

CONDITIONS NECESSARY FOR THE CONSTITUTION OF THE
TRUSTEESHIP COUNCIL

(ITEM 13 OF THE PROVISIONAL AGENDA FOR THE
SECOND PART OF THE FIRST SESSION)

Memorandum prepared by the Secretariat

1. Article 86, paragraphs (a), (b) and (c) of the Charter provides that:

"1. The Trusteeship Council shall consist of the following Members of the United Nations:

- (a) those Members administering trust territories;
- (b) such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- (c) as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not."

2. It follows, therefore, that the conditions necessary for the constitution of the Trusteeship Council will have been fulfilled:

- (a) when there is equality of numbers between the administering and non-administering states referred to in Article 86, paragraph 1 (a), (b); or
- (b) when such equality can be established by means of election of non-administering members as provided for in Article 86, paragraph 1 (c).

3. The election of elective members to the Trusteeship Council is not indispensable to the formation of that Council. The provision for elective

members will apply only when necessary to create the required equality of numbers between administering and non-administering members.

4. There is no fixed total of members comprising the Trusteeship Council. The total membership at any given time will depend upon the number of states administering Trust Territories.