missions comprise 'mandate agreements' derives from the tradition of mandate agreements once agreed upon during the Paris Peace Conference, and after World War II, at the Dumbarton Oaks Conference.

The first concrete proposal for international supervision was officially discussed in February 1945 at the Yalta Conference and already containing the demand of the US Military to classify future trusteeship territories either as *strategic* or *non-strategic*. While *non-strategic* territories would be overseen by the Trusteeship Council, *strategic* territories would be overseen by the future Security Council, where the US could protect its interests by exercising its right of veto.[9] John Foster Dulles, who participated in the Dumbarton Oaks and Yalta conferences, commented that these proposals "had the defects which usually occur when a few big powers get together to decide how to run the world [and] conclude that the best of all possible worlds is a world which they will run."[10] Thus, in the aftermath of World War II, the institutional design of the Trusteeship System emerged, driven not only by the perennial concern for power preservation but also by considerations of national and international security, as evident in the substantial involvement of actors such as the US Military.

6.1.1   Establishment of the United Nations Trusteeship System

It was planned that the relevant articles for the Trusteeship System in the United Nations Charter would be drawn up at the *United Nations Conference on International Organization* (UNCIO) in San Francisco. Since the Big Five failed to reach agreement at the UNCIO in San Francisco in April-June 1945, a subcommittee of the *Preparatory Commission* was appointed to continue negotiations in London. It took about eighteen months of debate and compromise before the Trusteeship System was born. As Sylvanna Falcón has shown, the negotiations of the Trusteeship System were marked by most blatant paternalism and racism. For example, the British negotiator, Robert Gascony-Cecil, regarded that:

> "Many of these areas are small, poor and defenseless and could not stand on their own feet. Many of them are extremely backward. Many need help building roads and communications, building modern health systems, introducing scientific methods to agriculture, and promoting the spread of education that is fundamental to all progress. Take your helping hand away, and such areas would quickly fall back into barbarism. What we can give them is freedom and free institutions. We can gradually train them to lead their own affairs, so that if independence eventually comes, they will be ready."[11]

Thus, even after the horrors of World War II, which the 'civilized world' brought upon itself and other world regions, non-Western peoples were described with the tropes of

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9   Thullen, *Problems of the Trusteeship System*, p. 34.

10   Falcón, *Power interrupted*, pp. 32–33.

11   Department of State, *The United Nations Conference on International Organization: San Francisco, California, April 25 to June 26*, Conference Series 83 (Washington: U.S. Government Printing Office, 1946), p. 694.

being 'uncivilized,' 'wild,' 'backward' and 'primitive.' As had happened during the drafting of the now-to-be-replaced League of Nations Covenant, this paternal spirit found its way into the euphemistic wording of the Charter describing colonial territories 'non-self-governing' and their peoples as 'not yet fully self-governing.'[12] These negative formulations formed the phraseology of the trusteeship principle, suggesting that 'governmental authority' was understood as something that endows self-government only altruistically.

Since World War II represented a turning point in history, both in terms of the maintenance of international peace and security as well as in terms of its relationship to principles of trusteeship, security considerations also found their way into the trusteeship chapters of the Charter:

> "Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have nor yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the *system of international peace and security* established by the present Charter, the well-being of the inhabitants of these territories."[13]

Thus, the architects of the Charter identified the primary objective of the Trusteeship System to be the furthering of international peace and security. Unquestionably, the experience of World War II marked a shift from idealistic strands of International Relations to the dominance of realist thought. The common assessment was that while the League of Nations was still based on an idealistically inspired idea of peace, World War II turned this view upside down: no longer *peace* (which called for disarmament and cooperation) but *security* was regarded the paradigm of the hour and hence, the core function of the United Nations as embodied by the Security Council.

Thus, as a lesson from the failed *passive* peacekeeping measures of the League, such as the demilitarization of mandate areas, the Charter stipulated that each dependent territory should play an *active* role in the maintenance of international peace and security. As demanded by the US Military, trusteeship territories could be completely or partially declared as *strategic areas*, whose supervision would fall under the authority of the UN Security Council.[14] However, the Security Council was ultimately never to assume oversight over a *strategic* area since in 1949, during its first meeting on the strategic Trust Territory of the Pacific Islands (TTPI), the US proposed that regular oversight functions should be transferred to the Trusteeship Council.[15] Although the United States granted oversight rights to the Trusteeship Council, by designating the TTPI as a 'strategic area' in its 1947

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12   Charter, United Nations (UN) (1945)

