

Chapter VII

**PRACTICES RELATIVE TO RECOMMENDATIONS TO THE GENERAL
ASSEMBLY REGARDING THE ADMISSION OF NEW MEMBERS**

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INTRODUCTORY NOTE

The material concerning the practice of the Security Council in connexion with the admission of new Members to the United Nations may, for the purpose of the *Repertoire*, be divided into three categories, the first showing what decisions were arrived at by the Security Council, the second the procedures adopted by the Security Council in arriving at those decisions, and the third the considerations invoked by members of the Council in arriving at those decisions. Information regarding the first category is presented in the form of the Table of Applications in part I, wherein the successive stages in the consideration of applications is noted. Considerable difficulty is however encountered in presenting material under the second category, and almost insuperable difficulty in presenting material under the third category. Material under the second category constitutes the body of this chapter (parts II-VI), but material under the third category does not admit of similar treatment and is examined in the note to part V, "Procedures in the Consideration of Applications within the Security Council".

Parts II, III, IV, V and VI contain material drawn from proceedings of the Security Council to illustrate procedures adopted by the Council for implementing the obligation laid upon it by Article 4 (2) of the Charter. Material bearing on this question, including material showing the viewpoints of representatives on the Council on certain constitutional issues involved in arriving at decisions regarding suitable procedures to be followed, is to be found in the general discussion that took place prior to the adoption, on 1 January 1948, of chapter X of the provisional rules of procedure in its present form, and is contained in part II. Material bearing on this question in the proceedings of the Council when considering particular applications, both before and after 1 January 1948, is contained in parts III, IV and V. Finally in part VI is included information bearing on procedural relations between the Council and the General Assembly in the exercise of their responsibilities in the matter of admission of new Members.

Article 4 of the Charter

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.
2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL REGARDING ADMISSION OF NEW MEMBERS¹ IN FORCE FROM THE 1ST MEETING ON 17 JANUARY 1946 TO 42ND MEETING ON 17 MAY 1946

"Rule 25

"Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

"Rule 26

"The application for membership in the United Nations shall be placed by the Secretary-General before the Security Council, which shall decide whether in its judgment the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter.

"Rule 27

"Should the Security Council decide to recommend the applicant State for membership of the United Nations, this recommendation shall be placed before the General Assembly by the Secretary-General."

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL REGARDING ADMISSION OF NEW MEMBERS ADOPTED AT THE 42ND MEETING ON 17 MAY 1946

"Rule 58

"Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

"Rule 59

"The Secretary-General shall immediately place the application for membership before the representative on the Security Council. Unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall be represented. The committee shall examine any application referred to it and report its conclusions thereon to the Council not less than thirty-five days in advance of a regular session of the General Assembly or if a special session of the General Assembly is called, not less than fourteen days in advance of such session.

"Rule 60

"The Security Council shall decide whether in its judgment the applicant is a peace-loving State and is

¹ O.R., 1st year, 1st series, Suppl. No. 1, annex 1, pp. 5-6.

able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership.

"In order to assure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendations not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.

"In special circumstances, the Security Council may decide to make a recommendation to the General Assembly concerning an application for membership subsequent to the expiration of the time limits set forth in the preceding paragraph."

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL REGARDING THE ADMISSION OF NEW MEMBERS ADOPTED AT THE 222ND MEETING ON 9 DECEMBER 1947

"Rule 58

"Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall contain a declaration made in a formal instrument that it accepts the obligations contained in the Charter.

"Rule 59

"The Secretary-General shall immediately place the application for membership before the representatives on the Security Council. Unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall

be represented. The Committee shall examine any application referred to it and report its conclusions thereon to the Council not less than thirty-five days in advance of a regular session of the General Assembly or if a special session of the General Assembly is called, not less than fourteen days in advance of such session.

"Rule 60

"The Security Council shall decide whether in its judgment the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership.

"If the Security Council recommends the applicant State for membership, it shall forward to the General Assembly the recommendation with a complete record of the discussion.

"If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, it shall submit a special report to the General Assembly with a complete record of the discussion.

"In order to ensure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendation not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.

"In special circumstances, the Security Council may decide to make a recommendation to the General Assembly concerning an application for membership subsequent to the expiration of the time-limits set forth in the preceding paragraph."

Part I

TABLE OF APPLICATIONS, 1946 - 1951

NOTE

The Table of Applications brings together in compact form the sequence of decisions by the Security Council in the consideration of applications for membership.

The decisions of the Council regarding the applications may be briefly summarized:

I

In the period preceding 31 December 1951, the Security Council recommended the following States for admission to membership in the United Nations:

(i) At the 57th meeting on 29 August 1946, Afghanistan was recommended by 10 votes in favour, none against, with 1 abstention.¹

(ii) At the 57th meeting on 29 August 1946, Iceland was recommended by 10 votes in favour, none against, with 1 abstention.²

(iii) At the 57th meeting on 29 August 1946, Sweden was recommended by 10 votes in favour, none against, with 1 abstention.³

(iv) At the 83rd meeting on 12 December 1946, Thailand (Siam) was unanimously recommended.⁴

(v) At the 186th meeting on 18 August 1947, Yemen was unanimously recommended.⁵

(vi) At the 186th meeting on 18 August 1947, Pakistan was unanimously recommended.⁶

(vii) At the 279th meeting on 10 April 1948, Burma was recommended by a vote of 10 in favour with 1 abstention.⁷

(viii) At the 414th meeting on 4 March 1949, Israel was recommended by a vote of 9 in favour, 1 against, with 1 abstention.⁸

(ix) At the 503rd meeting on 26 August 1950, Indonesia was recommended by a vote of 10 in favour with 1 abstention.⁹

The following applications failed of recommendation:

⁴ 83rd meeting: p. 562.

⁵ 186th meeting: p. 2052.

⁶ 186th meeting: p. 2055.

⁷ 279th meeting: p. 5.

⁸ 414th meeting: p. 14.

⁹ 503rd meeting: p. 28.

¹ 57th meeting: p. 138.

² 57th meeting: p. 140.

³ 57th meeting: p. 140.

Albania ¹⁰	Japan ¹¹
Austria ¹¹	Hashemite Kingdom of Transjordan (Jordan) ¹¹
Bulgaria ¹⁰	Laos ¹¹
Cambodia ¹¹	Libya ¹¹
Ceylon ¹¹	Mongolian People's Republic ¹⁰
Democratic People's Republic of Korea ¹²	Nepal ¹¹
Democratic Republic of Viet-Nam ¹⁰	Portugal ¹¹
Finland ¹¹	Republic of Korea ¹¹
Hungary ¹⁰	Romania ¹⁰
Ireland ¹¹	Viet-Nam ¹¹
Italy ¹¹	

The time-limits set out in provisional rule 60 for forwarding recommendations or for the submission of special reports to the General Assembly made it possible for the Security Council each year to examine in a series of meetings all new applications submitted in the interval between two successive regular sessions of the General Assembly, or before a special session, as well as pending applications referred back to it by the General Assembly, or put on the provisional agenda at the request of representatives on the Council. The proceedings of the Council may therefore appropriately be divided into successive debates for the purpose of analysing the procedures of the Security Council in the consideration of applications for membership. This distinction between the successive debates is utilized in the construction of the Table of Applications and of parts IV and V of this chapter. A brief indication of the series of debates follows; for greater detail the Table of Applications should be consulted.

Debate I

The first debate of 1946 was concerned with eight new applications. It covered four meetings (54th-57th) on 28 and 29 August 1946.

Debate II

The second debate of 1946 was concerned with one new application at the 83rd meeting on 12 December 1946.

Debate III

The first debate of 1947 was concerned with seven new applications and five pending applications. It covered two meetings (186th and 190th) on 18 and 21 August 1947.

Debate IV

The second debate of 1947 was concerned with one new application and four pending applications. The debate covered four meetings (203rd-206th) from 24 September to 14 October 1947.

Debate V

The third debate of 1947 was concerned with two pending applications, which were discussed, and postponed indefinitely, at the 221st meeting on 22 November 1947.

Debate VI

The first debate of 1948 was concerned with one new application and eleven pending applications. It

covered two meetings (279th and 280th) on 10 April 1948.

Debate VII

The second debate of 1948 was concerned with one new application which was discussed and voted upon at the 351st meeting on 18 August 1948.

Debate VIII

The third debate of 1948 was concerned with one new application, which was discussed at four meetings (383rd - 386th) and voted upon at the 386th meeting on 17 December 1948, and one application reconsidered, for the first time, at the urgent request of the General Assembly, which was re-examined and voted upon at the 384th meeting on 15 December 1948.

Debate IX

The first debate of 1949 was concerned with one application, reconsidered at the applicant's request, which was discussed and voted upon at the 414th meeting on 4 March 1949.

Debate X

The second debate of 1949 was concerned with one new application which was discussed and voted upon at the 423rd meeting on 8 April 1949.

Debate XI

The third debate of 1949 was concerned with one new application and with twelve pending applications. It covered twelve meetings (427th - 431st and 439th - 445th) between 16 June and 15 September 1949.

Debate XII

The only debate of 1950 was concerned with one new application, which was discussed and voted upon at the 503rd meeting on 26 September 1950.

Debate XIII

The only debate of 1951 was concerned with one application, which was reconsidered for the fifth time at the 569th meeting on 19 December 1951, although the agenda also included thirteen other pending applications. The application was discussed and postponed indefinitely.

II

GUIDE TO THE TABLE OF APPLICATIONS FOR MEMBERSHIP 1946-1951 AND OF ACTIONS TAKEN THEREON BY THE SECURITY COUNCIL AND THE GENERAL ASSEMBLY

Purpose of the table

The purpose of the present table is to concentrate all the pertinent information and documentation concerning the applications for membership submitted to the United Nations from 1946 until the end of 1951. The table will help the readers to follow the chain of proceedings concerning those applications from the date on which they were submitted until their eventual disposition or up to the stage they had reached at the end of 1951.

Horizontal divisions

The table is divided into 13 debates numbered I to XIII. Debates are separated from one another by a continuous solid line. When a debate is concerned with original applications and with applications under reconsideration, the new applications are separated

¹⁰ Received less than 7 affirmative votes.

¹¹ Failed to obtain a recommendation owing to the negative vote of a permanent Member.

¹² This application has not been voted upon as such by the Security Council.

from the applications under reconsideration by a continuous dotted line.

Vertical divisions

A. Columns

The table consists of 11 columns, representing mainly the successive phases through which an application normally passes from the time of its original submission until the General Assembly acts thereon.

Columns 2 and 3 refer to the submission of the application itself and to the documents relating thereto. Columns 4 and 5 cover the phase of reference of the application to the Committee on the Admission of New Members. Columns 6, 7, 8 deal with the action of the Security Council on the application while columns 9, 10, 11 concern the action of the General Assembly. Thus, in following horizontally all the indications appearing in the eleven columns of the table concerning a given applicant, the reader will be able, at a glance, to visualize a series of related actions taken in regard to that applicant.

Col. 1 indicates the year, during which an application was submitted and acted upon, the names of the applicant States and various reference numbers, the meaning of which is to be found below under subparagraph B 2.

Col. 2 shows the date on which an application was submitted, and the reference to the document where the text of the application was reproduced.¹³

Col. 3 contains the same information as in col. 2, but concerning the declaration made by the applicant State in a formal instrument that it accepts the obligations contained in the Charter.¹⁴

Col. 4 shows the date and the meeting at which the Security Council (or the President of the Council) decided to refer or not to refer the application to the Committee on the Admission of New Members, and the reference to the document where the decision is to be found.

According to rule 59, "unless the Security Council decides otherwise, the application shall be referred by the President to" the Committee on the Admission of New Members. Where there is no such decision of the Security Council and the application was referred to that Committee by the President, col. 4 contains the mention: "President's action"; where the Security Council has specifically decided to refer the application to the Committee, col. 4 contains the mention: "Security Council's decision to refer"; where the Security Council has decided not to refer the application to that Committee, col. 4 mentions: "Decision not to refer, or 'agreement not to refer'"; where there has been no decision of the Council not to refer the application to the Committee and the application has not been referred to it by the President, col. 4 mentions: "not referred".

¹³ The information relevant to col. 2 and 3 appears only once, irrespective of the number of times that the Security Council or the General Assembly has acted on an application throughout the years. Such information is to be found in the table at the place corresponding to the time when the application or the renewal of an application was submitted.

¹⁴ As regards the following countries: Afghanistan, Iceland, Siam (Thailand), Sweden, Yemen and Pakistan which were admitted before 31 December 1947, i.e., at a time when former rule 107 of the provisional rules of procedure of the General Assembly was in force, the mention appearing on col. 3 refers to the formal instrument of adherence provided for in the former rule 107.

Col. 5 shows the date on which the Committee on the Admission of New Members has submitted its report to the Security Council, and the reference to the document containing the report in question.

Col. 6 indicates the date and the meeting at which the Security Council has acted on the application (either on the original application, or on a request for reconsideration), and the reference to the document where the decision of the Council may be found.

Col. 7 shows the breakdown of the vote in the Security Council, in the sub-columns entitled "For, Against, Abstentions". When the figure appearing in sub-column "For" is 7 or more, and the mention appearing in col. 7 shows that the applicant State has not been recommended for admission, this means that a permanent member of the Security Council has voted against the recommendation.

Col. 8 shows the date on which the action of the Security Council was brought to the attention of the General Assembly and the reference to the document containing the recommendation or the report of the Council. According to rule 60, the notification made by the Security Council when it makes no recommendation or postpones consideration of the application is called a "Special Report". Sometimes, however, it has been entitled "Note" or "Letter". It is referred to in col. 8 under the heading appearing on the original document.

Col. 9 indicates the date and the meeting at which the General Assembly has acted upon a recommendation of the Security Council or upon the application itself, and the reference to the text of the resolution of the General Assembly — or to the document where it may be found.

Col. 10 indicates the nature of the decisions taken by the General Assembly. The mention "Request for reconsideration by the Security Council on the merits" shows that the General Assembly has not expressed its opinion as to whether the applicant State satisfied the conditions for admission laid down in Article 4 (1). The mention: "Request for reconsideration by the Security Council — admission favoured" shows that the General Assembly has determined that the applicant State satisfied the requirements of Article 4 (1) and requested the Security Council to reconsider the application in the light of that determination.

Col. 11 indicates the date on which the resolution of the General Assembly was transmitted to the Security Council and the reference to the document containing the notification in question. Sometimes the notification is a letter addressed by the President of the General Assembly to the President of the Security Council; but, in general, it is a letter of the Secretary-General addressed to the President of the Security Council and transmitting the text of the relevant resolution of the General Assembly.

The column in which appears the last of a series of related actions taken on an application (normally it is col. 11) shows between parentheses the reference number where the next series of related actions taken on that application may be found in the table.

B. Figures appearing in col. 1

1. Figure preceding the name of the applicant State

Each series of related actions concerning a given applicant appears in chronological order in the table.

The figure preceding the name of an applicant State is the number, in chronological order, of a series of such related actions.

Normally, a series of related actions ending by the admission of an application would be contained in a single horizontal line, the last action being the decision of admission by the General Assembly in col. 10. This happened, however, only eight times in the period covered by the *Repertoire* (see Nos. 3, 7, 8, 9, 14, 16, 29, 60).¹⁵

In all other cases, the related actions concerning a single application may cover as many as three or four horizontal lines, since the General Assembly, on various occasions, requested the Security Council to reconsider applications on which the latter failed to make recommendations. In such a case, the last action may be found usually in col. 11, i.e., notification of the General Assembly resolution to the Security Council. It has also happened that members of the Security Council requested reconsideration of applications before the General Assembly so requested (Nos. 23-26). It happened once that an applicant formulated such a request before any action of the General Assembly (No. 44, Israel). It may also happen that, although an application is reconsidered, the series of actions related thereto does not pass through all the normal phases. At any rate, it is easy for the reader to find immediately the next series of related actions concerning that application. The column in which appears the last action taken refers the reader to the number where the next series of related actions begins (see also sub-paragraph B 2).

2. Figures following the name of the applicant State

The first figure indicates where the next series of related actions may be found; the second figure concerns the preceding series of related actions when it exists; the third figure is the number of the application in chronological order. The first time an application is mentioned, the third number appears in Roman cipher. In the subsequent series of related actions concerning the same applicant, the number appears in Arabic cipher. When the name of an applicant State is italicized, this means that, as of 31 December 1951, the State in question has not yet been admitted to membership. Italicizing is done only once, when the applicant's name appears for the first time in the table, i.e., when the chronological number of the application appears in Roman cipher.

Example: No. 21 Portugal (36) (6) (6)

This means that the twenty-first series of related actions concerns Portugal, that the next series is to be found under No. 36 and that the preceding series appears under No. 6.

¹⁵ The related actions having ultimately led to the admission of Israel cover two horizontal lines (Nos. 42, 44) since the first series of related actions ended inconclusively.

The complete references concerning Portugal are thus:

No. 6 *Portugal* (21) () (VI)

No. 21 Portugal (36) (6) (6)

No. 36 Portugal (48) (21) (6)

No. 48 Portugal (61) (36) (6)

No. 61 Applicant States referred to under Nos. 45, 47-59.

3. Other signs appearing in the columns

Ditto signs indicate that the information is the same as the one given above. A solid line inside a column means that there is no action to report.

III

LIST SHOWING IN CHRONOLOGICAL ORDER THE TWENTY-SEVEN APPLICATIONS SUBMITTED TO THE UNITED NATIONS FROM 1946 UNTIL 1951, AT THE NUMBERS WHERE THEY APPEAR FOR THE FIRST TIME IN THE TABLE OF APPLICATIONS

1. *Albania* (17) () (I)
2. *Mongolia* (18) () (II)
3. Afghanistan () () (III)
4. *Transjordan* (19) () (IV)
5. *Ireland* (20) () (V)
6. *Portugal* (21) () (VI)
7. Iceland () () (VII)
8. Sweden () () (IX)
9. Siam () () (VIII)¹⁶
10. *Hungary* (23) () (X)
11. *Italy* (24) () (XI)
12. *Austria* (40) () (XII)
13. *Romania* (25) () (XIII)
14. Yemen () () (XIV)
15. *Bulgaria* (26) () (XV)
16. Pakistan () () (XVI)
22. *Finland* (38) () (XVII)
29. Burma () () (XVIII)
41. *Ceylon* (43) () (XIX)
42. Israel (44) () (XX)
45. *Republic of Korea* (61) () (XXI)
46. *Democratic People's Republic of Korea* () () (XXII)
47. *Nepal* (61) () (XXIII)
60. Indonesia () () (XXIV)
62. *Viet-Nam* () () (XXV)
63. *Libya* () () (XXVI)
64. *Democratic Republic of Viet-Nam* () () (XXVII)

¹⁶ Siam's application preceded that of Sweden, but its consideration was postponed. (See part I, debates I and II.)

