

Committee: Session on the UN Charter (SUNC)

Topic: Negotiating the reformation of Chapter XIII “The Trusteeship Council” and the establishment of new trust territories

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Position: Deputy President

Personal Introduction

Dear Delegates,

My name is Aggeliki Dapsi, and by the time of the conference, I will be a junior at HAEF-Athens College Lykeion. My experience over the last two years has led me to assume a chairing position at a new and unique committee in CSMUN, held to address the most burning matters on the internal affairs of the United Nations. It is my utmost honor to be serving as a Deputy President of the Session on the United Nations Charter in this year’s CSMUN Conference.

I would like to congratulate you for choosing to participate in Model United Nations and more specifically, in CSMUN. It is the conference that inaugurates the “MUN year” and will undeniably enhance your speech, debate, and argumentative abilities. CSMUN is a great opportunity to challenge yourselves and to start being involved in the Model United Nations community, as it contains a wide range of committees and organizations to participate in.

The Charter of the United Nations was issued in 1945 and marked the founding of the United Nations Organization. Despite its grave significance, many concerns on it have arisen, some the most prominent being veto power in the Security Council, and the defunct status of the Trusteeship Council. In this guide, we will examine the Trusteeship council situation and how it can be repurposed to fit the needs of a changing world.



It is one of the six main bodies of the United Nations and maintained a key role from 1945 to 1994, now being defunct due to the essential completion of its mandate.

Seeing as this topic is both greatly historic and multifaceted, it is important that delegates acquire a spherical understanding of it. If you have any questions, please do not hesitate to contact me on the e-mail address provided below. I look forward to seeing you all in October!

Yours truly,

Angeliki Dapsi - adapsi@athenscollege.edu.gr

“Chapter 13: The Trusteeship Council”

Article 86

- The Trusteeship Council shall consist of the following Members of the United Nations:*
 - those Members administering trust territories;*
 - such of those Members mentioned by name in Article 23 as are not administering trust territories; and*
 - 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.*
- Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.*



- 3. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.*

Functions And Powers

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- Consider reports submitted by the administering authority;*
- Accept petitions and examine them in consultation with the administering authority;*
- Provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and*
- Take these and other actions in conformity with the terms of the trusteeship agreements.*

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

- 1. Each member of the Trusteeship Council shall have one vote.*
- 2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.*



Procedure

Article 90

1. *The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President*
2. *The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.*

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.”¹

Topic Introduction

When the UN was founded, the world did not simply rise from the ashes of the First and Second World Wars. At that time, a significant number of territories were not actually governed by functioning officials. Such states were often occupied during World War One, while others constituted parts of land detached from the losing side of the Second World War. Thus, a solution was reached by founding a body of the UN aimed to aid these states to gain their independence.

This topic is deeply rooted in the UN’s history, as it was one of the main ways that the UN achieved equality among sovereign states; by fighting for their independence. Its

¹ United Nations. “United Nations Charter, Chapter 13: Trusteeship Council”, *United Nations*, <https://www.un.org/en/about-us/un-charter/chapter-13>. Accessed 18 July 2022.



main principles even transpired in the years when the League of Nations, its predecessor, was still operating. The aforementioned organization was responsible for distributing German and Turkish land that was acquired after the end of the First World War to the Allied Forces.

Since the founding of the UN and subsequently, of the Trusteeship Council, the world has evolved in unimaginable ways, from technological advancements to the independence of all eleven trust territories. Despite the fact that the trusteeship council's work is essentially completed, many ideas for its repurposing have been suggested throughout the years, the most recent one brought up by António Guterres, the United Nations Secretary-General.



Figure 1: United Nations. "Trusteeship Council", *United Nations*, <https://www.un.org/en/ccoi/trusteeship-council>



Definition of key terms

Mandate²

“An authorization granted by the League of Nations to a member nation to govern a former German or Turkish colony. The territory was called a mandated territory, or mandate.” This system is the predecessor of the International Trusteeship System.

Trusteeship

“A situation in which someone’s money or property is managed by another person or organization.”³ In this case, Member States of the United Nations were tasked with administering the “property” of nations before these territories could be declared independent states.

Non-self governing territories

“Territories whose people have not yet attained a full measure of self government.”⁴

In the case of the Trusteeship Council and its predecessor, the League of Nations, the trust territories were additionally identified as non-self governing, as they did not have a functioning government at the time of external administration.

