

## Annexure Text\* Proposed by the Delegation of India

The following constitution shall be annexed to and form part of the Trusteeship Agreement for any of the former Italian colonies that may be placed under the International Trusteeship System:

1. The sovereignty of the Trust Territory shall be vested in its people and shall be exercised on their behalf by the authorities and in the manner prescribed herein.
2. The executive authority of the Trust Territory shall be exercised by an Administrator appointed by the Administering Authority.
3. To assist him in the discharge of his functions the Administrator shall appoint a Council consisting of five representatives of the principal political parties or organizations in the Trust Territory.
4. In matters relating to defence and foreign affairs, the Administrator shall be responsible to and carry out the directions of the United Nations acting through its appropriate organs. In all other matters, the Administrator shall consult and be guided by the advice of his Council.
5. The legislative authority of the Trust Territory shall normally be exercised by the Administrator with the consent of his Council enlarged by such additional representatives of the people as the Administrator may summon for the purpose. In exceptional circumstances, the Administrator may, subject to the control of the United Nations acting through its appropriate organs, make and promulgate such ordinances as, in his opinion, the circumstances demand.
6. The judicial authority of the Trust Territory shall be exercised by a Supreme Court and courts subordinate thereto. The judges of the Supreme Court shall be appointed by the Administrator but shall hold office during good behaviour and shall not be removable except with the consent of the United Nations acting through its appropriate organs.
7. All the authorities of the Trust Territory shall, in the exercise of their respective functions, respect human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.
8. The United Nations, acting through its appropriate organs may:
  - (a) Make rules to supplement this constitution;
  - (b) Review the administration periodically and amend this constitution so as to establish the Trust Territory as an independent State within a period not exceeding five years.

### B.

*The General Assembly*, to assist it in making the appointment of the United Nations Commissioner in Libya,

*Decides* that a Committee composed of:

the President of the General Assembly, two of the Vice-Presidents of the General Assembly (Brazil and Pakistan), the Chairman of the First Committee, and the Chairman of the *Ad Hoc* Political Committee shall nominate a candidate or, if no agreement can be reached, three candidates.

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\*See Section B, paragraph 7, p. 252.