Table of applications for Membership in the United Nations 1946-1951 and

1 Year—Country		2 Applications		3 Formal Declaration		4 Reference to Committee		5 Committee Report		6 Security Council Action	
Reference numbers	Date	Document	Date	Document	Date	Document	Date	Document	Date	Document	
DEBATE I (1946) 54th-57th MEETINGS; 28-29 AUGUST 1946											
<i>New applications</i>											
1. Albania (17)() (I)	25.1	OR Suppl.4 1st year. 2nd ser. Annex 6, p. 17		See No. 55 col. 3	17.5	OR 2, 1st year (42nd mtg.) 1st ser. pp. 279, 285. (SC's decision to refer)	21.8	OR Suppl.4 1st year 2nd ser. Annex 7, p. 64 (S/133)	29.8	OR 5, 1st year (57th mtg.) 2nd ser. p. 136	
2. Mongolia (18)() (II)	24.6	OR Suppl.4 1st year. 2nd ser. Annex 6(31) p. 48 (S/95)		See No. 56 col. 3	"	"	"	" p. 67	"	" p. 138	
3. Afghanistan () () (III)	2.7	OR Suppl.4 1st year. 2nd ser. Annex 6(14) p. 49 (S/98)	19.11	UN Treaty series. Vol. I, I.7, p. 39 (Instrument of adherence)	"	"	"	" p. 67	"	" p. 138	
4. Transjordan (19)() (IV)	26.6	OR Suppl.4 1st year. 2nd ser. Annex 6(5) p. 50 (S/101)		No declaration submitted so far	"	"	"	" p. 71	"	" p. 139	
5. Ireland (20)() (V)	2.8	OR Suppl.4 1st year. 2nd ser. Annex 6(6) p. 50 (S/116)		No declaration submitted so far	24.7	OR 2, 1st year (51st mtg.) 2nd ser. p. 16 (SC's decision to refer)	"	" p. 72	"	" p. 139	
6. Portugal (21)() (VI)	2.8	OR Suppl.4 1st year. 2nd ser. Annex 6(7) p. 51 (S/119)		No declaration submitted so far	"	"	"	" p. 74	"	" p. 139	
7. Iceland () () (VII)	2.8	OR Suppl.4 1st year. 2nd ser. Annex 6(8) p. 51 (S/120)	19.11	UN Treaty series. Vol. I, I.8, p. 41 (Instrument of adherence)	"	"	"	" p. 75	"	" p. 140	
8. Sweden () () (IX)	9.8	OR Suppl.4 1st year. 2nd ser. Annex 6(9) p. 52 (S/125)	16.11	UN Treaty series. Vol. I, I.9, p. 43 (Instrument of adherence)	"	"	"	" p. 78	"	" p. 140	
DEBATE II (1946) 83rd MEETING; 12 DECEMBER 1946											
9. Siam () () (VIII)	3.8	OR Suppl.4 1st year. 2nd ser. Annex 6(2c) pp. 46-47 (S/121)	16.12	UN Treaty series. Vol. I, I.11, p. 47 (Instrument of adherence)	"	"	"	" p. 77	12.12	OR 25, 1st year (83rd mtg.) 2nd ser. p. 562	
DEBATE III (1947) 186th AND 190th MEETINGS; 18 AND 21 AUGUST 1947											
<i>New applications</i>											
10. Hungary (23)() (X)	22.4	OR 38, 2nd year p. 811 (fn) (S/333)		See No. 59 col. 3	30.4	OR 38, 2nd year (132d mtg.) p. 821. (SC's decision to refer)	11.8	OR Sp. Suppl.3 2nd year p. 22 (S/479& Corr.1)	21.8	OR 81, 2nd year (190th mtg.) p. 2119	
11. Italy (24)() (XI)	7.5	OR Suppl.12 2nd year. Annex 33, pp. 129-130 (S/355)		No declaration submitted so far	22.5	OR 42, 2nd year (137th mtg.) p. 1946. (SC's decision to refer)	"	" p. 23-24	"	" p. 2127	
12. Austria (40)() (XII)	2.7	OR Suppl.12 2nd year, p. 1258 (S/403)	6.8	S/2741	10.7	OR 56, 2nd year (154th mtg.) p. 1266. (President's action)	"	" p. 24	"	" p. 2130	
13. Roumania (25)() (XIII)	10.7	OR 60, 2nd year p. 1390 (S/411)		See No. 58 col. 3	18.7	OR 60, 2nd year (161st mtg.) p. 1391. (President's action)	"	" p. 25	"	" p. 2131	
14. Yemen () () (XIV)	21.7	S/436	30.9	UN Treaty series. Vol. 8, I.113, p. 59 (Instrument of adherence)	28.7	OR 65, 2nd year (168th mtg.) p. 1550. (President's action)	"	" p. 25	18.8	OR 78, 2nd year (186th mtg.) p. 2052	
15. Bulgaria (26)() (XV)	26.7	OR Suppl.18 2nd year. Annex 43 pp. 155-156 (S/467)			7.8	OR 72, 2nd year (178th mtg.) p. 1828. (President's action)	"	" p. 26	21.8	OR 81, 2nd year (190th mtg.) p. 2133	
16. Pakistan () () (XVI)	15.8	OR 78, 2nd year p. 2027 (S/498)	30.9	UN Treaty series. Vol. 8, I.112, p. 51 (Instrument of adherence)	18.8	OR 78, 2nd year (186th mtg.) p. 2029-2030. (Agreement not to refer)			18.8	OR 78, 2nd year (186th mtg.) p. 2055	

of actions taken thereon by the Security Council and the General Assembly

7 Result of the Vote in the Security Council			8 Security Council Special Report to General Assembly		9 General Assembly Action		10 Nature of General Assembly Decision	11 Transmission of General Assembly Decision to Security Council	
For	Against	Absentions	Date	Document	Date	Document		Date	Document
Not recommended 5	3	3	15.10	A/108-Sp. Report	19.11 (49th mtg.)	Resol.35 (I) (unanimous)	Request for reconsideration by the SC on the merits	26.11	S/197-Letter SG to Pres. SC transmitting Resol.35 (I) (see No. 17)
Not recommended 6	3	2	"	"	"	"	"	"	" (see No. 18)
Recommended 10	0	1	"	"	9.11 (47th mtg.)	Resol.34 (I) (unanimous)	Admitted		
Not recommended 8	2	1	"	"	19.11 (49th mtg.)	Resol.35 (I) (unanimous)	Request for reconsideration by the SC on the merits	26.11	S/197-Letter SG to Pres. SC transmitting Resol.35 (I) (see No. 19)
Not recommended 9	1	1	"	"	"	"	"	"	" (see No. 20)
Not recommended 8	2	1	"	"	"	"	"	"	" (see No. 21)
Recommended 10	0	1	"	"	9.11 (47th mtg.)	Resol.34 (I) (unanimous)	Admitted		
Recommended 10	0	1	"	"	"	"	Admitted		
Recommended 11	0	0	12.12	A/256-Letter from Pres. SC to Pres. GA	15.12 (67th mtg.)	Resol.101 (I) (unanimous)	Admitted		
Not recommended 1	1	9	22.8	A/350-Note of SG to members of GA (see No. 23)					
Not recommended 9	1	1	"	" (see No. 24)					
Not recommended 8	1	2	"	" "	17.11 (118th mtg.)	Resol.113 H (II) (43-8-1)	Request for reconsideration by SC-admission favored	18.11	S/607-Letter SG to Pres. SC transmitting Resol.113H (II) (see No. 40)
Not recommended 1	0	10	"	" (see No. 25)					
Recommended 11	0	0	"	" "	30.9 (92nd mtg.)	Resol.108 (II) (unanimous)	Admitted		
Not recommended 1	1	9	"	" (see No. 26)					
Recommended 11	0	0	"	" "	30.9 (92nd mtg.)	Resol.108 (II) (unanimous)	Admitted		

Table of applications for Membership in the United Nations 1946-1951 and of actions

1 Year—Country Reference numbers	2 Applications		3 Formal Declaration		4 Reference to Committee		5 Committee Report		6 Security Council Action	
	Date	Document	Date	Document	Date	Document	Date	Document	Date	Document
<i>Reconsideration by SC under GA Resol.35 (I)</i>										
17. Albania (31)(1)(1)					8.7 (152d mtg.)	OR 55, 2nd year p. 1231. (President's action)	11.8 (S/479 & Corr.1) mtg.	OR Sp. Suppl.3 2nd year, p. 8 p. 13	18.8 (186th mtg.)	OR 78, 2nd year p. 2037.
18. Mongolia (34)(2)(2)					"	"	"	" p. 13	"	" p. 2039
19. Transjordan (27)(4)(4)					"	"	"	" p. 15	"	" p. 2041
20. Ireland (39) (5)(5)					"	"	"	" p. 16	"	" p. 2041-42
21. Portugal (36)(6)(6)					"	"	"	" p. 17	"	" p. 2045
DEBATE IV (1947) 203RD-206TH MEETINGS; 24 SEPT.-1 OCTOBER 1947										
<i>New application</i>										
22. Finland (38)() (XVII)	19.9	OR 90, 2nd year p. 2408; fn.1 (S/559)		No declaration made so far	1.10 (206th mtg.)	OR 92, 2nd year p. 2461-2. (Agreement not to refer)			1.10 (206th mtg.)	OR 92, 2nd year p. 2476
<i>Reconsideration by SC on request of U.S.A. for Italy (OR 90, 2nd year p. 2408; fn. 2) (S/562)</i>										
<i>Poland for Hungary, Italy, Roumania, Bulgaria (OR 90, 2nd year p. 2408; fn.3) (S/563)</i>										
23. Hungary (33)(10)(10)						Not referred			1.10 (206th mtg.)	OR 92, 2nd year p. 2475
24. Italy (28)(11)(11)						Not referred			"	" p. 2476
25. Roumania (35)(13)(13)						Not referred			"	" p. 2476
26. Bulgaria (32)(15)(15)						Not referred			"	" p. 2476
DEBATE V (1947) 221ST MEETING; 22 NOVEMBER 1949										
<i>Reconsideration by SC under GA Resol.113 C, F (II)</i>										
27. Transjordan (37)(19)(4)						Not referred			22.11 (221st mtg.)	OR 105, 2nd year p. 2767
28. Italy (30)(24)(11)						Not referred			"	"
DEBATE VI (1948) 279TH-280TH MEETINGS; 10 APRIL 1948										
<i>New application</i>										
29. Burma () () (XVIII)	27.2	OR Suppl. Jan., Feb., March 1948. 3rd year pp. 29-30 (S/687)	17.3	UN Treaty series, Vol. 15, No. 225 p. 4	3.3 (261st mtg.)	OR 36-51, 3rd year, p. 2 (President's action)	30.3	OR Suppl. April 1948, 3rd year pp.1-3 (S/706)	10.4 (279th mtg.)	OR 54, 3rd year p. 5
<i>Reconsideration by SC under GA Resol.113 (II) and at the request of members of the SC S/709, S/712, S/715 (OR Suppl. April 1948 3rd year)</i>										
[30. Italy — 40. Austria: See p. 252]										

taken thereon by the Security Council and the General Assembly (continues)

7 Result of the Vote in the Security Council			8 Security Council Special Report to General Assembly		9 General Assembly Action		10 Nature of General Assembly Decision	11 Transmission of General Assembly Decision to Security Council	
For	Against	Abstentions	Date	Document	Date	Document		Date	Document
Not recommended 3	4	4	22.8	A/350-Note (of SG to members of GA	17.11 (118th mtg.)	Resol.113 A (II)	Recom. to permanent members of SC to consult to reach agreement	20.11	Letter SG to permanent members of SC transmitting Resol.113 A (II) (see No. 31)
Not recommended 3	3	5	"	"	"	"	"	"	" (see No. 34)
Not recommended 9	1	1	"	"	"	Resol.113 E (II) (44-8-0)	Request for reconsideration before end of 2nd session of GA-admission favored	18.11	S/606-Letter SG to Pres. SC transmitting Resol.113 E (II) (see No. 27)
Not recommended 9	1	1	"	"	"	Resol.113 C (II) (43-8-1)	Request for reconsideration by SC-admission favored	"	S/607-Resol.113 C (II) (see No. 39)
Not recommended 9	2	0	"	"	"	Resol.113 D (II) (40-9-3)	Request for reconsideration by SC-admission favored	"	S/607-Resol.113 D (II) (see No. 36)
Not recommended 9	2	0	9.10	A/406-Sp. Report	17.11 (118th mtg.)	Resol.113 G (II) (44-8-0)	Request for reconsideration by SC-admission favored	18.11	S/607 Resol.113 G (II) (see No. 38)
Not recommended 5	0	6	9.10	A/406-Sp. Report	17.11 (118th mtg.)	Resol.113 A (II)	Recom. to permanent members of SC to consult to reach agreement	20.11	Letter SG to permanent members of SC transmitting Resol.113 A (II) (see No. 33)
Not recommended 9	2	0	"	"	"	Resol.113 F (II) (43-8-1)	Request for reconsideration by SC before the end of 2nd session of GA-admission favored	18.11	S/606-Letter SG to Pres. SC transmitting Resol.113 F (II) (see No. 28)
Not recommended 4	0	7	"	"	"	Resol.113 A (II)	Recom. to permanent members of SC to consult to reach agreement	20.11	Letter SG to permanent members SC transmitting Resol.113 A (II) (see No. 35)
Not recommended 1	3	7	"	"	"	"	"	"	" (see No. 32)
Postponed indefinitely to allow consultation among permanent members			22.11	A/515-Letter Pres. SC to Pres. GA (see No. 37)					
Postponed indefinitely to allow consultation among permanent members			"	" (see No. 30)					
Recommended 10	0	1	12.4	A/533-Letter Pres. SC to SG	19.4 (131st mtg.)	Resol.188-(S-2) (unanimous)	Admitted		

Table of applications for Membership in the United Nations 1946-1951 and of actions

1 Year—Country Reference numbers	2 Applications		3 Formal Declaration		4 Reference to Committee -		5 Committee Report		6 Security Council Action	
	Date	Document	Date	Document	Date	Document	Date	Document	Date	Document
30. Italy (50)(28)(11)					Not referred				10.4	OR 54, 3rd year (279th p. 15 mtg.)
31. Albania (55)(17)(1)					"				10.4	OR 55, 3rd year (280th p. 3 mtg.)
32. Bulgaria (57)(26)(15)					"				"	"
33. Hungary (59)(23)(10)					"				"	"
34. Mongolia (56)(18)(2)					"				"	"
35. Roumania (58)(25)(13)					"				"	"
36. Portugal (48)(21)(6)					"				"	"
37. Transjordan (49)(27)(4)					"				"	"
38. Finland (51)(22)(17)					"				"	"
39. Ireland (52)(20)(5)					"				"	"
40. Austria (53)(12)(12)					"				"	"
DEBATE VII (1948) 351ST MEETING; 18 AUGUST 1948										
<i>New application</i>										
41. Ceylon (43)() (XIX)	25.5	OR Suppl. June 48, 3rd year pp. 76-77 (S/820)	16.6	Declaration not issued as a doc- ument but cir- culated.	11.6	OR 83, 3rd year (318th p. 2. (Presi- dent's action). mtg.)	29.6	OR Suppl. Aug. 48, 3rd year, p. 78 (S/859)	18.8	OR 105, 3rd year (351st p. 22 mtg.)
DEBATE VIII (1948) 384TH-386TH MEETINGS; 15-17 DECEMBER 1948										
<i>New application</i>										
42. Israel (44)() (XX)	29.11	OR Suppl. Dec. 48, 3rd year, p. 118 (S/1093)	29.11	Same document as in column 2 UN Treaty series, Vol. 30, I. No. 448, p. 53	2.12	OR 128, 3rd year (383rd p. 25. (Presi- dent's action) mtg.)	7.12	OR Suppl. Dec. 48, 3rd year. pp. 119-120 (S/1110 & Corr.1)	17.12	OR 130, 3rd year (386th p. 37 mtg.)
<i>Reconsideration by SC under GA Resol.197 I (III)</i>										
43. Ceylon (54)(41)(19)					Not referred				15.12	OR 129, 3rd year (384th p. 39 mtg.)
DEBATE IX (1949) 414TH MEETING; 4 MARCH 1949										
<i>Reconsideration by SC on request of applicant (S/1267) (OR Suppl. March 1949 4th year)</i>										
44. Israel () (42)(20)					3.3	OR 16, 4th year p. 15. (Decision not to refer)			4.3	OR 17, 4th year (414th p. 14 mtg.)
DEBATE X (1949) 423RD MEETING; 8 APRIL 1949										
<i>New application</i>										
45. Rep. of Korea (61)() (XXI) -	19.1	OR Suppl. Feb. 49, 4th year, p. 5 (S/1238)	Same document as in column 2		15.2	OR 12, 4th year (409th p. 12. (SC's de- cision to refer) mtg.)	9.3	OR Suppl. April 49, 4th year, pp. 1-5 (S/1281)	8.4	OR 26, 4th year (423rd p. 15 mtg.)
46. Democr. People's Rep. of Korea () () (XXII)	9.2	OR 12, 4th year p. 18 (S/1247)	11.2	Declaration not issued as a doc- ument and not circulated	16.2	OR 13, 4th year (410th p. 15. (Decision not to refer) mtg.)			No action	

taken thereon by the Security Council and the General Assembly (continued)