Free Association

² Britannica, The Editors of Encyclopedia. “Mandate | League of Nations.” *Encyclopædia Britannica*, 20 July 2016, www.britannica.com/topic/mandate-League-of-Nations. Accessed 28 June 2022.

³ Cambridge Online Dictionary. “Trusteeship”, *Cambridge University*, <https://dictionary.cambridge.org/dictionary/english/trusteeship>.

⁴ United Nations. “Non-Self Governing Territories”, *United Nations*, <https://www.un.org/dppa/decolonization/en/nsqt#:~:text=%22territories%20whose%20people%20have%20not%20yet%20attained%20a%20full%20measure%20of%20self%2Dgovernment%E2%80%9D>.



“The right guaranteed by the First Amendment to the U.S. Constitution to join with others either in personal relationships or as a part of a group usually having a common viewpoint or purpose and often exercising the right to assemble and to free speech.”⁵

Plebiscite

“A vote by the people of an entire country or district to decide on some issue, such as choice of a ruler or government, option for independence or annexation by another power, or a question of national policy.”⁶ As seen below, the issues regarding self-determination were partially or wholly resolved in some cases through the plebiscite of the inhabitants of trust territories.

Background Information

League of Nations

The allied forces emerged victorious from the Second World War, leaving them to negotiate the Turkish and German possessions in Asia and Africa. Some of these territories were deemed unfit to govern themselves and were thus distributed among the winners. These territories were divided into categories, based on their development index, location, and political stability.

These categories were the so-called classes. Class A consisted of the former Turkish territories of Palestine, Iraq, Lebanon, and Syria. These territories were recognized with their provisional independence, as they were considered significantly developed, though they remained in the mandate system until they were ready for independence in all sectors. By 1949, all Class A territories had gained independence.

⁵ Merriam-Webster. “Free association”, *Dictionary by Merriam-Webbster*, <https://www.merriam-webster.com/dictionary/free%20association>.

⁶ Britannica. “Plebiscite”, *Britannica*, <https://www.britannica.com/topic/plebiscite>.



German-ruled African lands were declared Class B territories, specifically Tanganyika, parts of Togoland and the Cameroons, and Ruanda-Urundi. In this Class, the Allied Forces actually had administrative power over the territories, which was only regulated by certain controls intended to protect the native peoples. Class C consisted of territories that were considered integral parts of other states and that were mostly located in the Pacific Area.

The significant issue of the mandate system was that it did not succeed in offering independence to all mandated territories, which is why its work was later completed by the then-newly introduced Trusteeship Council of the United Nations, in 1945.

The Work of the Council until 1994

Africa

After the end of the Second World War, territories in Africa were exploited for their resources, particularly minerals and agricultural products so that European colonial powers could rebuild themselves after the World War II pandemonium. The creation of the United Nations, which supported that all people have the right to self-determination, signaled that colonial rule would not remain the status quo for much longer.

In brief, colonialism in Africa made the occupied regions dependent on the colonizers, by introducing a eurocentric model for the economy. In this way, the industrial activities in the African continent were significantly inhibited by the idea that the land should only produce raw materials that could in turn be used in manufacturing units in Europe.

The trust territories in the African continent were mostly those remaining from the Class B mandate system of the League of Nations. These territories had not managed to gain independence through the previous system, unlike their Class A counterparts, as mentioned above. Afterwards, through the international trust system and the Trusteeship Council, all trust territories in Africa managed to gain their independence.



