in accordance with Rule 8 of these Rules, the Trusteeship Council is not in session and seven members of the Council request the Secretary-General to convene a special session of the Council for the purpose of considering the matters in issue, the Secretary-General shall, notwithstanding anything to the contrary in Rule 3 of the Rules of Procedure, convene forthwith a special session of the Council.

Rule 10

1. When the Trusteeship Council is not in session, and the Governor communicates with the Council seeking its approval of some course of action which he proposed to adopt, his communication shall be dealt with in accordance with this Rule, as well as in accordance with Rule 8 of these Rules.
2. The Secretary-General shall request the written or, in appropriate cases, telegraphed, opinion of each member of the Trusteeship Council as to whether the Council's approval should be accorded to, or withheld from, the Governor's proposal. Affirmative replies from seven members in favour of approval shall constitute a decision by the Council to approve the proposal, and affirmative replies from seven members in favour of disapproval shall constitute a decision by the Council to withhold approval from the proposal. Such decision shall be deemed to have been made on the day when the seventh affirmative reply has been received by the Secretary-General.
3. The provisions of this paragraph shall apply to a communication fulfilling the requirements of paragraph 1 of this Rule, the subject matter of which has, in accordance with paragraph 2 of Rule 8 of these Rules, been represented by the Governor as of urgency. Unless, within fourteen days after the Secretary-General has transmitted such a
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communication to the members of the Trusteeship Council, a decision has been made within the meaning of paragraph 2 of this Rule, or seven members of the Council have communicated to the Secretary-General their opinion that consideration of the matter in issue can await the ensuing regular session of the Council, the Secretary-General shall convene forthwith a special session of the Council.

VII. Records

Rule 11

1. The Trusteeship Council may decide that for a private meeting the record shall be made in a single copy alone, which shall be kept by the Secretary-General and be available for inspection by the representatives of members on the Council.

2. Subject to the provisions of paragraph 1 of this Rule, the Governor shall be furnished for his personal information with a copy of the official record of each private meeting of the Trusteeship Council or of so much of it as may relate to the affairs of the City.

VIII. Periodic Reports of the Governor

Rule 12

The Secretary-General shall transmit without delay to the members of the Trusteeship Council the two half-yearly reports of the Governor. As promptly as may be possible thereafter, the Secretary-General shall prepare and transmit to the members of the Council, a memorandum, analysing and summarizing such reports, supplementing them, if he deems fit, with further factual information available to him, and drawing attention to those parts of them which are of salient importance.

Rule 13

Reports other than half-yearly reports, which the Governor may render, shall be accorded treatment either in accordance with Part VI of these Rules, or in accordance with Rule 12 of these Rules as may be appropriate.

IX. Petitions

Rule 14

The Trusteeship Council will consider a written and signed petition from any person in the City, or, in the case of a petition concerning the Holy Places, religious buildings and sites, from any person whether inside or outside the City.

Rule 15

1. A communication will be considered as a petition if it concerns the affairs of the City of Jerusalem or the special objectives recited in the Preamble to the Statute.

/2. No petition

2. No petition will be admissible if it is directed against a judgment of a competent court of the City, or if it lays before the Trusteeship Council a dispute with which such a court has competence to deal.

Rule 16

1. Petitions may be addressed directly to the Secretary-General, or may be transmitted to him through the Governor.
2. The Secretary-General shall promptly transmit to the members of the Trusteeship Council each petition received by him. Unless such petition has been addressed to the Council through the Governor, the Secretary-General shall also transmit it to the Governor for his comments.
3. The Governor shall promptly transmit to the Secretary-General every petition addressed to the Council through him. At the same time, or as soon as practicable thereafter, he shall transmit his comments and shall add such other information as may assist the Council in reaching a decision in regard to the petition.
4. The Governor shall promptly comply with a request by the Secretary-General for his comments upon a petition addressed directly to the Trusteeship Council, and shall add such other information as may assist the Council in reaching a decision in regard to the petition.
5. The Secretary-General shall promptly transmit to the members of the Trusteeship Council the comments of the Governor in regard to each petition, and shall add such factual information available to him as he may deem necessary to assist members of the Council to reach a conclusion on the subject matter of the petition.

Rule 17

A petition shall normally be placed on the agenda for the regular session of the Trusteeship Council next following the date of its receipt by all members of the Council.

Rule 18

1. The Trusteeship Council may dispose of any petition by referring it to the Governor for decision.
2. The Trusteeship Council may hear an oral presentation in support or elaboration of a previously submitted written petition, provided that it is confined to the subject matter of the written petition.
3. Whenever the Secretary-General receives a request from a person desiring to make an oral presentation within the meaning of paragraph 2 of this Rule, he shall promptly transmit it to the members of the Trusteeship Council. If the request has been received otherwise than through the Governor, the Secretary-General shall also transmit it to the Governor.

/4. The President

4. The President of the Council shall be authorized between sessions of the Council, through the Secretary-General, to inform any petitioner who requests an opportunity for an oral presentation within the meaning of paragraph 2 of this Rule, that the Council will grant him a hearing at such time and place as the President may name. Before communicating such information to the petitioner, the President shall enquire of the Governor, through the Secretary-General, as to whether there are substantial reasons why the matter should first be discussed in the Council. If the Governor is of the opinion that such substantial reasons exist, the President shall defer action until the matter has been decided by the Council.

Rule 19

Oral presentations within the meaning of Rule 18 may be examined in public or in private, by the Council or by a Committee thereof.

Rule 20

The Secretary-General shall inform the Governor and the petitioner concerned of the action taken by the Trusteeship Council in regard to each petition, and shall transmit to them the official records of the public meetings at which the petitions were examined.

X. Reports of the Trusteeship Council

Rule 21

The Trusteeship Council shall present annually to the General Assembly a report upon its discharge of the responsibilities of the United Nations for the administration of the City in accordance with the Statute.

XI. Amendment

Rule 22

These Rules may be amended by the Trusteeship Council. Normally, a vote shall not be taken until, four days after a proposal for amendment has been submitted.