7 Result of the Vote in the Security Council			8 Security Council Special Report to General Assembly		9 General Assembly Action		10 Nature of General Assembly Decision	11 Transmission of General Assembly Decision to Security Council	
For	Against	Abstentions	Date	Document	Date	Document		Date	Document
Not recommended 9	2	0	23.8	A/617-Sp. Report	8.12 (177th mtg.)	Resol.197 E (III) (37-6-1)	Request for reconsideration by SC-admission favored	31.12	OR Suppl. June 1949, 4th year pp. 7-10. (S/1170). Letter dated 11.12.48 from SG to Pres. SC transmitting Resol. 197B to H (III) (1) (see No. 50)
	Postponed indefinitely	"	"	"	"	Resol.197 B (III) (33-0-10)	Request for reconsideration by SC on the merits	"	" (see No. 55)
"	"	"	"	"	"	" (33-0-10)	"	"	" (see No. 57)
"	"	"	"	"	"	" (33-0-10)	"	"	" (see No. 59)
"	"	"	"	"	"	" (33-0-10)	"	"	" (see No. 56)
"	"	"	"	"	"	" (33-0-10)	"	"	" (see No. 58)
"	"	"	"	"	"	Resol.197 C (III) (39-6-1)	Request for reconsideration by SC-admission favored	"	" (see No. 48)
"	"	"	"	"	"	Resol.197 D (III) (40-6-1)	"	"	" (see No. 49)
"	"	"	"	"	"	Resol.197 F (III) (38-6-1)	"	"	" (see No. 51)
"	"	"	"	"	"	Resol.197 G (III) (38-6-1)	"	"	" (see No. 52)
"	"	"	"	"	"	Resol.197 H (III) (37-6-2)	"	"	" (see No. 53)
Not recommended 9	2	0	23.8	A/618-Sp. Report	8.12 (177th mtg.)	Resol.197 I (III) (41-6-0)	Request for reconsideration by SC at earliest possible moment. Admission favored. (41-6-0)	9.12	S/1113-Letter from Pres. GA to Pres. SC transmitting Resol.197 I (III)(1) (see No. 43)
Not recommended 5	1	5		No special report (see No. 44)					
Not recommended 9	2	0	24.3 49	A/823 - Letter Pres. SC to Pres. GA	13.4 49 (192nd mtg.)	GAOR - Plenary Mtgs.ofGA-Third session-Part II, p. 48	Taken note of (see No. 54)		
Recommended 9	1	1	7.3	A/818 - Letter from Pres. SC to Pres. GA	11.5 (207th mtg.)	Resol.273 (III) (37-12-9)	Admitted		
Not recommended 9	2	0	2.9	A/968-Sp. Report	22.11 (252nd mtg.)	Resol.296 G (IV) (50-6-3)	Request for reconsideration by SC. Admission favored	1.12	S/1425 - Letter from SG to Pres. of SC. (Resol.296 A to K) (see No. 61)

Table of applications for Membership in the United Nations 1946-1951 and of actions

Year—Country	2 Applications		3 Formal Declaration		4 Reference to Committee		5 Committee Report		6 Security Council Action	
	Reference numbers	Date Document	Date Document	Date Document	Date Document	Date Document	Date Document	Date Document		
DEBATE XI (1949) 427TH-431ST MEETINGS; 16 JUNE-21 JULY 1949										
<i>New application</i> 439TH-445TH MEETINGS; 7 SEPT.-15 SEPT. 1949										
47. Nepal (61)() (XXIII)	13.2	(S/1266)	10.3	S/1266/Add.1	8.4	OR 26, 4th year (423rd p. 16. (President's action) mtg.)	29.8	OR Suppl. Sept., Oct., Nov., Dec. 49, 4th year, pp. 10-12 (S/1382)	7.9	OR 39, 4th year (439th p. 16 mtg.)
<i>Reconsideration by SC under GA Resol.197 B (III) 197 C to I (III)</i>										
48. Portugal (61)(36)(6)						Not referred			13.9	OR 41, 4th year (443rd p. 29 mtg.)
49. Transjordan (61)(37)(4)						Not referred			"	" p. 30
50. Italy (61)(30)(11)						Not referred			"	" pp. 31-32
51. Finland (61)(38)(17)						Not referred			"	" p. 32
52. Ireland (61)(39)(5)						Not referred			"	" p. 32
53. Austria (61)(40)(12)						Not referred			"	" p. 33
54. Ceylon (61)(43)(19)						Not referred			"	" p. 33
55. Albania (61)(31)(1) ^b	13.10	OR Suppl. June 49 48 4th year, p. 3 (S/1033)(renewal of application)	2.12	OR Suppl. June 49 48 4th year, p. 6 (S/1105)		Not referred			15.9	OR 42, 4th year (445th p. 40 mtg.)
56. Mongolia (61)(34)(2) ^b	12.10	OR Suppl. June 49 48 4th year, p. 4 (S/1035)(renewal of application)	25.10	OR Suppl. June 49 48 4th year, pp. 4-5 (S/1035/Add.1)		Not referred			"	" p. 40
57. Bulgaria (61)(32)(15) ^b	22.9	OR Suppl. Sept. 48 48 3rd year, pp. 7-9 (S/1012)(renewal of application)	4.10	OR Suppl. June 49 48 4th year, p. 1 (S/1012/Add.1)		Not referred			"	" pp. 40-41
58. Roumania (61)(35)(13) ^b	12.10	OR Suppl. June 49 48 p. 5. (S/1051) (renewal of application)	9.11	OR Suppl. June 49 48 4th year, p. 6 (S/1051/Add.1)		Not referred			"	" p. 41
59. Hungary (61)(33)(10) ^b	27.9	OR Suppl. June 49 48 pp. 1-2 (S/1017) (ren. of applic.)	5.10	OR Suppl. June 49 48 4th year, p. 2 (S/1017/Add.1)		Not referred			"	" p. 41
DEBATE XII (1950) 503RD MEETING; 26 SEPT. 1950										
<i>New application</i>										
60. Indonesia () () (XXIV)	25.9	OR 45, 5th year pp. 10-11 (S/1809)	Same document as in col. 2			Agreement not to refer (Same document as in col. 6)			26.9	OR 45, 5th year (503rd p. 28. mtg.)
<i>Request for Reconsideration under GA Resol.296 (IV)</i>										
61. Applicant States referred to under Nos. 45, 47-59 ^a										No action
<i>New applications</i>										
62. Viet-Nam () () (XXV)	17.12	S/2446	7.8	S/2755 52						No action
63. Libya () () (XXVI)	24.12	S/2467	Same document as in col. 2							"
64. Democratic Rep. of Viet-Nam () () (XXVII)	i)22.11	S/2780 48 (published on 17.9.52) ^d	Same document as in col. 2							"
	ii)29.12	S/2466 51 (renewal of application)								

taken thereon by the Security Council and the General Assembly (continued)

7 Result of the Vote in the Security Council			8 Security Council Special Report to General Assembly		9 General Assembly Action		10 Nature of General Assembly Decision	11 Transmission of General Assembly Decision to Security Council	
For	Against	Abstentions	Date	Document	Date	Document		Date	Document
Not recommended 9	2	0	12.9	A/974-Sp. Report	22.11 (252nd mtg.)	Resol.296 I (IV) (52-5-1)	Request for reconsideration by SC. Admission favored	1.12	S/1425 - Letter from SG to Pres. of SC. (Resol.296 A to K) (see No. 61)
Not recommended 9	2	0	19.9	A/982-Sp. Report	22.11 (252nd mtg.)	Resol.296 H (IV) (53-5-1)	Request for reconsideration by SC. Admission favored	1.12	S/1425 - Letter from SG to Pres. of SC. (Resol.296 A to K) (see No. 61)
Not recommended 9	2	0	"	"	"	Resol.296 F (IV) (50-5-2)	"	"	" (see No. 61)
Not recommended 9	2	0	"	"	"	Resol.296 E (IV) (51-6-1)	"	"	"
Not recommended 9	2	0	"	"	"	Resol.296 C (IV) (53-5-1)	"	"	"
Not recommended 9	2	0	"	"	"	Resol.296 D (IV) (51-5-1)	"	"	"
Not recommended 9	2	0	"	"	"	Resol.296 A (IV) (51-5-2)	"	"	"
Not recommended 9	2	0	"	"	"	Resol.296 B (IV) (53-5-1)	"	"	"
Not recommended 2	1	8	"	"	"	Resol.296 K (IV)	Request to SC to keep application under consideration	"	"
Not recommended 2	2	7	"	"	"	"	"	"	"
Not recommended 3	1	7	"	"	"	"	"	"	"
Not recommended 3	1	7	"	"	"	"	"	"	"
Not recommended 3	1	7	"	"	"	"	"	"	"
Recommended 10	0	1	27.9	A/1402-Letter Pres. SC to Pres. GA	28.9 (289th mtg.)	Resol.491 (V) (unanimous)	Admitted		
					4.12 (318th mtg.)	Resol.495 (V) (46-5-2)	Request to SC to keep applications under consideration	11.12	S/1936-Letter of SG to Pres. of SC transmitting Resol. 495 (V) (see No. 66)
						No action			
						"			
						"			

Table of applications for Membership in the United Nations 1946-1951 and of actions

1 Year—Country	2 Applications		3 Formal Declaration		4 Reference to Committee		5 Committee Report		6 Security Council Action	
	Reference numbers	Date Document	Date Document	Date Document	Date Document	Date Document	Date Document	Date Document		
DEBATE XIII (1951) 569TH MEETING; 19 DECEMBER 1951										
Reconsideration under GA Resol.550 (VI)										
65. Italy (66)(61)(11) *										19.12 OR 569, 6th year (569th p. 33 mtg.)

Request for Reconsideration under GA Resol.495 (V)										
66. Applicant States referred to under No. 61 †										" "

* (No. 45): The application was renewed on 22.12.51 (S/2452).

† (a) After a separate vote had already been taken on each of the applicant States mentioned under reference numbers 47 through 54, a Soviet draft resolution (S/1340/Rev.2) recommending to the General Assembly the admission *en bloc* of all applicant States mentioned under reference numbers 47 through 59 came up for voting. The Security Council decided to put the Soviet draft resolution to the vote in parts; and did not deem it necessary to vote again on the applications already voted upon (i.e., Nos. 47-54). A separate vote was thus taken on the applications of each State mentioned under reference numbers 55 through 59. The Soviet draft resolution S/1340/Rev.2 was then put to the vote as a whole and rejected, the result of the vote being as follows: 2 in favor, 4 against, 4 abstentions, 1 (Argentina) not participating in the vote (OR 42, 4th year, p. 45).

(b) At the 252nd plenary meeting of the General Assembly, a Soviet draft resolution (A/1079) proposing the admission *en bloc* of the applicant States mentioned under reference numbers 47 through 59 came up for voting after the General Assembly had already voted on the applications of the States mentioned under reference numbers 45 and 47 through 54. The Soviet draft resolution was rejected by 12 votes in favor, 32 against and 13 abstentions.

‡ At the 318th plenary meeting of the General Assembly, a Soviet draft resolution proposing to admit *en bloc* the thirteen applicant States mentioned under reference numbers 47 through 59 came up for voting after the General Assembly had already adopted

taken thereon by the Security Council and the General Assembly (continued)

7 Result of the Vote in the Security Council			8 Security Council Special Report to General Assembly		9 General Assembly Action		10 Nature of General Assembly Decision	11 Transmission of General Assembly Decision to Security Council	
For	Against	Abstentions	Date	Document	Date	Document		Date	Document
	Indefinitely postponed					No action in 1951 (see No. 66)			
	Indefinitely postponed					No action in 1951			

resolution 495 (V) (see No. 61) which requested the Security Council to keep under consideration the applicant States mentioned under reference numbers 45 and 47 through 54. The Soviet draft resolution was rejected by 18 votes in favor, 22 against, and 15 abstentions.

^d Document S/2780 was circulated at the request of the representative of the USSR (OR 600, 7th year).

^e Resolution 550 (VI) was adopted on the report of the Fourth Committee of the General Assembly concerning an item entitled: "Question of the full participation of Italy in the work of the Trusteeship Council". Resolution 550 (VI) recommended to the Security Council "to give urgent consideration to the present resolution with a view to recommending the immediate admission of Italy to membership in the United Nations, because Italy had been charged by the United Nations with the administration of the trust territory of Somaliland.

^f By a letter dated 6 December 1950, the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 495 (V) which concerned the applications of States mentioned in No. 61 of the Table. This letter appeared on the agenda of the 568th meeting of the Security Council on 18 December 1951. Consideration of that item was not reached in 1951.

Part II

CONSIDERATION OF THE ADOPTION OR AMENDMENT OF RULES 58, 59 AND 60
OF THE PROVISIONAL RULES OF PROCEDURE

NOTE

For an understanding of the sequence of events leading up to the adoption by the Security Council at the 222nd meeting on 9 December 1947 of chapter X of the provisional rules of procedure governing the admission of new Members, it is necessary to have in mind the sequence of events leading up to the adoption by the General Assembly at the 122nd plenary meeting on 21 November 1947 of chapter XIV of the rules of procedure of the General Assembly. The case histories in this part are therefore accompanied by brief notes on proceedings in the General Assembly, thus departing from the principle adopted in other chapters of not entering into the proceedings of the General Assembly. Use has also been made of certain material derived from the "Memorandum on the Historical Background of the question of the admission of new Members",¹ and therefore this chapter, unlike other chapters, also contains references to the discussion of the Committee of Experts.

CASE 1 (i)

At the 1st meeting on 17 January 1946, the Security Council adopted rules 25, 26 and 27 of the provisional rules of procedure prepared by the Preparatory Commission and referred them to its Committee of Experts for study and report.

In the Committee of Experts the following amendment to rule 26 was submitted by the representative of the USSR:

"The application for membership in the United Nations shall be placed by the Secretary-General before the Security Council, which immediately considers the application in order that, if the Security Council is holding its session simultaneously with a session of the Assembly, the application could be submitted to the session of the General Assembly or—if the Security Council is not holding its session simultaneously with a session of the Assembly—to the next session of the Assembly. While considering the application, the Security Council shall decide whether, in its judgment, the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter."

The representative of the United States did not think that when the Assembly was in session the Security Council should be obliged to act with such rapidity, or that it should be obliged to act immediately when the next session of the Assembly was a long way off. It was desirable, in his view, that the Council should consider at the same time all the applications filed during a year, on a particular date and in time for its recommendations to be submitted together to the Assembly. He further considered it preferable that applications be considered at first in private, and this could be better accomplished by a committee on which all members of the Council would be represented, rather than by the Council itself at a private meeting. He consequently proposed two new rules to replace the original rule 26, as follows:

"The Secretary-General shall immediately bring the application for membership to the attention of all representatives on the Security Council in accordance with rule 6. The President of the Security Council shall thereupon, unless otherwise directed by the Council, refer the application for examination to a committee of the Council composed of a representative of each of the members of the Council. The committee shall, at least thirty days in advance of each session of the General Assembly, report to the Security Council on all applications received more than forty-five days prior to that session. When there is less than thirty days notice for any session of the General Assembly or when an application has been filed less than forty-five days prior to a session, the Security Council shall determine the time at which the committee shall report on applications before it.

"The Security Council shall decide whether in its judgment the applicant is a peace-loving State, and is able and willing to carry out the obligations contained in the Charter, and whether to recommend the applicant State for membership."

Several representatives agreed with the United States view that the Council should not be forced to take a hasty decision, because in the interval between consideration of the application by the Council and the decision of the Assembly, the political conditions of the applicant country might change. The representatives of Mexico and Australia pointed out that the act by which a State was admitted to membership was a collective act of the Assembly and the Council, and they felt the USSR proposal divided the act of admission into two stages that were too remote from each other.

The Committee then considered whether the initiative regarding the admission of new Members belonged to the General Assembly or to the Security Council. The representative of Australia maintained that the initiative belonged to the General Assembly, whereas the representative of Poland urged that in reality the initiative belonged to the applicant State. The representative of the United Kingdom opposed the Australian point of view and stressed that, according to the Charter, it was for the General Assembly to decide on admission upon the Council's recommendation. The representative of China pointed out that, even if the Assembly could receive an application, it must refer it to the Council for consideration and could not take any decision without the Council's recommendation. The representative of France strongly opposed the Australian view that initiative was to be taken by the Assembly, considering it in direct contradiction with the Charter.

The representative of the USSR opposed the United States proposal for a committee. He said that the League Council had always itself discussed applications because it was thought that problems of high policy were involved, and the committee now proposed would only be an exact replica of the Council with the Press absent. He did not understand why the Council should have to postpone consideration of an application. Once

¹ A/AC.64/L.1 (22 April 1953).

a recommendation had been made by the Council, an extraordinary session of the Assembly could be convened within a short space of time. A compromise could be reached, however, if it safeguarded the following principles: the recommendation from the Council had to be submitted to the next Assembly session following the receipt of the application; the Council could not postpone consideration of an application without very good reason; and the Council was bound to consider applications as a matter of urgency.

A sub-committee was accordingly asked to prepare a draft text reconciling the views of the United States and the USSR. The sub-committee redrafted the United States proposals regarding a committee on admission of new Members and revised the time schedules originally proposed.

The Committee of Experts then adopted provisionally the original text of rule 25 and the two United States proposals replacing rule 26, as amended by the sub-committee, and further rearranged in the Committee of Experts. With regard to the original rule 27, the Committee decided to omit it having failed to achieve a compromise text. The difficulty arose over whether the Council should place its decision before the Assembly when the decision was against the admission of an application. The Committee rejected an Australian proposal that the Committee's report should contain a sentence pointing out that the Committee had decided to study at a later date the question of whether the Council should place its decision before the Assembly when such a decision had been unfavourable.