Oceania and the Pacific

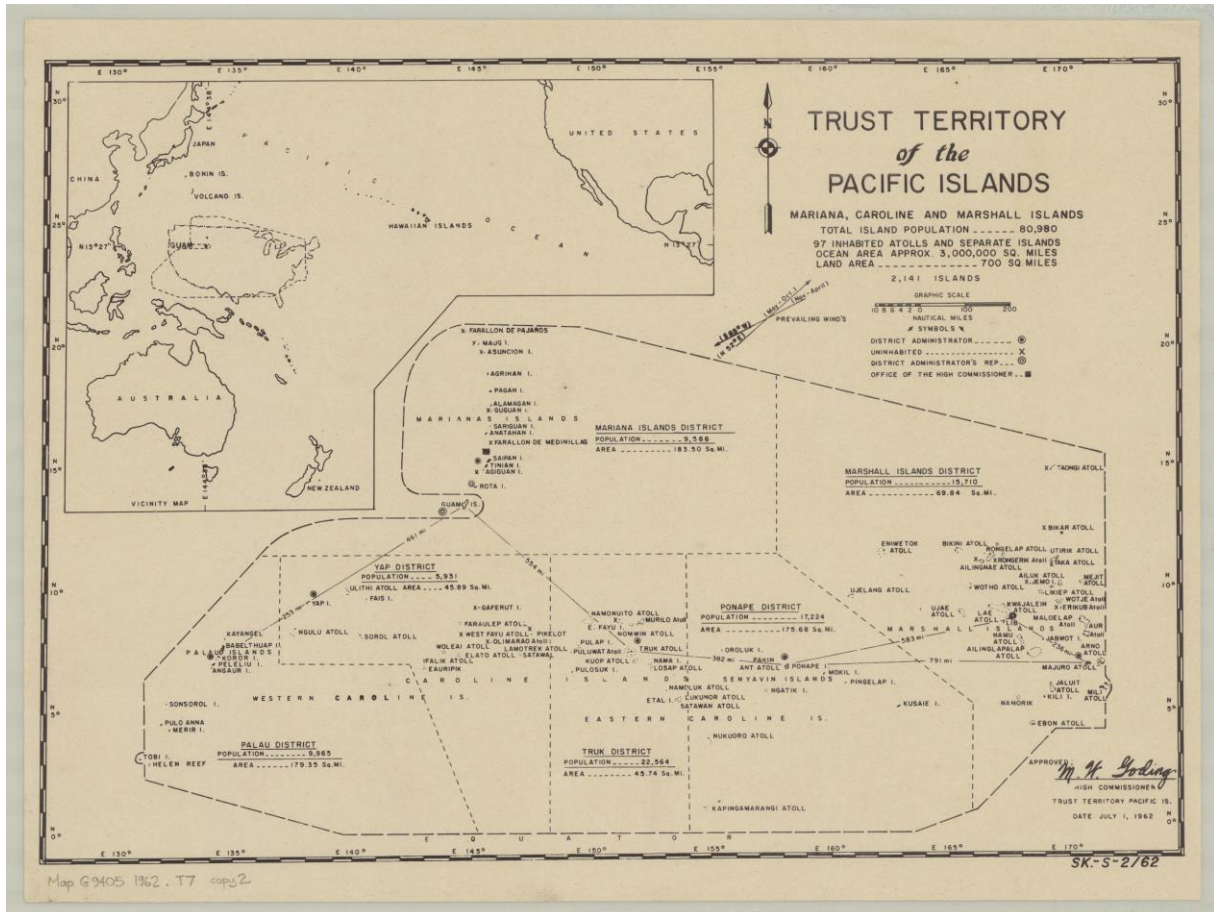


Figure 2: Map of the Trust Territory of the Pacific Islands, where the Mariana, Marshall, and Carolina Islands have been identified with dotted lines surrounding them.

<https://evols.library.manoa.hawaii.edu/handle/10524/57182>



This region was of great strategic importance, its geopolitical and cultural significance tracing back to the 16th century, when Portuguese and Spanish explorers first discovered the Trust Territory of the Pacific Islands. The surge of exploration in the Micronesian Region continued with British, American, German, Russian, and Japanese trade or whaling missions. The first power to assume control of the region was Spain, who faced almost no resistance from other European countries in this move.

In the 19th century, though, Spain's rule over Micronesia was challenged by the United Kingdom and Germany, which led it to officially proclaim sovereignty over the Marshall and Caroline islands. However, Germany did not face any opposition in assuming some power in the Marshall Islands, which led to a co-governing state. After the Spanish-American war of 1898 and Spain's defeat, Spain was forced to cede Guam to the United States and sell the rest of its Micronesian possessions to Germany. In a sense, Spain handed over to Germany control of the region in its entirety.

After the outbreak of WW1, Japan took over the German Possessions in the Pacific through a military operation, thus assuming control of the Micronesian region. If it had not been for the League of Nations, Japan would have incorporated Micronesia to its empire. However, the Trust Territory of the Pacific Islands became part of the Mandate system of the League of Nations, Japan being the administering power. Despite this system, Micronesia gradually transformed into an extension of the sovereign government in Tokyo and Japan performed de facto administering duties.



Figure 4: Britannica. "Palau", *Britannica*, <https://www.britannica.com/place/Palau>



The Micronesian region constituted an important battlefield and a significant war zone for the duration of World War 2, with the Japanese military having significantly occupied the region. In fact, at one point in 1944 a full division of the Japanese army was assigned to each major island, in order to strengthen their defenses in case of an unexpected attack. This constant state of external turmoil led to internal issues, as well. These military bases needed to sustain and take care of their manpower and soldiers, so numerous houses were confiscated, while harvests and trees were declared property of the Japanese army. This left Micronesians to consume whatever edible plant they could find, and hunt lizards, dogs, cats, even rats to sustain themselves. The Micronesian populations were displaced as well, either because they fled their islands for safety reasons, like bombs, or due to Japanese invasions.

