

Fourth session

Item 10 of the Provisional Agenda

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES

Note by the Secretary-General

The Secretary-General has the honour to communicate to the members of the Trusteeship Council resolution 224 (III), adopted by the General Assembly at its 160th plenary meeting on 18 November 1948:

"THE GENERAL ASSEMBLY,

"MINDEFUL that one of the basic objectives of the Trusteeship System is to promote the political, economic, social and educational advancement of the Trust Territories, and their progressive development towards self-government or independence,

"NOTING that the Trusteeship Agreements for some of these Territories authorize the Administering Authority concerned to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between the Trust Territory and such adjacent territories, where such measures are not inconsistent with the basic objectives of the Trusteeship System and with the terms of the Trusteeship Agreement,

"RECOGNIZING that in certain circumstances such unions may be in the interests of the inhabitants of the Territory concerned,

"RECALLING that the General Assembly approved these Agreements upon the assurance of the Administering Powers that they do not consider the terms of the relevant articles in the Trusteeship Agreements 'as giving powers to the Administering Authority to establish any form of political association between the Trust Territories respectively administered by them and adjacent territories which would involve annexation of the Trust Territories in any sense or would have the effect of extinguishing their status as Trust Territories',

"HAVING CONSIDERED the observations of the Trusteeship

/Council,

Council, contained in the report covering its second and third sessions, on the existing or proposed administrative unions between certain Trust Territories and the adjacent territories under the sovereignty or control of the Administering Authority,

"NOTES the observations of the Trusteeship Council on such administrative unions; and in particular,

"ENDORSES the observations of the Trusteeship Council that an administrative union 'must remain strictly administrative in its nature and its scope and that its operation must not have the effect of creating any conditions which will obstruct the separate development of the Trust Territory, in the fields of political, economic, social and educational advancement, as a distinct entity',

"RECOMMENDS accordingly that the Trusteeship Council should:

- (a) Investigate these questions in all their aspects with special reference to such unions already constituted or proposed and in the light of the terms of the Trusteeship Agreements and of the assurances given by the Administering Authorities in this connexion;
- (b) In the light of this investigation, recommend such safeguards as the Council may deem necessary to preserve the distinct political status of the Trust Territories and to enable the Council effectively to exercise supervisory functions over such Territories;
- (c) Request, whenever appropriate, an advisory opinion of the International Court of Justice as to whether such unions are within the scope of and compatible with, the stipulations of the Charter and the terms of the Trusteeship Agreements as approved by the General Assembly;
- (d) Invite the Administering Authorities to make available to the Council such information relating to administrative unions as will facilitate the investigation by the Council referred to above;
- (e) Report specifically to the next regular session of the General Assembly on the results of the Council's investigations and the action taken by it."