At a later meeting, the Committee of Experts again revised the time limits for reports by the committee on admissions, and approved the rules already adopted in principle. The Australian delegation was unable to agree to the rules. The Australian view was that, since admission was a collective act, the initiative belonged to the Assembly which should determine when, how and by whom applications should be considered. The Council could only consider applications when they were referred to it by the Assembly. Moreover, the Australian delegation considered that applications should be discussed at public meetings. The Australian reservation was recorded in the report of the Committee of Experts.²

CASE 1 (ii)

At the 41st meeting on 16 May 1946, in connexion with the section of the report of the Committee of Experts³ relating to rules on the admission of new Members, the representative of Australia opposed the adoption of the proposed text of Chapter X, holding that the recommendation of the Council could concern only matters relating to security. It was for the Assembly to weigh the merits of the case and the fitness of the candidate in respect of all other aspects of the Charter and, notwithstanding a recommendation of the Council, the Assembly could reject an application for membership on other grounds. Outlining appropriate procedure, he suggested that: (a) the applicant address a communication to the Secretary-General, who would immediately inform all Members, or transmit the

communication to the President of the General Assembly if a session were in progress; (b) the Assembly would decide whether the application should be entertained, and if so, would immediately remit it to the Security Council; (c) the Council would immediately consider it and report on the admissibility of the applicant; and (d) the Assembly would immediately consider the report and, in the light thereof and of other factors which it might have to weigh, would decide whether or not to admit the applicant. He proposed that the question of the adoption of Chapter X be deferred, that the President of the Council and the President of the Assembly discuss the possibility of having the draft examined by an appropriate organ of the General Assembly, and that the matter be decided by the two organs during the first week of the Assembly's session in September 1946.⁴

At the 42nd meeting on 17 May 1946, the representatives of China, Mexico, the United Kingdom, the USSR, and the United States opposed the procedure proposed by the representative of Australia. The representative of the United Kingdom observed that, under the Charter, the admission of a new Member could not be effected except upon recommendation of the Council. He disagreed with the view that recommendations of the Council could concern only matters relating to security, and cited the rule of the Council in the appointment of the Secretary-General, under Article 97, and in the expulsion of a Member, under Article 6. The representative of the USSR stated that the suggestion that the General Assembly should consider the application before receiving a recommendation from the Council was purposeless, since, under the Charter, the Assembly could not take a decision without a recommendation from the Council.⁵

The Australian proposal was rejected, having failed to obtain the affirmative votes of 7 members. The Council thereupon adopted Chapter X of the provisional rules of procedure.⁶

CASE 2

[Note: The General Assembly, at its second plenary meeting on 11 January 1946, provisionally adopted rules 104-107 of the provisional rules of procedure, as recommended by the Preparatory Commission.⁷ In

⁴ 41st meeting: p. 267.

⁵ For texts of relevant statements see:

41st meeting: Australia, pp. 261-267;

42nd meeting: Mexico, pp. 273-274; USSR, pp. 274-275; United Kingdom, pp. 271-273; United States, p. 277.

⁶ 42nd meeting: p. 277.

⁷ The text read as follows:

PROVISIONAL RULES OF PROCEDURE FOR THE GENERAL ASSEMBLY
"XVII. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

"Rule 104

"Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

"Rule 105

"If the applicant State so requests, the Secretary-General shall inform the General Assembly, or the Members of the United Nations if the General Assembly is not in session, of the application.

"Rule 106

"If the Security Council recommends the applicant State for membership, the General Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the

² See A/AC.64/L.1. For report of Committee of Experts relating to rules regarding admission of new Members see S/57, O.R., 1st year, 1st series, Suppl. No. 2, p. 25.

³ S/57, O.R., 1st year, 1st series, Suppl. No. 2, pp. 29-30.

the second part of the first session of the General Assembly, the representative of Australia proposed that the Assembly request the Security Council to appoint a committee to confer with an Assembly committee on procedures with a view to preparing rules governing the admission of new Members which would be acceptable both to the Assembly and to the Council. In the preparation of such rules, regard should be paid to the following principles:

“(a) the admission of new Members is a corporate act; (b) the General Assembly has primary and final responsibility in the process of admission; (c) the Security Council, not having been given any general power covering all matters within the scope of the Charter, its recommendation for the admission of an applicant to membership should be based solely on the judgment of the Council that the applicant State is able and willing to carry out its obligations under those sections of the Charter which come within the competence of the Security Council.”

The purpose of the Australian proposal was to recognize that the admission of new Members was a solemn act which ought to be above the ordinary methods of compromise; it was an attempt to get rid of defects in the existing procedure, not to revise or amend the Charter. The two main organs of the United Nations must assume jointly the responsibilities common to both.

The Australian proposal was supported by the representatives of Brazil and Uruguay. Other representatives supported the idea of conferences but opposed the statement of principles. A number of delegations supported the view expounded by the representative of China, who said that if the “corporate act” mentioned in principle (a) meant that, under Article 4, the phrase “in the judgment of the Organization” should be given special importance and that the word “Organization” was intended to refer to the General Assembly, he doubted the soundness of such an interpretation. With regard to principle (b), he felt that responsibility for admissions was shared between the Assembly and the Council, and that the Assembly could not be said to have primary responsibility, even though it might reject a Council recommendation, since the Charter required the Assembly to act upon the recommendation of the Council. With regard to principle (c), even graver doubts arose, since it appeared to add something to the Charter and to interpret the Council’s powers in a very restricted sense, while he felt that it was the Council’s duty to reach decisions on the basis of the whole Charter.

The representative of Australia accordingly revised his draft resolution to provide simply for a request to the Council to appoint a committee to confer with an Assembly committee on procedures, and it was adopted by the Assembly on 19 November 1946 as resolution 36 (I).]

Charter, and shall decide, by a two-thirds majority of the Members present and voting, upon its application for membership.

“Rule 107

“The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is approved, membership will become effective on the date on which the applicant State presents to the Secretary-General an instrument of adherence.”

CASE 2 (i)

At the 81st meeting on 29 November 1946, in connexion with General Assembly resolution 36 (I) of 19 November 1946, requesting the Council to appoint a committee to confer with an Assembly committee on procedures regarding the rules governing the admission of new Members, the Security Council instructed the Committee of Experts to name a small sub-committee to meet with and listen to the proposals which the Assembly committee might have to make, and to report on those proposals to the Council for further instructions.⁸

In the joint meetings of the two committees the representative of Australia submitted a set of nine draft rules providing that the Assembly should first consider the application and, if it found that the applicant had shown its willingness to carry out the obligations of the Charter, should refer it to the Security Council for recommendation. The Security Council should examine the application and send its recommendation to the Assembly with a complete record of its discussion and the evidence submitted to it. The recommendation should be based on the consideration of the ability of the applicant to carry out Charter obligations, so far as such obligations related to matters within the jurisdiction of the Council, and of the question whether the applicant was a peace-loving State. Finally, if the Council recommended the applicant, the Assembly should decide by a two-thirds vote upon its application, while if the Council recommended non-admittance, the Assembly might refer the application, together with a full report of the Assembly’s discussion, back to the Council for further consideration. The joint meetings of the two committees also took into consideration certain proposals from the Argentine delegation based on the belief that the General Assembly might decide to admit an applicant State, no matter what might be the recommendation of the Security Council.

After an exchange of views in the joint meetings, the Committee of the General Assembly did not accept the main points of the Australian proposals,⁹ and went on to recommend the addition of a new rule to the General Assembly’s rules, and of two new paragraphs

⁸ 81st meeting: p. 505. After the decision, the President stated that he would undertake “to advise the President of the General Assembly, through usual channels and according to custom, of the decision of the Council”. For the establishment of the sub-committee of the Committee of Experts, see chapter V, Case 32.

⁹ The report of the Committee of Experts reproduced a letter dated 30 June 1947 from the Chairman of the General Assembly Committee to the Chairman of the sub-committee of the Committee of Experts, informing him of the understanding reached in the Assembly Committee after a discussion on the Australian and Argentine proposals:

“It was agreed unanimously that the General Assembly was not entitled, under Article 4, paragraph 2, of the Charter, to decide to admit a new Member except upon a recommendation in the affirmative by the Security Council. The delegation of Cuba reserved the position of his Government on this point. The following decisions were agreed upon by a majority of the Committee (India, Norway, and the Union of Soviet Socialist Republics voting for, and Australia and Cuba voting against):

“(a) That the Committee could not suggest any procedural rules which would have the effect of defining or limiting the powers and jurisdiction of the Security Council in relation to the admission of new Members;

“(b) That the Security Council was entitled to consider the application first.”

S/520, O.R., 2nd year, Suppl. No. 19, p. 162

to rule 60 of the Security Council's rules. According to this addition, the Council would be required to do what it had previously done voluntarily, namely, to forward a complete record of its discussion when it recommended an applicant for membership, and to submit in addition a special report to the Assembly if it did not recommend admission or postponed consideration of the application. The proposed new rule for the Assembly asserted its right to send back to the Council for further consideration and recommendation or report applications which had failed to obtain the recommendation of the Council.

When the Committee of Experts considered the report of its sub-committee on these joint meetings, the representative of Belgium pointed out that, according to the Charter, an applicant became a Member upon a decision of the General Assembly, while the rules of procedure required that thereafter the applicant submit an instrument of adherence to the Charter. Accordingly he suggested that rule 58 be amended to provide that a formal instrument accepting the obligations contained in the Charter must accompany an application for admission. The Committee of Experts, in its report¹⁰ to the Security Council, recommended that rule 58 be amended to read, "Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall contain a declaration, made in a formal instrument, that it accepts the obligations contained in the Charter." The Assembly's rule 117 (formerly rule 107), it pointed out, would have to be amended accordingly to provide that membership would become effective on the date on which the Assembly took its decision on the application. The Committee of Experts agreed with the Assembly committee's recommendations for the addition of two paragraphs to rule 60 of the Security Council's provisional rules of procedure.

CASE 2 (ii)

At the 197th meeting on 27 August 1947, the representative of China submitted a draft resolution¹¹ approving the recommendations of the Committee of Experts regarding the amendments to rule 60 of the Council's rules and accepting the proposed changes in the provisional rules of procedure of the Assembly. The representative of Australia, in accordance with the views he had expressed at the 41st meeting, proposed amendments to the Council's rules, providing mainly for prior consideration of applications by the General Assembly and for limiting the Council's consideration of applications for membership to the two following questions: (a) whether the applicant was a peace-loving State, and (b) whether the applicant State was able to carry out the obligations contained in the Charter of the United Nations so far as such obligations related to the maintenance of international peace and security.

The Australian amendments were rejected, having failed to obtain the affirmative votes of seven members.

Referring to the Chinese draft resolution, the representative of the USSR doubted the necessity of a new rule for the Assembly, since that organ already had the right to send any question back to the Council. To be consistent the Council would have to propose similar

rules for all cases in which the Assembly's action depended upon the Council's recommendation. The President (Syria) agreed that the Assembly was entitled to refer a matter back to the Council but considered that a new rule would not be harmful since there might be future objections in the Council on the ground that the Council's action was final. The Council thereupon, with Australia abstaining, instructed the sub-committee of the Committee of Experts to negotiate with the General Assembly Committee on Procedure for acceptance of rule 58 as tentatively revised and for its undertaking to effect necessary accompanying changes in rules 113 and 117 of the Assembly's rules of procedure. The Council also resolved to accept the other recommendations of the Committee of Experts and of the General Assembly Committee.¹²

The sub-committee of the Committee of Experts met with the General Assembly Committee on Procedure and explained the position taken by the Security Council with regard to rules 58 and 60. The Assembly Committee agreed with the additional changes approved by the Security Council, and submitted a report to the General Assembly concerning its work and the changes proposed for the provisional rules of procedure of the General Assembly and the Security Council.¹³

CASE 2 (iii)

[*Note:* At the second session of the General Assembly, the representative of India explained to the First Committee the work that had been done, pointing out that the main changes, in rule 60 of the Security Council and in rule 116 of the General Assembly, were not innovations but merely the application of precedents established the previous year. He added that the proposals would not solve the problems which certain Members had had in mind in requesting an examination of the rules of procedure. The revisions would in no way restrict the powers of the Council, and he considered that problems arising from certain basic provisions of the Charter, could not be solved by amendments to the rules of procedure. The representative of Argentina thought that the Assembly had full powers to accept or reject a Security Council recommendation, whether favourable or unfavourable, and expressed the hope that the Assembly would re-examine its attitude in that respect.

The First Committee decided to recommend to the General Assembly the new texts proposed by the Committee on Procedure for rules 113, 114, 116 and 117 of the provisional rules of procedure. At its 122nd plenary meeting on 21 November 1947, the General Assembly adopted these recommendations.¹⁴]

¹⁰ 197th meeting: p. 2266. For texts of relevant statements see:

197th meeting: President (Syria), pp. 2260, 2266; Australia, pp. 2256-2259, 2261-2262; USSR, pp. 2260-2261, 2262, 2265-2266; United States, p. 2260.

¹¹ A/384.

¹² Now Chapter XIV, Rules 133-137, of the Rules of Procedure of the General Assembly.

XIV. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Applications

Rule 133

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall contain a declaration, made in a formal

¹⁰ S/520, O.R., 2nd year, Suppl. No. 19, p. 157.

¹¹ S/528, 197th meeting: p. 2266.

On 2 December 1947 the Assistant Secretary-General in charge of the Department of Security Council Affairs addressed a letter to the President of the Security Council drawing attention to the Council's previous approval of the report of the Committee of Experts and to the decision taken by the General Assembly on 21 November 1947. Since the rules of both the Council and the Assembly were drafted so

instrument, that it accepts the obligations contained in the Charter.

Notification of applications

Rule 134

The Secretary-General shall send for information a copy of the application to the General Assembly, or to the Members of the United Nations if the General Assembly is not in session.

Consideration and decision by the General Assembly

Rule 135

If the Security Council recommends the applicant State for membership, the General Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and shall decide, by a two-thirds majority of the Members present and voting, upon its application for membership.

that there would be no contradiction between them, he said that the Council should take action to include in its rules of procedure the rules on the admission of new Members which concerned the Council as presented in the Assembly's report.

At the 222nd meeting on 9 December 1947, the Security Council adopted these rules, which have not subsequently been amended.¹⁵

Rule 136

If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, the General Assembly may, after full consideration of the special report of the Security Council, send back the application to the Security Council, together with a full record of the discussion in the General Assembly, for further consideration and recommendation or report.

Notification of decision and effective date of membership

Rule 137

The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is approved, membership will become effective on the date on which the General Assembly takes its decision on the application.

¹⁵ S/612, 222nd meeting: p. 2771.

Part III

PRESENTATION OF APPLICATIONS

NOTE

Material concerning the presentation of applications up to the point at which the Security Council considers an item on the agenda, that is, the submission of applications to the Secretary-General, their communication to representatives on the Council and their subsequent inclusion in the provisional agenda, is presented together in part III.

Provisional rules in force before the adoption of the present provisional rules of the Security Council at the 222nd meeting on 9 December 1947 did not require the declaration of acceptance to be made in a formal instrument. At that time the rules of procedure of the General Assembly provided that membership became effective only after the applicant State had presented to the Secretary-General an instrument of adherence to the Charter following the decision of the General Assembly to admit the applicant. The revised procedure incorporated two changes, one affecting the rules of procedure of the Security Council; the other, those of the General Assembly. The combined effect of those changes was to make membership of an applicant State effective as soon as the General Assembly adopted its decision on the application. In order to make membership effective, the applicant State had to accept formally and without reservation all obligations contained in the Charter, and a declaration of those obligations, made in a formal instrument, was to be submitted in advance of the decision of the General Assembly, together with the application.

Before the entry into force of the revised procedure on 1 January 1948, six States: Afghanistan, Iceland, Siam, Sweden, Yemen and Pakistan had become Members of the United Nations.¹ The first applicant State

to become a Member of the United Nations under the revised rules was Burma.²

The formal instrument of acceptance of the obligations contained in the Charter is to be signed on behalf of the applicant State by a representative who has received full power to that effect from his Government, and submits credentials to the Secretary-General. Formal instruments of acceptance together with the credentials are deposited with the Secretariat of the United Nations. In the event the applicant is admitted, the text of the declaration is reproduced in full in the Treaty Series of the United Nations, together with a reference to the relevant resolution of the General Assembly.

Rule 59 imposes an obligation upon the Secretary-General to place applications immediately before the representatives on the Security Council. This has on

such an instrument of adherence is the one submitted by Afghanistan, Iceland, Sweden and Siam, the text of which reads as follows:

"The Government of ... having received from the Secretary-General of the United Nations the information that the General Assembly of the United Nations has approved the application for membership of ..., hereby presents to the Secretary-General this instrument of adherence in accordance with rule 116 of the provisional rules of procedure of the General Assembly."

"The Government of ... hereby states that it accepts the obligations contained in the Charter of the United Nations."

² Burma presented its instrument of acceptance on 19 March 1948 to the Secretary-General in the following terms:

"In the name of Burma, being duly authorised by virtue of the full powers vested in me by the Minister of Foreign Affairs of the Government of the Union of Burma, I declare that Burma hereby accepts without any reservation the obligations of the Charter of the United Nations and promises to keep them inviolably from the day when it becomes a Member of the United Nations." (U.N. Treaty Series, Vol. 15, No. 225, p. 4.)

¹ Under the former rules, the instrument of adherence was drafted as a declaration by which the admitted State accepted the obligation contained in the Charter. A typical example of

occasion been interpreted³ to mean that the Secretary-General is required not only to bring the applications to the attention of all representatives on the Council, but also to place the item immediately on the provisional agenda.

After their first appearance on the agenda, applications have been regarded as pending in the following circumstances:⁴

- (1) After a decision to defer consideration has been taken by the Security Council;
- (2) After a decision to recommend an applicant has been taken by the Security Council;
- (3) After a decision failing to recommend an applicant has been taken by the Security Council;
- (4) After an application has been sent back to the Council by resolution of the General Assembly;
- (5) After a communication renewing the application has been received from the applicant State;
- (6) After a request for reconsideration has been received from a representative on the Council;
- (7) After a request for reconsideration has been received from the applicant State.

Applications which have failed of recommendation have been reconsidered by the Security Council not only at the request of the General Assembly, but also at the request of members of the Security Council,⁵ and, in one instance, at the request of the applicant State.⁶

In one instance the application for membership, circulated by the Secretary-General otherwise than in

³ At the 154th meeting on 10 July 1947, the President (Poland) stated:

"According to rule 59 of the provisional rules of procedure, the Secretary-General shall immediately place an application for membership before the Security Council. For that reason, I have put it on the agenda of today's meeting as the first point after the adoption of the agenda."

