

and was unable to make recommendations for adoption by the Commission. In explanation of its limited success, the Sub-Commission reported⁽¹⁾ :—

“ From the beginning of the discussion it became clear that there existed fundamental differences of interpretation and implementation of these proposals concerning :—

“ (a) The character of the Free Territory :

“ (b) The responsibilities of the Security Council toward the Free Territory and, deriving from these, the position and role of the Governor and the position and role of the Legislative and executive authorities of the Free Territory.

“ Such differences of conception made the work of the Sub-Commission difficult, and explain why it has not been able to present, except on certain points, a single draft Statute.”

The time-table of the Conference precluded the Commission from discussing the Sub-Commission's report following its formal presentation on 2 October, 1946. Instead of a discussion in detail on the report of the Sub-Commission, there was a general discussion of all proposals before the Commission, including the Sub-Commission's report, but more particularly centred on the Polish resolution⁽²⁾, the United States partial redraft of Article 16⁽³⁾, the proposal by the French delegation⁽⁴⁾, the Yugoslav amendment⁽⁵⁾, and the U.S.S.R. amendment⁽⁶⁾.

The votes on these various amendments took place in the Commission on 3 October and in the Conference on 10 October. The vote in the Commission took place after the closing of the general debate at 2.25 a.m., and continued until 5.45 a.m., during the course of which fifty divisions were taken. The most important of the amendments was that of the French delegation, which set out in detail the principles to guide the Council of Foreign Ministers in their consideration of the final draft of the Statute. The vital point in the French proposals is that the Security Council shall have the power and the authority necessary to preserve the freedom and integrity of Trieste. It was voted on paragraph by paragraph, and adopted in each case by a two-thirds majority, normally a vote of 14 to 6. Almost all the clauses of the resolution put forward by the Soviet Union were rejected by the same majority. The decisions of the Conference upon Trieste (Article 16 of the treaty) as they finally emerged were as follows :—

ARTICLE 16

At present consisting of paragraphs 2, 4, 6, of Article 16 of draft treaty and of following proposals :—

U.S. Proposal (Part A)

1. There is hereby constituted the Free Territory of Trieste, which is recognized by the Allied and Associated Powers and by Italy. They agree that the integrity and independence of this Free Territory should be assured by the Security Council of the United Nations.

⁽¹⁾ CP (IT/P), (S/T), Doc. 8, p. 2, paras. 6 and 7.

⁽²⁾ CP (IT/P), Doc. 106.

⁽³⁾ CP (IT/P), Doc. 16.

⁽⁴⁾ CP (IT/P), Doc. 105, Rev. 1.

⁽⁵⁾ CP (IT/P), Doc. 103.

⁽⁶⁾ CP (IT/P), Doc. 46.