After the end of the Second World War and Japan's defeat, the United States assumed control of the territory once again, and in 1947 the islands were declared a trust territory under US administration (see the relevant agreement below). The area was later divided into six administrative districts, while in 1965, the Micronesian Congress was elected to lead the way to autonomy.

In 1975, a plebiscite determined that the Northern Mariana islands would become part of the US Commonwealth, while the remaining islands (the Carolines and the Marshall islands) formed republics in 1979 and in 1981 (the Carolines became a state under the name of Palau). Due to pressure from the Soviet Union to expedite the decolonization process, Palau was the final trust territory to become a sovereign state in 1994 and entered a contract of free association with the US in the same year.



Major countries and organizations involved

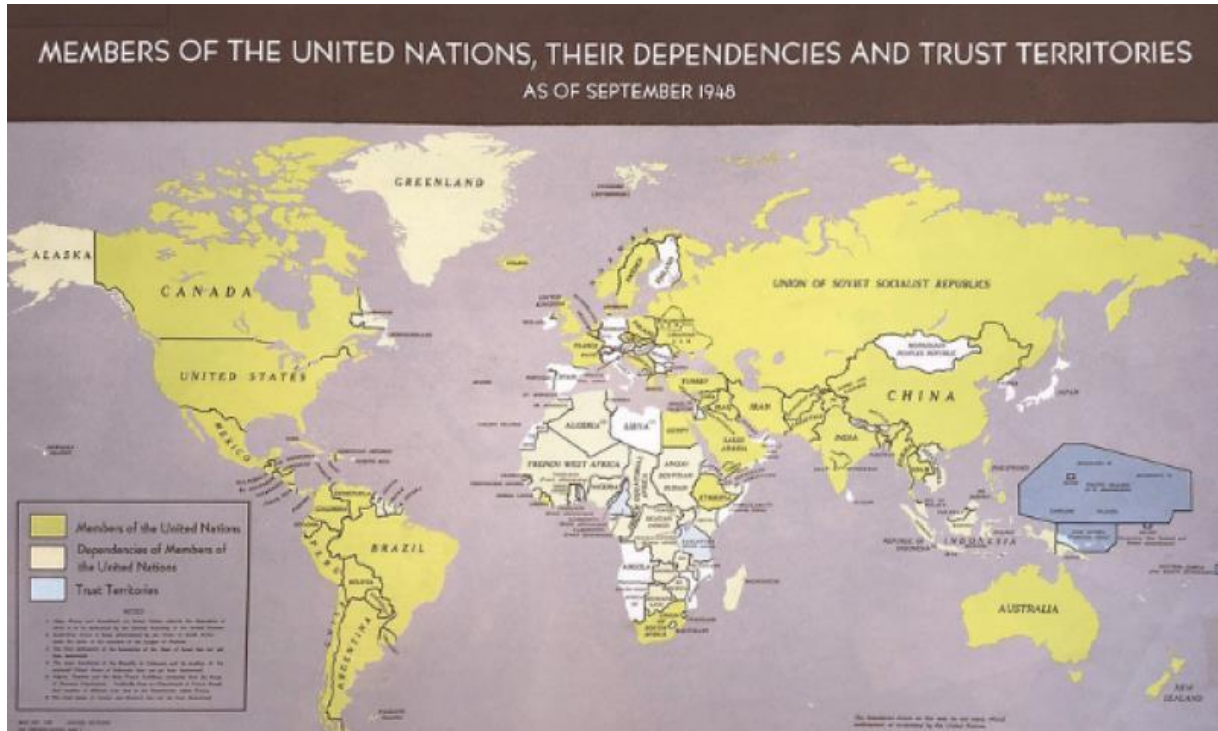


Figure: Map showing the members of the United Nations, states dependent on them, and trust territories, as of September 1948



The United Kingdom

Even before the founding of the United Nations, the United Kingdom was tasked with regulating German and Turkish lands that were acquired during WW1 by the allied forces. After 1945, it assumed a supervising role for Cameroons and Togoland. As of 2022, the United Kingdom is the administrative power for 10 non-self-governing states.