⁴ The statements in this paragraph are based on such evidence as is afforded by Summary Statements issued by the Secretary-General under rule 11. It has not been thought necessary, for the purposes of the *Repertoire*, to analyse in this section proceedings in connexion with the admission of new Members whether in the Official Records, or in secondary sources such as the Summary Statements prepared by the Secretary-General under rule 11, in order to determine the exact point at which a particular application was included in the agenda, or retained on or removed from the list of matters of which the Security Council is seized. Before October 1947, the Summary Statements did not include in the list of matters of which the Security Council is seized details of applications regarding which a decision, whether recommending or not, had been taken by the Security Council. In October 1947, after decisions not recommending the applications of Finland, Hungary, Italy, Romania and Bulgaria had been taken at the 206th meeting on 1 October 1947, the Summary Statement (S/576) indicated that consideration of the item "Applications for Membership" had been completed on 1 October and that the Council was no longer seized of it.

In August 1948, however, after the application of Ceylon had been considered at the 351st meeting on 18 August 1948 and the Council had failed to make a recommendation, the Summary Statement (S/988) did not indicate that the Council was no longer seized of the item. In September 1949, after the Security Council had failed to make recommendations after reconsidering 13 applications, the Summary Statement (S/1394) related the proceedings of the Council up to and including the votes recorded on 15 September 1949, and subsequent Summary Statements made no mention of the deletion of any of these applications.

Since 28 November 1947 (S/610), the Summary Statements have regularly included the item "Applications for Membership".

⁵ See Cases 3, 4 and 7.

⁶ See Case 6.

application of rule 6, was placed on the provisional agenda at the request of a member.⁷

The historical data regarding the presentation of applications may be briefly summarized as follows:

(i) In 1946⁸

1. The People's Republic of Albania 25 January 1946
2. Thailand (Siam) 20 May 1946⁹
3. The Mongolian People's Republic 24 June 1946
4. Hashemite Kingdom of Transjordan 26 June 1946
5. Afghanistan 2 July 1946
6. Iceland 2 August 1946
7. Portugal 2 August 1946
8. Ireland 2 August 1946
9. Sweden 9 August 1946

(ii) In 1947¹⁰

1. Hungary 22 April 1947
2. Italy 7 May 1947
3. Austria 2 July 1947
4. Romania 10 July 1947
5. Yemen 21 July 1947
6. Bulgaria 26 July 1947
7. Pakistan 15 August 1947
8. Finland 19 September 1947

⁷ See Case 5.

⁸ Albania: O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (1), p. 17;

Siam: S/73, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (2), p. 43;

Mongolia: S/95, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (3), p. 48;

Transjordan: S/101, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (5), p. 50;

Afghanistan: S/98, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (4), p. 49;

Iceland: S/120, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (8), p. 51;

Portugal: S/119, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (7), p. 51;

Ireland: S/116, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (6), p. 50;

Sweden: S/125, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (9), p. 52.

⁹ In the Committee on Admission of New Members, France opposed the admission of Siam on the ground that, in 1941, Siam by a treaty signed in Tokyo, had obtained cession of territories which had belonged to French Indo-China. Until current negotiations between France and Siam for the restoration of these territories had been completed, France would continue to consider herself *de facto* in a state of war with Siam.

On 3 August 1946 a formal application was submitted by Siam (S/121, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (2c), pp. 46-47). On 28 August Siam requested that consideration of the application be deferred (S/139, O.R., 1st year, 2nd series, Suppl. No. 4, annex 6 (2e), p. 48). On 29 November Siam requested that consideration of the application be proceeded with (S/201, O.R., 1st year, 2nd series, Suppl. No. 10, annex 15, p. 169).

¹⁰ Hungary: S/333, O.R., 2nd year, No. 38, p. 811;

Italy: S/355, O.R., 2nd year, Suppl. No. 12, annex 33, pp. 129-130;

Austria: S/403, O.R., 2nd year, Suppl. No. 12, p. 1258;

Romania: S/411, O.R., 2nd year, No. 60, p. 1390;

Yemen: S/436;

Bulgaria: S/467, O.R., 2nd year, Suppl. No. 18, annex 43, pp. 155-156;

Pakistan: S/498, O.R., 2nd year, No. 78, p. 1027;

Finland: S/559, O.R., 2nd year, No. 90, p. 2408.

(iii) In 1948¹¹

1. Burma27 February 1948
2. Ceylon25 May 1948
3. Israel29 November 1948

(iv) In 1949¹²

1. The Republic of Korea19 January 1949
2. The Democratic People's Republic of Korea9 February 1949
3. Nepal13 February 1949

(v) In 1950¹³

1. Indonesia25 September 1950

(vi) In 1951¹⁴

1. Viet-Nam17 December 1951
2. Libya24 December 1951
3. Democratic Republic of Viet-Nam29 December 1951

Applications for admission were renewed as follows:

- | | |
|---------------------------------|--------------------------------------|
| Bulgaria |22 September 1948 ¹⁵ |
| Hungary |27 September 1948 ¹⁶ |
| The Mongolian People's Republic |12 October 1948 ¹⁷ |
| Romania |12 October 1948 ¹⁸ |
| Albania |13 October 1948 ¹⁹ |

CASE 3

The provisional agenda of the 204th meeting on 25 September 1947 included two letters addressed to the President of the Council by the representatives of the United States and of Poland, the first requesting reconsideration of Italy's application, the second presenting a similar request concerning Italy, Romania, Bulgaria and Hungary.²⁰

These four applications had already been examined by the Security Council and had failed of recommendation at the 190th meeting on 21 August 1947. One of the main objections then raised against any recommendation had been that the peace treaties had not been ratified. A special report of the Security Council to the General Assembly was established in this connexion on 22 August 1947; but, before it could be examined by the General Assembly, the peace treaties with the four applicant States were ratified. Requests for reconsideration were then made by the members of the Security Council as stated above.

¹¹ Burma: S/687, O.R., 3rd year, Suppl. for Jan., Feb. and March 1948, pp. 29-30;

Ceylon: S/820, O.R., 3rd year, Suppl. for June 1948, pp. 76-77;

Israel: S/1093, O.R., 3rd year, Suppl. for Dec. 1948, p. 118.

¹² Republic of Korea: S/1238, O.R., 4th year, Suppl. for Feb. 1949, p. 5;

Democratic People's Republic of Korea: S/1247, O.R., 4th year, No. 12, p. 18;

Nepal: S/1266.

¹³ S/1809, O.R., 5th year, No. 45, pp. 10-11.

¹⁴ Viet-Nam: S/2446, O.R., 7th year, Suppl. for Jan., Feb., and March 1952, p. 1;

Libya: S/2467, O.R., 7th year, Suppl. for Jan., Feb. and March 1952, p. 4;

Dem. Rep. of Viet-Nam: S/2466, O.R. 7th year, Suppl. for Jan.-March 1952, p. 3. See also S/2780 (letter of 22 November 1948) circulated on 17 September 1952, O.R., 7th year, Suppl. for July-Sept. 1952, pp. 57-58.

¹⁵ S/1012, O.R., 3rd year, Suppl. for Sept. 1948, pp. 7-9.

¹⁶ S/1017, O.R., 4th year, Suppl. for June 1949, pp. 1-2.

¹⁷ S/1035, O.R., 4th year, Suppl. for June 1949, pp. 4-5.

¹⁸ S/1051, O.R., 4th year, Suppl. for June 1949, p. 6.

¹⁹ S/1033, O.R., 4th year, Suppl. for June 1949, p. 6.

²⁰ S/562, S/563, 204th meeting: p. 2408, footnotes 2-3.

CASE 4

At the 221st meeting on 22 November 1947, the applications of Italy and Transjordan were unsuccessfully reconsidered by the Council under General Assembly resolution 113 C and F (II) which requested the Council to reconsider them before the end of the second regular session. In view of the unchanged position of the members of the Council, reconsideration of the applications was postponed indefinitely. Under resolutions 113 D, E, G, H (II), the applications of Portugal, Finland, Ireland and Austria remained to be reconsidered by the Security Council. On the other hand, the Assembly had made no recommendation concerning the applications of Albania, Bulgaria, Hungary, Mongolia and Romania.

The provisional agenda of the 279th meeting on 10 April 1948 mentioned all the then pending applications, including those of Italy and Transjordan, the latter at the request of France, the United Kingdom and the United States; those of Austria, Ireland and Portugal at the request of the same countries; those of Albania, Bulgaria, Finland, Hungary, Italy, Mongolia and Romania at the request of the Ukrainian SSR.²¹

CASE 5

By telegram of 9 February 1949 the Minister of Foreign Affairs of the Democratic People's Republic of Korea submitted an application requesting admission of the Republic to membership in the United Nations.

In circulating the telegram on 10 February 1949 the Secretary-General attached the following note:²²

"In view of the General Assembly resolution of 12 December 1948, paragraph 2, the Secretary-General is circulating the following communication for the convenience of the members of the Security Council which may desire to be informed of it and not in the application of rule 6 of the provisional rules of procedure of the Security Council."

By request of the representative of the USSR, the application was placed on the provisional agenda of the 409th meeting on 15 February 1949.

The representative of the United States criticised it in the following terms:

"... In the first place, members of the Council will note that it is nothing but a telegram; it has no authenticity at all; anybody can send a telegram... Certainly it is not adequate for an application for membership under the Charter.

"... it is not even signed by a Government or a purported Government... No organization or régime that claims to have the power to certify a man as the representative of that régime has said anything to the Security Council or authorized anybody to say anything to the Security Council, unless you can take this letter from the representative of the Union of Soviet Socialist Republics... as a letter from somebody who really has authority in that field."²³

²¹ S/709, S/712, S/715, O.R., 3rd year, Suppl. for May 1948, pp. 3-5. The provisional agenda of the 279th meeting did not include the letters (S/606 and S/607) whereby the Secretary-General transmitted the full text of General Assembly resolution 113 (II) to the President of the Security Council, although the applications of Austria, Ireland, Portugal and Finland had not yet been reconsidered by the Council under resolution 113 (II).

²² S/1247.

²³ 409th meeting: pp. 12-15.

The representative of the USSR stated:

"The application is addressed to the Secretary-General of the United Nations. The Secretary-General acted irregularly in not distributing, as an official document, that legitimate application setting forth the request of the Government of the Democratic People's Republic of Korea for admission to the United Nations, and in issuing it for the consideration of the members of the Security Council, as has been indicated here.

"In order to redress the balance of justice, the USSR delegation transmitted an official letter to the President of the Security Council containing a request that the question should be included on the Council's agenda. As a result of that move the question and the application are being duly considered by the Security Council in full conformity with its rules of procedure. There is absolutely no foundation for all the attempts which have been made to question, by reference to the rules of procedure, the Council's competence to examine this question."²⁴

At the 410th meeting on 16 February, the USSR draft resolution to refer this application to the Committee on the Admission of New Members was rejected by 2 votes in favour, 8 against and one abstention.²⁵

CASE 6

At the 414th meeting on 4 March 1949, the provisional agenda contained the letter of the representative of Israel dated 24 February 1949²⁶ requesting that:

"... renewed consideration be given to this application by the Security Council..."

This application had failed of recommendation at the 386th meeting on 17 December 1948.

CASE 7

At the 427th meeting on 16 June 1949, the President (Norway) stated:²⁷

²⁴ 409th meeting: p. 18.

²⁵ 410th meeting: p. 15.

²⁶ S/1267, O.R., 4th year, March 1949, p. 7.

²⁷ 427th meeting: pp. 5-6.

"... As far as Ceylon is concerned, it is true that we have already reconsidered this application (384th meeting) once after the General Assembly requested us to do so. I think, however, that it would be proper for the Council to include the application of Ceylon together with the other applications in the reconsideration at our meeting today. It might be useful in this connexion to recall that a similar procedure was adopted in 1947-1948. At the request of the General Assembly, the Security Council then reconsidered separately (221st meeting) the applications of Italy and Transjordan during the same session when the request was made, and yet, those applications were included again, together with all the other applications, when these were reconsidered by the Security Council in April 1948 (279th and 280th meetings)."²⁸

No objection was raised.

The reconsideration of Ceylon's application mentioned by the President had taken place at the 384th meeting on 15 December 1948, under General Assembly resolution 197 I (III) which requested the Council to reconsider this application at the earliest possible moment. On the other hand, resolution 197 B (III) requested the Security Council to reconsider all of the twelve then pending applications, i.e., including that of Ceylon, in taking into account the circumstances in each particular case. Thus, in addition to resolution 197 I (III) which recommended specifically Ceylon's admission, resolution 197 B (III) included Ceylon's application among the others, if only by way of reference.

The Security Council agreed to discuss and vote on the application of Ceylon.²⁹

²⁸ The common element between the case of Ceylon and those of Italy and Transjordan is that these applications were reconsidered again by the Security Council after having already been reconsidered once under a specific General Assembly resolution. In neither of those two cases, however, had the Security Council to take an exceptional decision to include them on its agenda. Ceylon's application appeared regularly on the provisional agenda of the 427th meeting as part of item 2a referring to resolution 197 I (III). Italy and Transjordan's applications were also part of the provisional agenda of the 279th meeting, since they were mentioned in document S/709 included in that agenda.

²⁹ 427th meeting: p. 6.

Part IV

REFERENCE OF APPLICATIONS TO THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS

NOTE

Part IV concerns the manner in which the Security Council has utilized the Committee on the Admission of New Members by the reference to it of applications for admission to membership in the United Nations. The President, by the provisional rules of procedure, is required to refer applications to the Committee "unless the Security Council decides otherwise" (rule 59). The material, therefore, is arranged to distinguish occasions on which an application was referred to the Committee from occasions on which the Council considered an application without reference to the Committee. On each occasion, the President has placed the matter before the Council, and has himself referred the application to the Committee without putting the matter to a vote only in the absence of any objection or

of any other proposal of a procedural nature. Such instances are accordingly arranged separately from instances where the Council decided explicitly to refer an application to the Committee.

The provisional rules of procedure of the Security Council do not indicate whether reference is to be made to the Committee in cases where an application is returned to the Security Council by the General Assembly. Although rule 136 of the rules of procedure of the General Assembly provides for sending back to the Council "for further consideration and recommendation or report" an application not recommended by the Council, the General Assembly has not stated in its resolutions that it was sending back or referring such applications to the Security Council. It has used expressions such as "requests the Security Council to

reconsider...". The material has, therefore, been distributed under two headings. The first relates to proceedings of the Council prior to the submission of a recommendation or report to the General Assembly, and includes an instance where the Security Council itself reconsidered a previous decision after a reference to the Committee but before submitting a recommendation or report to the Assembly.¹ The second heading relates to proceedings of the Council after an application had been sent back by the General Assembly to the Council for reconsideration.

A. BEFORE A RECOMMENDATION HAS BEEN FORWARDED OR A REPORT SUBMITTED TO THE GENERAL ASSEMBLY

1. Applications referred to the Committee by the President

CASE 8

At the 154th meeting on 10 July 1947, in connexion with the application of Austria, the representative of Syria stated:

"... the President is not obliged to wait for any formal proposal to be presented. Rule 59 clearly specifies that the application should be referred to the Committee without any further discussion as long as there is no formal proposal presented on it."

The President (Poland) declared:

"The question before us is whether we have a formal motion not to refer the application to the Committee on the Admission of New Members... I understand that there is no such motion before us. Consequently... I shall follow rule 59 and refer the letter to the Committee on the Admission of New Members."

The application of Austria was referred to the Committee by the President.²

2. Applications referred to the Committee by decision of the Security Council

CASE 9

At the 42nd meeting on 17 May 1946, the Security Council decided³

"That applications for membership which have been or may be received by the Secretary-General before 15 July 1946 shall be referred to a committee composed of a representative of each of the members of the Security Council for examination and report to the Council not later than 1 August 1946."

At the 51st meeting on 24 July 1946, because the opening of the second part of the First Session of the General Assembly had been postponed until 29 September 1946, the Security Council decided⁴

¹ See Case 17.

² 154th meeting: p. 1266. The applications submitted by Romania, Yemen, Bulgaria, Burma, Ceylon, Israel and Nepal were also referred to the Committee by the President in the absence of objections to reference to the Committee, and in the absence of other proposals of a procedural nature. 161st meeting: p. 1391 (Romania); 168th meeting: p. 1550 (Yemen); 178th meeting: p. 1828 (Bulgaria); 261st meeting: p. 2 (Burma); 318th meeting: p. 2 (Ceylon); 383rd meeting: p. 25 (Israel); 423rd meeting: p. 16 (Nepal).

³ 42nd meeting: pp. 279, 285.

⁴ 51st meeting: p. 16. Applications for membership were received before 15 July 1946 from Albania, Mongolia, Afghanistan and Transjordan. The extension of the period authorized the reference to the Committee of the applications of Ireland, Portugal, Iceland, Siam and Sweden.

"... that all the dates in the resolution [of 17 May] would also be put back as many days as the interval between the day on which the Assembly was originally to be convened and the day on which it actually will be convened."

CASE 10

At the 132nd meeting on 30 April 1947, the representative of Australia submitted the following draft resolution before the adoption of the agenda:⁵

"Resolved that the application of Hungary for admission to the United Nations be noted and deferred for consideration until the appropriate time."

The President (China) declared:⁶

"The Secretariat informs me that when this item was placed on the agenda, it was intended, in accordance with our usual procedure, that we should not enter into a discussion on the subject at this time. In the past, the procedure has always been to refer such applications to the Committee of the Security Council on Admission of New Members. The points raised by the representative of Australia may be fully discussed by that Committee, if and when that Committee sees fit.

"It was the intention of the Chair simply to refer this item to the Committee on Admission of New Members, and whether or not that Committee, of which Australia is a member, decides to take it up or takes any decision on it, would be left to the Committee."

After the adoption of the agenda, the Australian draft resolution was rejected by 1 vote in favour, 9 against and 1 abstention.⁷

The following draft resolution was submitted by the representative of Syria:

"Resolved that the application of Hungary for admission to membership in the United Nations dated 22 April 1947 should be referred to the Committee on Admission of New Members for studying and reporting to the Security Council at the appropriate time."