13   Emphasis added, *id.*, Chapter XI: Declaration Regarding Non-Self-Governing Territories, Article 73.

14   The background to this concept were security motives of the United States. In the event of international attempts to interfere in the management of its strategic areas in the Pacific, the United States would have been able to use her veto right in the Security Council.
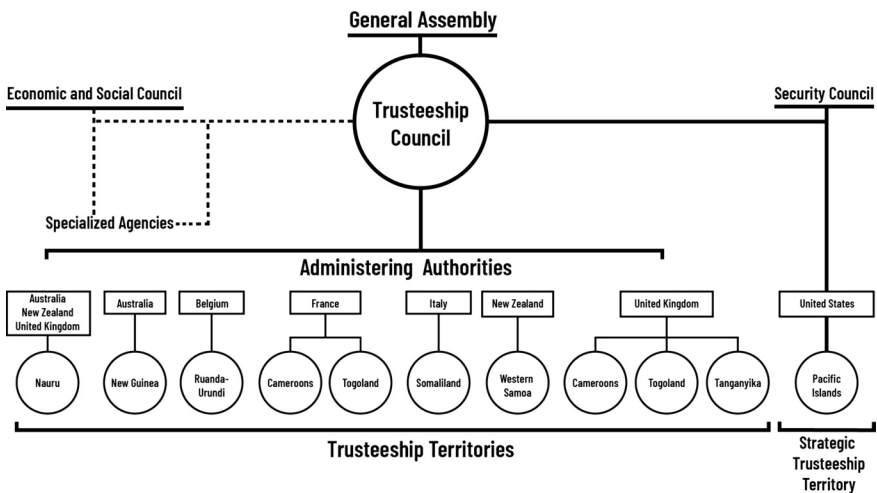
15   Security Council Resolution 70, *Trusteeship of Strategic Areas*, S/RES/70(1949) (7 March 1949), available from https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/055/07/PDF/NR005507.pdf?OpenElement.

Trusteeship Agreement, the US retained the ace up its sleeve that it could deny access to the oversight bodies at any time.

Nonetheless, in contrast to the Mandates System, the introduction of *strategic areas* implied not only a right but, in a sense, also a duty under the Trusteeship System to maintain armed forces and bases in trusteeship territories. The apparent insight was that security was not guaranteed by the absence of militarization, but rather by its expansion. This also meant a complete reversal of the function that mandated territories played in the global security architecture: Whereas before World War II the colonial narrative asserted that dependent peoples needed to be protected by colonial powers, after World War II they were meant to be instruments of global security. This about-face, however, was equally colonial, for behind the idea of 'developmental decolonisation' lay a rather self-righteous interest on the part of Western states regarding their national security.

Furthermore, whilst the Mandates System operated on a rigid classification of "A," "B" and "C" mandates "according to the stage of the development of the people," the Trusteeship System operated on a flexible division of territories into *strategic* and *non-strategic areas*, that is, Administering Authorities could freely decide under which circumstance a territory, partially or wholly, could be designated as a *strategic* area. Hence, the distinction between *strategic* and *non-strategic* trusteeship territories was not determined so much by geography or 'stage of development' but was functionally determined by security considerations.

Figure 2: Structure of the Trusteeship System

Source: UN Yearbook 1950, p. 104.

With regard to security issues, however, there were not only breaks with the Mandate System. While during the League of Nations period the principle of the 'dual mandate,' that is, the 'reciprocal benefit' of the mandated territories lay in their economic utility,

under the Trusteeship System the benefit of 'dual mandate' seemed to have been replaced in the function of ensuring international security.

In sum, security interests of the Allied Powers overshadowed the interests of the inhabitants of trusteeship territories. Black American scholars such as Rayford Logan, who was the former mentor of the Trusteeship Division's Director-General, Ralph Bunche, found the submissiveness to the administering powers' security interests particularly worrying.[16] Now that "Every nation was talking in terms of its own security," one contemporary called the prevailing paradigm of Trusteeship System "security imperialism."[17] On the other hand, Bain argues:

> "it is a mistake of considerable proportion to suggest that the Trusteeship System, and the Charter in general, subordinates the well-being of dependent peoples to a narrow argument of security. […] The Trusteeship System should not be viewed as expressing a narrow set of interests related exclusively to either security or welfare; nor should it be viewed as an isolated arrangement that is separate from the principles and purposes expressed elsewhere in the Charter, the most important of which relate to the problem of war and the conditions of peace."[18]

Besides the maintenance of international peace and security, the authors of the Charter spelled out more clearly the specific objectives of the Trusteeship System: to promote the political, economic, social, and educational advancement of the inhabitants, and to promote the progressive development towards self-government or independence. On the one hand, this was a departure from the Covenant's vague formulation to tutelage "peoples not yet able to stand by themselves" towards a clear commitment to political independence. On the other hand, this shifted the emphasis from mere "just treatment" of dependent peoples and prohibition of abuses under the Mandates System to positive aspects of constructive development, which was coined as a sort of 'developmental decolonisation.' In sum: "The architects of the United Nations trusteeship system believed that the welfare of dependent peoples could not be separated from the furtherance of international peace and security."[19]

6.1.2   The Instruments of International Supervision

The Trusteeship System introduced several innovations designed to increase oversight over and the accountability of the Administering Authorities. It is largely due to the American delegate Ralph Bunche, later Director-General of the UN Trusteeship Division, "that the International Trusteeship System is no mere prolongation of the mandates system under the League of Nations."[20] For his Ph. D. dissertation, which

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16   Pedersen, *The guardians*, p. 401.
17   Falcón, *Power interrupted*, p. 55.
18   Bain, *Between anarchy and society*, pp. 125–26.
19   Bain, *Between anarchy and society*, p. 25.
20   TCOR, "1st Session" (1947), p. 4.