The United States of America

The United States of America was greatly interested in the strategic importance of the Pacific Territories, which is why it played a key role in the independence of the Trust Territory of the Pacific Islands. It also proposed the creation of the Palestinian trust territory, which was rejected by other member states in the 1950s.

The 11 Former trust territories [Western Samoa, Tanganyika (now Tanzania), Rwanda-Burundi, Cameroon (British and French administration), Togoland (now Togo and Ghana) (British and French administration), New Guinea, Nauru, Palau, and Somalia (formerly Italian Somaliland)]

The 11 former trust territories are essentially the success stories of the international trusteeship system. They are the most trustworthy sources of information on the long-term impacts of the trusteeship council. Additionally, their strong and mostly stable economies could be an indication of the quality of the work of the Trusteeship council. Despite the positive testimonies, they could also pinpoint the fallacies in the trust system and significantly improve the mandate of the Council.

New Zealand and Australia

These two states were responsible for Nauru, while Australia was additionally tasked with Papua New Guinea. They played key roles in regulating proceedings for the independence of Nauru and Papua New Guinea, and Oceania in its broader sense. This means that they were involved in the Trust Territory of the Pacific Islands.



Belgium

Belgium was entrusted with the territory of Ruanda-Urundi, which is now two separate states: Rwanda and Burundi. In July 1962, the land gained its independence. The Ruanda-Urundi area was a multinational one, with distinct ethnic groups, the most prominent being the Tutsis and the Hutus. Until the assumption of trusteeship by Belgium, the areas of Ruanda and Urundi had two drastically different political systems, which oftentimes led to tension in the interior, with the Tutsis having formed a type of hegemony. Up until the end of the trusteeship agreement with Belgium, the Hutu group was significantly favored over the Tutsis, as governments composed solely or mostly of Hutus were formed. The violent conflict between Hutus and Tutsis has sadly not been resolved, even today.

France

France was one of the states whose history with trust territories extends to the League of Nations, after its WW1 victory. It was an elemental actor in the proceedings of the council, being entrusted with numerous trust territories over the years. Like the United Kingdom, it has been tasked with administering a few non-self-governing states. These regions are French Polynesia and New Caledonia.

Italy

Italy was one of the main administrators of trust territories, It was tasked with the trust territory of the Italian Somaliland. The Italian administration allowed, even before the trusteeship system, local Sultans to govern the territory, with the Italian government exercising only indirect political power.



Timeline of events

<u>1945</u>	Creation of the Trusteeship Council
<u>March 1957</u>	Togoland set under British administration, united with the Gold Coast to form the independent state of Ghana
<u>January 1960</u>	Cameroons set under French administration (independent under the name of Cameroon)
<u>April 1960</u>	Togoland under French administration (independence as Togo)
<u>July 1960</u>	Italian Somaliland under Italian administration, united with British Somaliland to form the independent state of Somalia
<u>February 1961</u>	Cameroon was under British administration. Following a plebiscite, the northern part of the territory joined Nigeria and the southern part joined Cameroon
<u>December 1961</u>	Tanganyika under British administration. In 1964, Tanganyika and Zanzibar, unite as a single state to form the united republic of Tanzania
<u>January 1962</u>	Western Samoa under New Zealand administration. Later changed its name to Samoa, in 1997.



<p><u>July 1962</u></p>	<p>Ruanda-Urundi under Belgian administration This territory formed was divided into two independent and sovereign states, Rwanda, and Burundi</p>
<p><u>January 1968</u></p>	<p>The trust territory of Nauru, which was administered by Australia on behalf of the Administering Authorities of Australia, New Zealand, and the United Kingdom, becomes independent</p>
<p><u>September 1975</u></p>	<p>New Guinea/Papua New Guinea administered by Australia unites with the non-self-governing territory of Papua, also administered by Australia. It then becomes the independent state of Papua New Guinea</p>
<p><u>October 1990</u></p>	<p>Pacific islands administered by the United States- Micronesia. The Federated States of Micronesia become fully self-governing in free association with the United States</p>
<p><u>November 1990</u></p>	<p>Pacific Islands administered by the United States - Northern Mariana Islands. The Commonwealth of the Northern Mariana Islands now belongs to the commonwealth of the United States as a fully self-governing territory.</p>
<p><u>October 1994</u></p>	<p>Pacific Islands administered by the United States. Palau becomes fully self-governing in free association with the United States.</p>



<u>November 1994</u>	Suspension of Operations of the Trusteeship Council
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Previous attempts to solve the issue

As mentioned in the topic introduction, many proposals have been made by the United Nations with regards to breathing new life to the Trusteeship Council, based on proposals by both UN Officials and the public sentiment.