The draft resolution was adopted by 10 votes in favour and 1 against.⁸

CASE 11

At the 137th meeting on 22 May 1947, in connexion with the application of Italy, the representative of China submitted the following draft resolution:

"The Security Council resolves

"That the application of Italy to the Security Council for membership in the United Nations be referred to the Security Council's Committee on Admission of New Members, for study and report to the Security Council."

The draft resolution was adopted by 10 votes in favour, none against and 1 abstention.⁹

CASE 12

At the 409th meeting on 15 February 1949, in connexion with the application of the Republic of Korea, the President (China) stated:

⁵ 132nd meeting: pp. 812-815, 820.

⁶ 132nd meeting: p. 815.

⁷ 132nd meeting: p. 821.

⁸ 132nd meeting: p. 821.

⁹ 137th meeting: pp. 945-946.

"According to the usual procedure of the Security Council, such an application is referred to the Committee on the Admission of New Members. If there is no objection to following the usual procedure, it will be handled in that manner."

The representative of the USSR stated:¹⁰

"The USSR delegation objected to the inclusion of this question in the Security Council's agenda and objects to its being referred to the Committee for further study."

The President declared:¹¹

"Since objection has been raised to the adoption of the usual procedure, which is to refer the matter to the Committee on the Admission of New Members, I shall have to put the question to the vote after the completion of the debate.

"... I shall put to the vote the proposal to refer the application of the Republic of Korea to the Committee on the Admission of New Members."

The proposal was adopted by 9 votes in favour and 2 against.¹²

3. Applications considered by the Security Council without reference to the Committee

CASE 13

At the 186th meeting on 18 August 1947, in connexion with the application of Pakistan, the President (Syria) stated:¹³

"I suggest that this application should be treated ... without referring it to the Committee on the Admission of New Members, and that the Security Council should take a decision on the application."

The application of Pakistan was put to the vote and the admission of Pakistan to membership was recommended.

CASE 14

At the 206th meeting on 1 October 1947, in connexion with the application of Finland, the President (United Kingdom) suggested that the Council dispense with referring the application to the Committee.

There being no objection, the application of Finland was immediately discussed by the Council which, however, failed to make a recommendation.¹⁴

CASE 15

At the 409th meeting on 15 February 1949, in connexion with the application of the Democratic People's Republic of Korea,¹⁵ the representative of the United States stated that the item on the agenda was not a genuine application for membership; firstly, because the document purporting to be an application was irregular, and secondly, because the General Assembly had decided that the Government of the Republic of Korea was the only Government in Korea based upon valid elections. The President (China) declared:

"I construe the statement of the representative of the United States of America as an argument against referring this item to the Committee on the Admis-

sion of New Members. Since that objection has been raised, I shall put that question to the vote after the completion of the debate."

At the 410th meeting on 16 February 1949, the representative of Norway stated:¹⁶

"In our opinion the Democratic People's Republic of Korea has shown that it is not willing and able to carry out the obligations in the Charter. We are, therefore, forced to vote against the reference of this application to the Committee on the Admission of New Members. We shall do this though we do not like to make a decision of substance in the form of a decision on procedure.

"... if it is not an application, the question of whether to send it to the Committee on the Admission of New Members cannot even be discussed."

The representative of the USSR submitted a draft resolution to refer the application to the Committee. The draft resolution of the USSR was rejected by 2 votes in favour, 8 against and 1 abstention. No proposal was submitted to recommend admission, and no further action was taken by the Council.¹⁷

CASE 16

At the 503rd meeting on 26 September 1950, the Security Council, having decided to add the application of Indonesia to the provisional agenda, decided further to consider it before other items on the agenda. The representative of India proposed that the Council decide not to refer the application to the Committee on the Admission of New Members, citing the case of Pakistan at the 186th meeting on 18 August 1947.

The Council, without taking a vote on the Indian proposal, proceeded to discuss the application and to vote on it.¹⁸

4. Applications reconsidered by the Security Council after reference to the Committee

CASE 17

At the 413th meeting on 3 March 1949, the Security Council considered the request by the representative of Israel for renewed consideration of the application submitted by Israel on 29 November 1948.¹⁹

The representative of China, supported by the representative of Norway, stated:

"... that the Security Council should handle this item in the usual way, which is to refer it to the Committee on the Admission of New Members. In the Committee there can be a thorough examination of the merits of the question, particularly from the point of view of technical law and the facts.

"...

"... I put forward my suggestion because it appeared to me that at this juncture the Security

¹⁰ For texts of relevant statements see: 409th meeting: President (China), p. 16; United States, pp. 12-16.

410th meeting: Canada, p. 14; Cuba, pp. 11-12; Egypt, p. 12; Norway, pp. 10-11; Ukrainian SSR, p. 9; USSR, p. 8.

¹⁷ 410th meeting: p. 15.

¹⁸ 503rd meeting: pp. 11, 28. For the inclusion of the application of Indonesia in the agenda, see chapter II, Case 40.

¹⁹ The recommendation in favour of the application put to the vote at the 386th meeting on 17 December 1948 had failed of adoption.

¹⁰ 409th meeting: p. 3.

¹¹ 409th meeting: pp. 9, 12.

¹² 409th meeting: p. 12.

¹³ 186th meeting: p. 2029.

¹⁴ 206th meeting: pp. 2461-2462.

¹⁵ S/1247, 409th meeting: p. 18.

Council should not have a heated, controversial discussion on this issue."

The representative of Egypt, while stressing that the application should have been discarded for substantive reasons, stated that the Council should at least refer the matter back to the Committee. The representative of the United States considered that there was no cause "for again referring the application back to the Committee" because there was no "real substantial issue of fact about the qualifications of this applicant for membership", and therefore the matter did not require further discussion in the Committee. The representative of the USSR saw no reason for postponing the consideration of the question since there already existed every reason for reaching a favourable decision on the admission of Israel when it was examined the first time by the Security Council, and also "in view of the fact that the Israeli Government's application has already been examined by the Committee on the Admission of New Members".

The President (Cuba) put the question to the vote as follows:

"May I remind members of the Council that we are not discussing the substance of Israel's application, but simply whether or not it should be referred to the Committee on the Admission of New Members."

The proposal was not adopted, there being 4 votes in favour, 3 against and 4 abstentions. The President declared:

"As a result of the vote, the application will be dealt with by the Council."

The representative of Egypt said:

"I have certain doubts concerning the procedure we have just followed. It seems to me that we have voted on two proposals, one to refer the matter to the Committee on the Admission of New Members, which did not secure the necessary votes, the other to discuss the matter in the Security Council without reference, which also did not secure the necessary number of votes. For the correctness of our record, I wish this point to be clarified before we proceed any further."

The representative of China, in raising a point of order, stated:

"In order ... to avoid the step of sending this application to the Committee, the Council must decide otherwise. The Council has not decided otherwise. According to rule 59, it appears to me that it is natural to refer this matter to the Committee."

The representative of the USSR stated:

"The application has already been considered by the Committee; the Council has received the Committee's report and is now continuing the discussion on the substance of the question of Israel's admission to membership in the United Nations; yet, despite all this, a new proposal has been put forward, namely, that the question should again be referred to the Committee on the Admission of New Members. That proposal was put to the vote; it failed to obtain a majority and was consequently rejected. The Security Council is therefore continuing to examine the substance of the Israeli Government's application for admission to the United Nations."

The President ruled as follows:

"Israel's application is under consideration and will continue to be discussed by the Council. A sufficient number of votes was not obtained to enable the application to be referred to the Committee on the Admission of New Members, and the Council will therefore continue to discuss the question."

The President stated further:

"This application was sent to the Committee at the proper time... I consider that we are dealing with a renewal of the application, as is shown on the agenda, and that rule 59 is therefore not applicable, unless anyone challenges my ruling."

No representative challenged the President's ruling.²⁰

B. AFTER AN APPLICATION HAS BEEN SENT BACK BY THE GENERAL ASSEMBLY TO THE SECURITY COUNCIL FOR RECONSIDERATION

1. Applications referred to the Committee by the President

CASE 18

At the 152nd meeting on 8 July 1947, in connexion with the re-examination of applications recommended under General Assembly resolution 35 (I) of 19 November 1946 the applications of Albania, Mongolia, Transjordan, Ireland and Portugal were referred to the Committee by the President, with the instruction to the Committee "to present its report on 10 August, or earlier if possible". No objection was indicated.²¹

2. Applications reconsidered by the Security Council without reference to the Committee

CASE 19

At the 206th meeting on 1 October 1947, the Security Council reconsidered the applications of Hungary, Italy, Romania and Bulgaria at the request of the representative of the United States (for Italy) and of the representative of Poland (for Hungary, Italy, Romania and Bulgaria).²² No proposal was made, nor any action taken with a view to referring these applications to the Committee.²³

CASE 20

At the 221st meeting on 22 November 1947, at the request of the General Assembly, the Security Council reconsidered the applications of Transjordan and Italy. No proposal was made, nor any action taken with a view to referring these applications to the Committee.²⁴

CASE 21

At the 279th and 280th meetings on 10 April 1948, the applications of Italy, Albania, Bulgaria, Hungary, Mongolia, Romania, Portugal, Transjordan, Finland, Ireland and Austria were reconsidered by the Security Council at the request of the General Assembly and

²⁰ For texts of relevant statements see:

413th meeting: President (Cuba), pp. 15, 19; China, pp. 9, 12, 16; Egypt, pp. 9-10, 15-16; Norway, p. 9; USSR, pp. 20-21; United States, pp. 10-11, 16-17.

²¹ 152nd meeting: pp. 1229-1231.

²² S/562 and S/563, 204th meeting: p. 2408.

²³ 206th meeting: p. 2475.

²⁴ General Assembly resolutions 113 E, F (II) of 17 November 1947, 221st meeting: pp. 2765-2767.

of some members of the Council.²⁵ No proposal was made, nor any action taken with a view to referring these applications to the Committee.²⁶

CASE 22

At the 384th meeting on 15 December 1948, at the request of the General Assembly, the Security Council reconsidered the application of Ceylon. The General Assembly asked the Council to re-examine the application at the earliest possible moment.²⁷ No proposal was submitted, nor any action taken with a view to referring this application to the Committee.²⁸

CASE 23

At the 427th meeting on 16 June 1949, the applications of Portugal, Transjordan, Italy, Finland, Ireland, Austria, Ceylon, Albania, Mongolia, Bulgaria, Romania and Hungary were included in the agenda under General Assembly resolution 197 (III) of 8 December 1948. The President (Norway) stated:

"The situation with which we are now confronted is that all of these applications have at least twice

²⁵ General Assembly resolution 113 A-H (II) of 17 November 1947; S/709, S/712, S/715, *O.R.*, 3rd year, *Suppl. for April 1948*, pp. 3-5.

²⁶ 279th meeting: p. 15; 280th meeting: p. 3.

²⁷ General Assembly resolution 197 (III) of 8 December 1948, S/1113, *O.R.*, 3rd year, *Suppl. for Dec. 1948*, pp. 120-121.

²⁸ 384th meeting: p. 39.

been considered by the Security Council, without obtaining a recommendation, but that the General Assembly has requested us to reconsider them anew. Apart from the request of the General Assembly there are, to my knowledge, only two new developments in the matter: first, the advisory opinion of the International Court of Justice; secondly, the fact that three new Member States have taken their seats in the Security Council.

"...I do not think that any practical purpose could be served by referring these applications again to the Committee on the Admission of New Members, or even by discussing them again in the Security Council, since this discussion would involve only a repetition of previous arguments. If the other members of the Council are in agreement, I would therefore now like merely to ask if there are any representatives who have changed their position from that which now stands on the record, or who desire to bring out any new points in connexion with these applications... I also think it would be useful if the three new members of the Security Council who have not previously had an opportunity to state their views in the Council in regard to these applications would now state their positions."

No representative on the Council objected to the suggestion of the President.²⁹

²⁹ 427th meeting: pp. 4-5.

Part V

PROCEDURES IN THE CONSIDERATION OF APPLICATIONS WITHIN THE SECURITY COUNCIL

NOTE

I

Part V, sections A and B, in order to show how consideration of applications by the Security Council has been affected by the fact that the Council has frequently considered more than one application at a time, makes extensive use of the scheme of presentation based on a series of "Debates", details of which have been given in the Note to part I. This fact has led to procedural problems of some consequence, particularly in connexion with the voting on applications.

In the course of the earlier proceedings, after the close of the general debate, the Security Council considered each application separately, whether the application was being considered for the first time or was under reconsideration.

In the course of later proceedings, however, the Security Council developed the practice of considering at the same time all the applications submitted or re-submitted to it during the interval between two regular sessions of the General Assembly. This development gave rise in turn to other dependent practices concerning the following procedural questions:

(a) The order in which the applications should be discussed;

(b) The phase of the debate at which applications should be voted upon;

(c) The order in which applications should be voted upon;

(d) The submission of draft resolutions to recommend the simultaneous admission of a number of applicants.

During 1946 and 1947, during debates I, III and IV, the Security Council discussed the applications separately and successively in the order in which they had been received by the Secretary-General. The specific debate on each of a number of applications was usually preceded, and sometimes followed, by a general debate. In 1948, during debates VI and VIII, the Council did not discuss the applications in the chronological order of their submission. New applications were considered first (in debate VI, the application of Burma; in debate VIII, the application of Ceylon) before previous pending applications. In debate VI, after discussing a new application first, the Security Council proceeded to discuss the pending applications in the order in which they had been re-submitted to it. In 1949, during debate XI which dealt with thirteen applications, the Council examined a new application (Nepal) during the debate concerning the twelve other pending applications. The latter then were discussed in no defined order, the statements made by the members of the Council bearing not on one applicant at a time, but on groups of applicants.

As to the phase of the debate when the voting took place and as to the order in which the votes were taken, the Council decided in 1946, during debate I, to submit to the vote all the applications after the general debate and the specific debate on each of them were finished. Each of the applications was then voted upon, in the chronological order of their submission.

In 1947, during debate III, the Council decided to vote separately on each of a number of applications immediately after the discussion of each application

was finished. During debate IV, the Council followed the same procedure as in debate I: it deferred voting on each of a number of applications until after the general debate and the specific debate on each application were both finished. Each of the applications was then voted upon in the chronological order of their submission.

The discussion of applications in the order of their original submission precluded any question arising either as to the order of discussion or of voting. But in 1948, the practice tended to change. In debate VI, the Council examined first, and voted first, on the most recent application (i.e., the original application of Burma) and, in voting thereafter on Italy's application, it began voting on the pending applications, not in the chronological order of their original submission, but in the order in which they had been re-submitted to the Council by its members, this order being different from the order in which they had been listed in General Assembly resolution 113 (II) requesting their reconsideration by the Council. After having voted on Italy's application, the Council decided not to vote on the other applications because the members of the Council had not changed their previous position.

In 1949, during debate XI, which bore on thirteen applications, the Council voted on a new application (Nepal) immediately after its discussion was finished. It then voted on each of a group of seven pending applications. Thereafter, the Council voted on each of a group of five other pending applications.

Furthermore, the submission of draft resolutions for recommending the simultaneous admission of a group of applicant States has resulted in additional procedural complexities.

In 1946, such draft resolutions were submitted and then withdrawn successively by the representatives of the United States and Mexico. In 1947, during debate III, such a draft resolution was submitted by the representative of Syria and then withdrawn; another such draft resolution was submitted by the representative of Poland during debate IV. The procedural complications arising from the submission of draft resolutions to recommend the simultaneous admission of a number of applicants were not fully experienced in 1946, 1947 and 1948. All such draft resolutions submitted in 1946 and 1947 were withdrawn and, in 1948, after the Council decided to vote in parts on a similar resolution, the original mover (Poland) did not insist that it be put to the vote. In 1949, however, a similar draft resolution submitted by the representative of the USSR, during debate XI, had to be put to the vote.

The submission of such draft resolutions gave rise to protracted debates bearing mainly on the contention that the simultaneous admission of a group of applicants was contrary to the principle laid down in Article 4 (I), that the admissibility of each applicant should be judged on its own merits independently from other applicants, whereas, according to another point of view, the simultaneous admission of a group of applicants was the only practical solution of the problem. In these debates the following procedural questions have assumed prominence:

(a) Discussion as to whether several applications may be voted on simultaneously or should be voted on separately;

(b) The question whether the mover of a draft resolution to admit simultaneously a number of appli-

cants may oppose the division of his draft resolution in as many parts as it contains applications, or whether the Council may decide to vote on such a draft resolution in parts despite the opposition of the original mover;

(c) A secondary procedural issue, indirectly linked with this problem arose in 1949, during debate XI—namely: the conflict between the practice followed in 1946 and 1947 of voting on the applications in the chronological order of their submission and the procedure adopted in debate XI to vote on the applications in the order in which they appeared in draft resolutions, the latter being put to the vote in the order of their submission according to rule 32.

The decisions adopted by the Security Council since 1946 indicate a tendency to vote on each application on its individual merits and, therefore, to divide draft resolutions tending to the simultaneous admission of a group of applicants into as many parts as they contained applicants (whenever such draft resolutions were not withdrawn), irrespective of the opposition of the original mover to such a division. The Security Council has nevertheless put to the vote these draft resolutions as a whole, after they had been voted upon in parts.

Broadly speaking, the order in which applications have been discussed has respected the order in which they were listed in the agenda, while the order of voting on the applications has duplicated the order of discussion. In 1946-1947, applications were listed in the agenda in the chronological order of their submission; but, in 1948, the tendency emerged of listing, first, new applications and, second, pending applications, the latter no longer in the order of their original submission to the Council, but in the order of their re-submission to the Council by its members or by the General Assembly.

Several less important procedural problems have arisen concerning discussion of voting: such as (a) whether representatives of Members, not members of the Council, would be heard if they requested to submit a statement concerning an application; (b) whether it was necessary to submit a draft resolution in order to vote on an application; (c) whether it was necessary to take a vote when it appeared that the position previously adopted by members of the Security Council on a given application had remained unchanged.

The documents before the Security Council have generally consisted of the application itself, the formal declaration of acceptance of the obligations contained in the Charter, and the report of the Committee on the Admission of New Members which, in several cases, included as annexes, statements made by representatives on the Committee and the text of questionnaires addressed to applicant States together with the latter's replies and appendices.

In one instance, in 1948, the documents before the Security Council included, in addition to those mentioned, the summary records of the debates of the Committee on the Admission of New Members, and a letter from the representative of the applicant State addressed to the President of the Security Council transmitting information concerning the applicant.

II

The material in part V relates to questions of procedure in the consideration of applications. A special

problem arises regarding substantive material bearing on Article 4 (1) of the Charter, for the examination of the proceedings of the Security Council is productive of little light upon the views of the Council as such concerning the application of Article 4 (1) to the admission of new Members.

The task of obtaining information and reporting to the Council on the question whether applicants for membership meet the standards described in Article 4 (1), was conferred at an early stage on the Committee on the Admission of New Members. In exercise of the authority conferred upon it by the Council, the Committee has inquired into the qualifications of applicants in the light of the requirements of Article 4 (1), varying the matters into which it deemed necessary to inquire in accordance with the particular situation of the individual applicants. In some cases, the Committee has had before it summaries of information prepared by the Secretariat concerning the applicant State. On occasion, the Committee has seen fit to draw up and communicate to the applicant for reply a questionnaire concerning various matters on which the Committee wished to be informed in arriving at its conclusion.

The application of Article 4 (1) to the admission of new Members has confronted the Security Council and its subsidiary organ, the Committee on the Admission of New Members, with the problem of measuring facts external to the Organization by the yardstick of the Charter. Since these facts vary from case to case and since there have been no reasoned collective judgments by the Security Council or the Committee concerning the requirements of Article 4 (1), it is difficult to generalize the proceedings of the Council under that paragraph in terms of practice.

The proceedings suggest that each member of the Council has exercised freedom to judge for itself the extent to which an applicant for admission to membership meets the requirements of Article 4 (1), although there have been some suggestions concerning the appropriateness of various considerations adduced by members of the Council when discussing the eligibility of applicants for admission to membership. Thus, suggestions have been made that Article 2, paragraph 7, of the Charter sets a limit to the matters which members may take into account in considering applications; it has been suggested that the eligibility of applicants is to be measured by objective tests rather than by subjective standards; and there has been some discussion of the necessity of stating the reasons for a judgment concerning the eligibility of a particular candidate. Finally, there has been discussion of the appropriateness of invoking what are characterized as standards of eligibility external to Article 4 and of the permissibility of what has been regarded by some members of the Council as discrimination against applicants equally eligible with other States for admission to membership in the Organization.

The form employed by the Security Council itself in deciding to recommend or in failing to recommend an applicant for membership, like the reports of the Committee on the Admission of New Members, consists, in the case of recommendations, of a bare statement of the decision, accompanied by words in the preamble indicating that the applicant possesses the qualifications required in Article 4, paragraph 1. In none of these decisions, however, is there a statement

of the particular basis for such judgment. In cases of failure to recommend, the special reports to the General Assembly reveal no more than the vote by which the proposal to recommend failed of adoption.

In these circumstances, it becomes necessary when seeking to ascertain the practice of the Council under Article 4 (1), to attempt to find appropriate generalizations under which to group the considerations adduced by members of the Council in weighing the qualifications of applicants for admission.

Discussion of the eligibility of applicants for admission to membership has turned upon the following matters, each of which is rooted in the language of paragraph 1 of Article 4: (1) the statehood of the applicant; (2) the peace-loving character of the applicant; (3) the acceptance by the applicant of the obligations contained in the Charter; (4) the ability of the applicant to carry out the obligations of the Charter; (5) the willingness of the applicant to carry out the obligations of the Charter.

In weighing the applicant's qualifications in each such respect, members of the Council have pointed to the circumstances listed below as supporting their conclusions concerning the extent to which an applicant meets the standards of Article 4, paragraph 1. In view of the fact that the circumstances involved in each application vary widely or narrowly from case to case, the circumstances mentioned evidence only the range of considerations which members of the Security Council have deemed to be appropriate in the consideration of applications. This listing of references has only the value of an illustrative index, and no constitutional significance in terms of the Charter should be deemed to attach to the headings adopted or the entries thereunder, although terminology derived from the Charter has, as a matter of convenience, been adopted in the preparation of the listing.

In connexion with the statehood of the applicant, reference has been made to such matters as the following: The possession or lack of settled frontiers¹; the mode of the establishment of the State²; the bearing of a General Assembly decision³; foreign occupation of its territory⁴; relations with a former sovereign⁵; independent management of its foreign policy⁶; the extent of the applicant's sovereignty⁷; the necessity of

¹ Application of Israel; 383rd meeting: USSR, p. 22; United States, p. 11.

385th meeting: Syria, p. 3.

386th meeting: USSR, pp. 30-31.

² Application of Transjordan; United Kingdom, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 133; Poland, *O.R., Suppl. No. 4, 1st year, 2nd series*, pp. 134, 142.

³ Application of Democratic People's Republic of Korea; 409th meeting: United States, pp. 14, 15.

410th meeting: China, p. 10; Ukrainian SSR, pp. 8, 9; USSR, p. 15.

⁴ Application of the Republic of Korea.

409th meeting: United States, p. 15; USSR, p. 2.

⁵ Application of Ceylon; 351st meeting: Ukrainian SSR, p. 1; USSR, pp. 12, 15; United Kingdom, p. 7.

Application of Indonesia; 503rd meeting: United States, p. 26.

⁶ Application of Ceylon; 351st meeting: USSR, p. 12; United Kingdom, pp. 7, 15.

Application of Mongolia; Australia, *O.R., Special Suppl. No. 3, 2nd year*, p. 11; Belgium, *O.R., Special Suppl. No. 3, 2nd year*, p. 12.

⁷ Application of Israel; 383rd meeting: United States, p. 10.

ratification of peace treaties with ex-enemy applicants⁸; disabilities resulting from the Second World War⁹; the legitimacy of statehood obtained through aggression and conquest¹⁰; defence arrangements with other powers¹¹; the *de jure* or *de facto* status of the applicant and its Government¹²; recognition of the applicant by Members of the United Nations¹³; the maintenance of diplomatic relations with other States¹⁴.

In connexion with assessment of the peace-loving character of the applicant, the considerations adduced have included the following: references to the history of the State¹⁵; the conduct of the applicant during the Second World War¹⁶; continued existence of a technical state of war between the applicant and a Member State¹⁷; continued possession of territories acquired through aggression in the Second World War¹⁸; compliance with the recommendations of the United Na-

tions¹⁹; the instigation of border incidents²⁰; interference with peaceful foreign shipping in the applicant's territorial waters²¹; willingness to employ pacific methods in the settlement of boundary disputes²².

In connexion with the acceptance of the obligations contained in the Charter, the following matters have been considered: adherence to the principles and purposes of the Charter in respect of human rights²³ or of Article 1, paragraph 3²⁴.

In considering the ability of the applicant to carry out the obligations contained in the Charter, the following matters have been referred to: military occupation of the applicant's territory²⁵; the applicant's governmental institutions and its ability to conduct foreign relations²⁶; the designation of the applicant as an administrative authority of a trust territory²⁷.

In connexion with the willingness of the State to carry out the obligations contained in the Charter, the range of matters referred to included: the existence of diplomatic relations with certain other States²⁸; fulfilment of treaty obligations²⁹; compliance with the decisions of international organizations in which the applicant was a member³⁰; compliance with the recommendations of the Security Council in a dispute to which the applicant was a party³¹; association with

⁸ Applications of Hungary, Italy, Romania and Bulgaria; 186th meeting: Poland, p. 2049; USSR, p. 2045; United Kingdom, p. 2052; United States, pp. 2048-2049, 2052.

⁹ Application of Hungary; 132nd meeting: Australia, pp. 813-814. 186th meeting: United Kingdom, p. 2051; United States, p. 2052.

¹⁰ Application of Italy; 190th meeting: Australia, p. 2127; USSR, p. 2127.

¹¹ Applications of Romania and Bulgaria; 190th meeting: USSR, p. 2131.

¹² Application of Austria; 154th meeting: Syria, p. 1262; United States, p. 1263. 190th meeting: Australia, pp. 2130-2131.

¹³ Application of Israel; 385th meeting: Syria, pp. 7, 9.

¹⁴ Application of Transjordan; Poland, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 136; United Kingdom, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 68.

¹⁵ Application of Israel; 384th meeting: Syria, pp. 25-26. 385th meeting: Syria, pp. 4, 5; United States, p. 12.

¹⁶ Application of Israel; 385th meeting: Argentina, p. 14; Syria, pp. 5, 6; United States, p. 12.

¹⁷ Application of Israel; 383rd meeting: United States, p. 13.

¹⁸ Applications of Hungary, Italy, Romania and Bulgaria; 190th meeting: Syria, p. 2118.

¹⁹ Application of Albania; France, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 60; USSR, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 60.

²⁰ Application of Albania; Greece, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 59; USSR, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 57.

²¹ Application of Ireland; USSR, *O.R., Special Suppl. No. 3, 2nd year*, p. 15; United States, *O.R., Special Suppl. No. 3, 2nd year*, p. 16.

²² Application of Mongolia; 56th meeting: USSR, pp. 88-89; China, *O.R., Special Suppl. No. 3, 2nd year*, p. 12.

²³ Application of Portugal; 57th meeting: USSR, pp. 105-106; United States, pp. 104-105; Poland, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 73; United Kingdom, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 73.

²⁴ Application of Afghanistan; United States, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 67.

²⁵ Application of Sweden; *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 77.

²⁶ Applications of Hungary, Italy, Austria, Romania and Bulgaria; Australia, *O.R., Special Suppl. No. 3, 2nd year*, p. 3; USSR, *Special Suppl. No. 3, 2nd year*, p. 2; United States, *O.R., Special Suppl. No. 3, 2nd year*, p. 11.

²⁷ Application of Albania; 55th meeting: Australia, p. 62; Greece, pp. 75-76.

²⁸ Reply of the Albanian Government to the Questionnaire; *O.R., Suppl. No. 4, 1st year, 2nd series*, pp. 93-95;

²⁹ 56th meeting: Australia, p. 813. 136th meeting: Australia, p. 889.

³⁰ Application of Austria; 154th meeting: Australia, p. 1261; Syria, p. 1262; United States, p. 1262.

³¹ Application of Thailand; France, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 76;

Applicant's request to postpone consideration until agreement concluded with France, 31st meeting on 9 April 1946, p. 562.

¹⁹ Application of Israel; 383rd meeting: Syria, p. 19; USSR, p. 22; United States, pp. 11-12.

²⁰ 386th meeting: Canada, p. 24; USSR, pp. 28-29.

²¹ Application of Albania; 55th meeting: Greece, pp. 77-78.

²² Application of Albania; 55th meeting: Greece, p. 75; USSR, *O.R., Suppl. No. 3, 2nd year*, p. 5; United Kingdom, *O.R., Suppl. No. 4, 1st year, 2nd series*, pp. 57-58.

²³ Application of Albania; France and Mexico, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 60; Poland, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 60.

²⁴ Applications Nos. 48-59 [see Table of Applications]; 428th meeting: United States, p. 6.

²⁵ 429th meeting: Ukrainian SSR, p. 7.

²⁶ 430th meeting: United States, pp. 10, 13.

²⁷ 206th meeting: Syria, p. 2460.

²⁸ 205th meeting: United Kingdom, p. 2433.

²⁹ Application of Italy; United States, *O.R., Special Suppl. No. 3, 2nd year*, p. 22.

³⁰ Application of Austria; United States, *O.R., Special Suppl. No. 3, 2nd year*, p. 24; Appendix 11, pp. 49-50.

³¹ Application of Mongolia; 56th meeting: United Kingdom, pp. 90, 91.

¹ Application of Israel; 383rd meeting: United States, pp. 12-13.

² 413th meeting: France, p. 8.

³ Application of Italy; 569th meeting: Brazil, pp. 4-5; France, p. 2; Netherlands, pp. 12, 13; Turkey, pp. 19, 20; USSR, p. 23.

⁴ Applications of Ireland, Portugal, Thailand and Transjordan; Australia, *O.R., Suppl., 1st year, 2nd series*, p. 74; USSR, *O.R., Suppl. No. 4, 1st year, 2nd series*, pp. 70, 72, 74, 77; *O.R., Special Suppl. No. 3, 2nd year*, p. 14.

⁵ 56th meeting: p. 92; *O.R., Suppl. No. 3, 2nd year*, p. 00.

⁶ Application of Albania; USSR, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 62; *O.R., Special Suppl. No. 3, 2nd year*, p. 4; Australia, Egypt, France and United States, *O.R., Suppl. No. 4, 1st year, 2nd series*, p. 63; United States, *O.R., Special Suppl. No. 3, 2nd year*, pp. 6-7.

⁷ Applications of Hungary, Romania and Bulgaria; United States, *O.R., Special Suppl. No. 3, 2nd year*, Appendix 8, pp. 44-45; United States, United Kingdom and Brazil, *O.R., Special Suppl. No. 3, 2nd year*, pp. 25-26, 44-45.

⁸ 206th meeting: France, p. 2454; USSR, pp. 2456-2458; United Kingdom, pp. 2458-2459; United States, pp. 2452-2454.

⁹ 430th meeting: USSR, p. 17.

¹⁰ 431st meeting: France, pp. 3-5.

¹¹ Application of Albania; 55th meeting: Greece, pp. 76-77; Brazil, Colombia, Australia, United States and France, *O.R., Special Suppl. No. 3, 2nd year*, pp. 5-7.

¹² Application of Israel; 414th meeting: Egypt, p. 6; USSR, p. 9; United Kingdom, pp. 2-3.

¹³ Application of Albania; Brazil, Colombia, Australia, United States and France, *O.R., Special Suppl. No. 3, 2nd year*, pp. 5-7.

Franco Spain³²; the internal political structure of the applicant³³.

A. DISCUSSION OF APPLICATIONS

1. Order of the discussion of applications

CASE 24

*Debate I*³⁴

At the 54th meeting on 28 August 1946, a draft resolution for the simultaneous admission of eight applicants was submitted by the representative of the United States, but was withdrawn after discussion. At the 55th meeting on the same day, the representative of the United States moved that the Security Council "take no action at this time on the applications of Albania and the Mongolian People's Republic". The representative of France suggested that the Council proceed to discuss the three applications on which agreement appeared possible—those of Afghanistan, Iceland and Sweden—while deferring consideration of the other five until the following year. The representative of the USSR contended that the applications should be discussed in the order in which they had been received by the Secretary-General. The President (Netherlands) ruled that the applications would be discussed in the order indicated in the report of the Committee, i.e., in the chronological order of their receipt by the Secretary-General.³⁵

CASE 25

*Debate III*³⁶

At the 186th meeting on 18 August 1947, the President (Syria) stated:

"If there is no objection, we shall decide upon the case of Pakistan immediately."

The representative of the USSR observed:

"I propose that these applications be considered in the order in which they were received."

The President then ruled:

"I said that if there were no objection, we should consider the admission decided upon, but as there is an objection, we shall postpone the question and consider the application of Pakistan in its chronological order along with the other applications."

The Council proceeded accordingly to consider each of the twelve applications separately and successively in the chronological order of their submission.³⁷

CASE 26

*Debate IV*³⁸

At the 204th meeting on 25 September 1947, the President (USSR) suggested:

³² Application of Portugal; 57th meeting: Brazil, p. 110; Poland, p. 109.

³³ Application of Italy; 279th meeting: USSR, pp. 10-12.

³⁴ This debate was concerned with the consideration of eight new applications.

³⁵ For texts of relevant statements see:

55th meeting: President (Netherlands), p. 62; Egypt, p. 59; France, pp. 56-57; USSR, pp. 58, 60; United States, pp. 54-55.

³⁶ This debate was concerned with the consideration of seven new applications and with the reconsideration of five pending applications.

³⁷ For texts of relevant statements see:

186th meeting: President (Syria), p. 2030; France, p. 2030; USSR, p. 2030.

³⁸ This debate was concerned with the consideration of a new application (Finland) and with the reconsideration of four pending applications.

"...that we discuss and take decision on the applications in the order in which they were submitted to the Security Council..."

At the 205th meeting on 29 September, the Security Council agreed, on the proposal of the President, to discuss each of the applications in the order in which they had been submitted to the Council and, after the discussion on each of them, to take separate votes on each application.³⁹

CASE 27

*Debate VI*⁴⁰

At the 279th meeting on 10 April 1948, the application of Burma was discussed first. After the resolution recommending the admission of Burma had been adopted, the President (Colombia) ruled as follows:

"The Security Council comes next to item 3 on its agenda which is the reconsideration of several applications for membership in the United Nations in the order in which they have been re-submitted to the Council."

No objection was raised.

The first application to be reconsidered was that of Italy, which was the first application re-submitted to the Security Council. The Council voted upon the application of Italy, but at the 280th meeting on the same day, the Council decided without further discussion on the applications to report to the Assembly that none of the members had changed its position.⁴¹

CASE 28

*Debate VIII*⁴²

At the 384th meeting on 15 December 1948, the provisional agenda included the application of Israel as item 2 and the application of Ceylon as item 3. The application of Ceylon had been referred back to the Security Council by General Assembly resolution 197 I (III) which requested the Council to reconsider it "at the earliest possible moment". The representative of the USSR proposed that item 3 of the provisional agenda be removed because there was no reason why Ceylon's application should not be examined at the same time as the other pending applications. The representative of the United Kingdom observed that resolution 197 I (III) requested the Council to reconsider the application of Ceylon at the earliest possible moment. The USSR proposal was rejected, and the agenda was adopted without change.

During the same meeting, the representative of the USSR expressed the view in connexion with General Assembly resolution 197 B (III), which related to the twelve pending applications, that the Council should proceed to reconsider the applications in the order in which they had been submitted and take a decision in each case.

³⁹ For texts of relevant statements see:

204th meeting: President (USSR), p. 2423; 205th meeting: Poland, p. 2435; United States, pp. 2435-2436.