Eliminate the Trusteeship Council

This proposal was made in 1994 by the then-Secretary General of the United Nations, Boutros Boutros-Ghali in the resolution A/49/1. After this proposition, the elimination of the Trusteeship Council was additionally recommended by the A/59/565 UN Report on High-Level Panel on Threats, Challenges, and Change, as well as the resolution A/RES/60/1. Regarding the last document, its 176th paragraph (which is related to the matter) has not been sponsored by any subsequent actions. Such an idea would call for an amendment of Chapter XVIII of the United Nations Charter.

“176. Considering that the Trusteeship Council no longer meets and has no remaining functions, we should delete Chapter XIII of the Charter and references to the Council in Chapter XII.” - 8th Plenary meeting, 16th of September, 2005

Review the role of the Trusteeship Council

This proposal was made by Malta in the resolution A/50/142, on the 16th of June, 1995. Comments with regards to it were provided by member states in another resolution, A/50/1011. Other reports, like that of the special committee on the Charter of the United Nations and the Strengthening of the role of the Organization supported Malta’s proposal, though no action was taken to ensure that these reports were followed. (A/60/33, paragraph 61).



Transforming the role of the Trusteeship Council

In the Secretary General's report A/51/950, paragraph 85, in response to the member states' willingness to maintain the trusteeship council, it is proposed that the Council be reformed to be a body for member states to exercise their collective trusteeship "for the integrity of the global environment and common areas such as the oceans, atmosphere and outer space". In the 125th paragraph of the A/75/982 report, the Secretary General additionally invited states to transform the Trusteeship Council into a "multi-stakeholder body to tackle emerging challenges and, especially, to serve as a deliberative forum to act on behalf of succeeding generations." It would respectfully and dutifully provide advice related to managing global security risks, among other tasks.

Relevant UN Resolutions, Events, Treaties and Legislation

UN Charter, Chapter XII: International Trusteeship System

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:
 - a. territories now held under mandate;
 - b. territories which may be detached from enemy states as a result of the Second World War; and
 - c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms. "

This specific article describes the territories eligible to participate in the trusteeship system and gain their independence. It additionally clarifies in clause 2 that subsequent discussions would occur before a territory passed into trust status, thus ensuring that no



sovereign member state of the UN is put in such a position. However, this article also does not permit current disputed territories to enter the trust system, seeing as they are mostly not administered officially, while some are not unanimously considered as states, like Kosovo, or Western Sahara.

S/RES/21 (1947)

This resolution describes the agreement between the United Nations and the United States of America regarding the Trust Territory of the Pacific Islands. This agreement acknowledges the military occupation of the Micronesian Region by Japan and recognizes that from then on, all Japanese operations ceased. In addition, it declared the territory as a Trust Territory and assigned the US as the administrating power. It was significant, as it recognized the US's entitlement to establish air, naval, and military bases in the region, and station and employ armed forces, ensuring its "strategic" alias.

Issues to be addressed

As the historical background reveals, the trusteeship council's legislation stems from its predecessor, the mandate system of the League of Nations. In either system, the central idea was to assign trust territories to more financially stable economies, like those of the 5 Permanent members of the Security Council.

A reformed Trusteeship Council should take into account that territories in the Trusteeship System strive to eventually achieve independence. Thus, delegates should consider proposing actions within the Council that promote self-determination, like introducing the prospective governments to global diplomacy and involving the populations in cultural events and celebrations.



Possible solutions

Establishment of new trust territories

Currently there are many disputed territories in the world, where local populations and the Moroccan government cannot agree on a method of governance. For example, Western Sahara is such a conflicted territory, where many referendums regarding governance have been proposed over the years to no avail. In the same manner, delegates of the session on the UN Charter could propose trust territories that fulfill the aforementioned criteria.

Amendment of Article 78

Seeing as there are 195 countries in the world, out of which only two are not members of the UN (Holy See and Palestine, observer states), it would be impractical in reviving the council. This article could be amended to include members of the United Nations, so that lands within their governing bounds still have an opportunity to obtain trust status.

Repurposing as a committee on Climate Change and World Population

Given the intimate relationship between the Earth's population and Climate change, the Trusteeship council could be reformed to discuss specific affairs related to the environmental impact of overpopulation and propose solutions on the matter. Thus, the international trusteeship can be safeguarded, while past proposals on the transforming of the Council could actually be implemented.

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