⁴⁰ This debate was concerned with the consideration of a new application (Burma) and with the reconsideration of eleven pending applications.

⁴¹ For texts of relevant statements see:

279th meeting: President (Colombia), p. 5; USSR, pp. 10-14; United Kingdom, pp. 14-15. 280th meeting: President (Colombia), p. 3.

⁴² This debate was concerned with the consideration of the new application of Israel and the reconsideration of the pending application of Ceylon.

The Council proceeded to examine the applications of Israel and Ceylon in the order in which they appeared on the agenda. After the Council had decided to postpone for two days consideration of Israel's application, Ceylon's application was discussed and voted upon at the 384th meeting.⁴³

CASE 29

Debate XI

[*Note:* This debate, which was concerned, at twelve meetings, with the reconsideration of twelve pending applications (listed in A/617 and A/618) and one new application (Nepal, at the 434th meeting on 9 September 1949) occupied meetings 427-431 and 439-445, from 16 June to 15 September 1949, with an interruption from 21 July to 7 September 1949. A complex situation arose from the fact that seven draft resolutions were submitted to the Security Council recommending the admission of seven applicants, the draft resolutions being numbered consecutively in the order in which the General Assembly had requested reconsideration in resolutions 197 C to I (III), while a draft resolution submitted later in the debate recommended the simultaneous admission of all thirteen applicants. An added complication arose from the fact that the General Assembly, while favouring the immediate admission of seven applicants in separate specific resolutions (197 C to I (III)), had requested the Council in its resolution 197 B (III) to reconsider,

"taking into account the circumstances in each particular case, the applications... mentioned in the said Special Reports"

The Special Reports in question were A/617 and A/618; the first one listed eleven pending applications in alphabetical order; the second one concerned Ceylon's application only. By resolution 197 I (III), the General Assembly had requested the Council to reconsider Ceylon's application at the earliest possible moment. The Council reconsidered Ceylon's application at its 384th meeting on 15 December 1948 without adopting a recommendation. Ceylon's application was not included in the provisional agenda of the 427th meeting on 16 June 1949, but at the President's suggestion, it was included in the agenda. Meanwhile, Nepal's application, submitted on 13 February 1949, was reported upon by the Committee on 29 August 1949. This report appeared in the provisional agenda of the 439th meeting on 7 September 1949 as item 2, while the other pending applications were in item 3 under the heading: "Other applications for membership in the United Nations".

The main feature of debate XI was that the previous practice of voting in the chronological order of the submission of the original applications by the applicants was pitted against the new practice of voting on the applications in the chronological order of their re-submission to the Council by its members. This occurred when it became clear that the Council would vote on the seven draft resolutions recommending the admission of the seven applicants whose admission was favoured by the General Assembly. The absence of any specific debate on each of the pending applications and the practice of the members of the Council of

making statements bearing on groups of applicants at a time were due to the two following factors:

(a) The pending applications had already been discussed from two to four times;

(b) The General Assembly, in its resolutions 197 C to I (III), singled out seven applicants, thus dividing the pending applications into two groups: one, the admission of which it favoured; the other, consisting of applications whereof the General Assembly requested reconsideration on their individual merits.]

CASE 29 (i)

*Debate XI**First phase of the debate: 427th-431st meetings*

At the 427th meeting on 16 June 1949, the applications before the Security Council were divided by the President (Norway) into three chronological groups:

"...first, the applications of 1946 from the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal; secondly, the applications of 1947 from Hungary, Italy, Romania, Bulgaria, Finland and Austria; thirdly, the application of 1948 from Ceylon."

The representative of the USSR declared:

"...I gather from what the President has just said that he wishes the Security Council to consider the question of the admission of new Members in chronological order."

The President replied:

"...As I said in my opening remarks, I think we should first have a general debate, and then we shall have to decide whether or not it is necessary to take a vote. At that time, we can return to the question of the order in which we shall vote."

The representative of the USSR stated:

"...I am surprised that the President should consider the agenda as adopted, as I was about to speak on the order in which the items should be considered, and not on the order of voting on them. The order of voting will naturally depend on the order in which the items are considered."

He then made the following proposal:

"The USSR delegation therefore proposes that the applications of all States for membership in the United Nations should be considered in strict accordance with the aforementioned General Assembly resolution [197 B (III)] and in the order in which they were received by the United Nations,⁴⁴ and that the Council should begin by considering that of Albania; further, that the agenda for today's meeting, and for subsequent meetings devoted to the question of the admission of new Members, should be drawn up in that same chronological order."

Before putting the provisional agenda to the vote, the President assured the representative of the USSR that

"The adoption of the agenda does not in any way prejudice the question of the order in which each application for membership will be put to the vote. I can assure the representative of the USSR that,

⁴³ For texts of relevant statements see:

384th meeting: France, p. 38; Ukrainian SSR, p. 3; USSR, pp. 2, 4, 36-37; United Kingdom, p. 3; United States, p. 4.

⁴⁴ Resolution 197 B (III) mentioned the pending applications only by way of reference to the Security Council's Special Report (A/617) in which the applicant States were listed alphabetically.

if the need arises for a discussion on each application separately, I shall put to the Council the question of the order in which each application should be discussed and voted upon."

The agenda was adopted by 9 votes to 2.

The representative of Argentina submitted seven draft resolutions⁴⁵ recommending the admission of the seven applicant States in the order in which they were mentioned in resolution 197 C to I (III). At the 428th meeting on 21 June 1949, the representative of the USSR submitted an eighth draft resolution⁴⁶ proposing the simultaneous admission of twelve applicants: Albania, Mongolia, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria and Ceylon.

At the 429th meeting on 24 June 1949, the President stated:

"... At the end of the general discussion, I shall put to the Council for decision the two procedural points which have been brought up: first, the order in which the applications shall be discussed and voted upon; and secondly, whether the draft resolution submitted by the Union of Soviet Socialist Republics shall be voted upon as a whole."

At the 431st meeting, the President (Ukrainian SSR) reiterated the suggestion made at the 429th meeting on 24 June by the former President (Norway) that no vote should be taken at that time.

The representative of Argentina stated that he would not oppose a postponement of the vote "in order to see whether in the meantime some agreement can be reached".⁴⁷

Accordingly, the President adjourned the meeting *sine die*, without putting any draft resolution or other proposal to the vote.⁴⁸

CASE 29 (ii)

Debate XI

Second phase of the debate: 439th meeting

Discussion was resumed at the 439th meeting on 7 September 1949, when a report of the Committee concerning the application of Nepal appeared on the provisional agenda as item 2, whereas the other pending applications appeared under item 3.

The representative of the USSR protested against the priority granted to an application which was the last from a chronological point of view. He proposed the reversal of the order of items appearing in the provisional agenda. This proposal was rejected by 5 votes against, 3 in favour, and 3 abstentions and the agenda was adopted.⁴⁹

⁴⁵ S/1331-S/1337. O.R., 4th year, Suppl. for June 1949, pp. 11-14.

⁴⁶ S/1340, 428th meeting: p. 12. The twelve applicants were not listed therein in the chronological order of the submission of their applications, nor in the alphabetical order of their names.

⁴⁷ For texts of relevant statements see:

427th meeting: President (Norway), pp. 5, 6-7, 10; Argentina, p. 6; Cuba, p. 9; Ukrainian SSR, p. 7; USSR, pp. 6, 7, 8-9.

429th meeting: President (Norway), p. 2; Argentina, p. 13; Egypt, pp. 14-15; France, p. 12; United Kingdom, p. 4.

431st meeting: President (Ukrainian SSR), pp. 8-9; Argentina, p. 9.

⁴⁸ 431st meeting: p. 12.

⁴⁹ 439th meeting: p. 5.

Nepal's application was then immediately discussed and voted upon, the Council failing to make a recommendation because of the negative vote of a permanent member.⁵⁰

CASE 29 (iii)

Debate XI

Third phase of the debate: 440th-445th meetings

At the 440th meeting on 9 September 1949, the representative of the USSR submitted a second version of his draft resolution in which the applicant States, including Nepal, were listed in the chronological order of the submission of their original applications.⁵¹ At the 442nd meeting on 13 September, the representative of the USSR submitted a third version of his draft resolution in which twelve applicant States were listed in the order appearing in the first version, but with Nepal added to the list.⁵²

During this phase of the debate, the Security Council discussed the various pending applications, but no attempt was made to discuss them separately in the chronological order of their submission.

No decision was taken on the order in which the applications should be discussed. At a late phase of the debate, the representatives of the USSR and the Ukrainian SSR, at the 441st meeting on 9 September, declared that, if separate votes were taken on the twelve applicant States listed in the Soviet draft resolution, they

"... will insist on the discussion of each application separately, as it would be quite irregular to take a vote without first having done so."

The President (United Kingdom) indicated that, since the representative of Argentina insisted on having his draft resolutions put to the vote, he had no alternative but to comply with his request.

The representatives of the USSR and of the Ukrainian SSR insisted that each member of the Council was entitled to discuss separately each application or to explain his vote before voting on any one of the applications.

After the President had stated that members of the Council had already had ample opportunity to say everything they wanted to say in favour of the candidates or against them, the representative of Egypt declared:

"... Until now, at the many meetings we have had on this matter... we treated the applications in a general way. We did not go into the detail of discussing each and every one of them separately, as we should certainly do."

At the 442nd meeting on 13 September, the President stated:

"... The representatives of the USSR and the Ukrainian SSR have demanded (441st meeting) that we take up and vote upon the candidates in the order of the date of submission of their original applications. I can see no ground whatever for that. The representative of the Ukrainian SSR said that applications should be considered in the order of

⁵⁰ 439th meeting: p. 16.

⁵¹ S/1340/Rev.1, 440th meeting: p. 8.

⁵² S/1340/Rev.2.

their submission. That may be so in the case of original applications, but it surely cannot apply to a request by the General Assembly for reconsideration of certain specific applications. The representative of Argentina has put forward seven draft resolutions relating to the seven countries whose applications the General Assembly has specifically asked us to reconsider, and I notice that the representative of Argentina has followed the order observed by the General Assembly.

"The representatives of the USSR and the Ukrainian SSR have asked: 'Why put Portugal first?' They should, it seems to me, put that question to the General Assembly."

At the 443rd meeting on the same day, after the President had ruled that he would put to the vote the various draft resolutions before the Council in the order of their submission, and a challenge to his ruling had been defeated, the Argentine draft resolutions⁵³ concerning the applications of Portugal, Transjordan, Italy, Finland, Ireland, Austria and Ceylon were put to the vote in the order corresponding to the order of resolutions 197 C to I (III) of the General Assembly.

Before the votes were taken in connexion with the applications of Portugal and Transjordan, a brief explanation of vote was given by the representative of the Ukrainian SSR. Brief explanations of vote were given by the representatives of Argentina and Egypt in relation to the application of Italy.

After the Council had decided to vote separately on each of the five applications not already voted upon and listed in the Soviet draft resolution, the representative of Norway, at the 445th meeting on 15 September, made a brief statement in order to explain his position on these five applications (Albania, Mongolia, Hungary, Romania and Bulgaria). The representative of Cuba also made a brief statement concerning all of the applicants. The representative of the Ukrainian SSR stated:

"... The representatives of various countries are taking the floor here and objecting to a whole group of countries—the Mongolian People's Republic, Bulgaria, Romania, Hungary and Albania.

"...

"This is yet another violation: it is a violation of our rules of procedure and of the decision taken by a majority this morning. We strove for the admission of all the thirteen members enumerated in the USSR resolution. We were told that that could not possibly be done for the simple reason that it would mean accepting and discussing the matter *en bloc*. It was therefore decided to take a separate vote on each application, that is, to discuss each application separately."

The President ruled as follows:

"... For my part, I cannot see any objection to their putting their explanations in regard to each of these individual applications into one statement. I do not see why they should be asked to make

separate interventions and separate statements before each applicant is voted on."⁵⁴

No other statements or explanations of vote were made on the above-mentioned five applications.

CASE 30

Debate XIII⁵⁵

At the 568th meeting on 18 December 1951, the representative of the USSR proposed to reverse the order of items 2 and 3, because item 3 concerned resolutions adopted by the General Assembly a year earlier than the resolution mentioned in item 2. The President (Ecuador) explained that resolution 550 (VI) had been included as item 2 because it contained an urgent request to the Security Council to reconsider Italy's application, whereas resolution 495 (V) was⁵⁶

"... one of the series of resolutions that the General Assembly has passed at intervals since 1947 recommending that the Security Council should reconsider the question."

The representatives of the United Kingdom, France, United States, Netherlands, Turkey, China and Brazil approved the sequence of the items on the provisional agenda for similar reasons.

The representative of the USSR stated that his proposal to reverse the order of items was put forward, not only from chronological considerations, but also because "the Soviet Union delegation proposes that a resolution to admit all the thirteen States to the United Nations be adopted".

An exchange of views between the representatives of the United States, the USSR and the Netherlands took place as to why the representative of the USSR felt it necessary, in the present case, to examine Italy's application in conjunction with the other pending applications, while in 1950, the USSR had not insisted that Indonesia's application be discussed in connexion with other pending applications. The representative of the USSR having remarked that Indonesia's case was a special one, the representative of the Netherlands pointed out that there was also in the case of Italy a special reason to deal with the matter expeditiously, i.e., Italy's status as administering authority and the need for its possessing full rights of membership in order for it to execute its duties completely.⁵⁷

⁵⁴ For texts of relevant statements see:

441st meeting: President (United Kingdom), pp. 20, 21; Egypt, pp. 22-23; Ukrainian SSR, pp. 12, 18, 21; USSR, pp. 13-14, 16, 23-24, 25.

442nd meeting: President (United Kingdom), p. 3; Argentina, p. 9; Egypt, p. 12; United States, p. 4.

443rd meeting: President (United Kingdom), p. 25; Argentina, p. 29; Norway, p. 26; Ukrainian SSR, p. 24; USSR, pp. 17, 18-20, 27.

445th meeting: President (United Kingdom), pp. 34; Cuba, pp. 32-33; Ukrainian SSR, pp. 33-34.

⁵⁵ This debate was concerned with the reconsideration of Italy and of thirteen other pending applications. The provisional agenda of the 568th meeting on 18 December 1951 listed Italy's application as item 2 (Reconsideration of Italy's application had been requested urgently by the General Assembly in its resolution 550 (VI) adopted on 7 December 1951). The other pending applications were included in item 3 (Reconsideration of these applications had been requested twice by the General Assembly in its resolutions 296 A to I and K (IV) and 495 (V)).

⁵⁶ 568th meeting: p. 3.

⁵⁷ For texts of relevant statements see:

568th meeting: President (Ecuador), p. 2; Brazil, p. 14; China, p. 13; France, p. 5; India, p. 11; Netherlands, p. 10; Turkey, p. 13; USSR, pp. 1, 6-7; United Kingdom, p. 3; United States, p. 5; Yugoslavia, p. 11.

The Council rejected a motion proposed by the representative of Yugoslavia and supported by the representative of India that the agenda consist of only one item: admission of new Members, with a sub-paragraph (a) concerning the application of Italy, and a sub-paragraph (b) referring to the documents relating to the general question of the admission of new Members.

The agenda was then adopted.⁵⁸ The Council proceeded to reconsider Italy's application at its 569th meeting on 19 December 1951.

2. Documentation submitted to the Security Council

CASE 31

*Debate VII*⁵⁹

At the 351st meeting on 18 August 1948, in addition to the usual documentation, consisting of the application, the formal declaration, the report of the Committee and its annexes, the Security Council had before it the summary record of the debates in the Committee and a letter directly addressed to the President of the Council by the applicant's representative transmitting information regarding the applicant. The reason for the transmission of the summary record of the debate in the Committee was that, after Ceylon's application had been discussed at the 25th meeting of the Committee and a report circulated, a new meeting of the Committee was convened by the President (Ukrainian SSR), at which the representative of the USSR proposed postponement of the consideration of the question, pending receipt of information from the applicant's Government. While the Committee refused to re-open the discussion, it decided that the summary record of its meetings would be transmitted to the Council for its information.

B. VOTING ON APPLICATIONS

1. Omission of voting on applications when previous position of members is unchanged

CASE 32

*Debate V*⁶⁰

At the 221st meeting on 22 November 1947, the representative of the USSR declared:

"There is no change in the USSR delegation's position with regard to these countries' applications."

The President (United States) ruled that, in view of the fact "that none of the members has changed his position on either of those applications", the Security Council would report to the General Assembly that its reconsideration had produced no result and "that the Security Council has postponed further reconsideration of these two applications in order to allow consultation among the permanent members".⁶¹

This ruling was not challenged and a Special Report was drawn up to this effect.⁶²

⁵⁸ 568th meeting: pp. 11, 16.

⁵⁹ This debate was concerned with the consideration of the application of Ceylon.

⁶⁰ This debate was concerned with the reconsideration of the pending applications of Italy and Transjordan.

⁶¹ 221st meeting: p. 2767.

⁶² A/515.

CASE 33

*Debate VI*⁶³

At the 280th meeting on 10 April 1948, the representative of Syria proposed postponing further voting, in view of the negative result of the vote on Italy's application, and of the unchanged attitudes of the members of the Security Council. After the representative of the United States had recalled that, in a similar situation, the Council, at its 221st meeting, had set the precedent of adjourning the matter if no change had occurred in the attitude of any member of the Council, the President (Colombia) inquired from

"... the representatives on the Security Council if any of them have changed their position from that which now stands on the record."

In the absence of any reply, it was agreed that consideration of the applications be postponed indefinitely.⁶⁴

CASE 34 (i)

*Debate XI*⁶⁵

First phase of the debate: 427th-431st meetings

At the 427th meeting on 16 June 1949, the President (Norway) suggested:

"that if statements which might be made at this meeting do not reveal any such change of position as would make it possible for the Council to recommend the admission of any or all of the applicant States, it would not be necessary for us to take a formal vote."

At the 429th meeting on 24 June, the representatives of the United Kingdom, Egypt, France and the United States held a similar view, and the President made the following formal proposal, which was not acted upon immediately.

"I therefore now formally ask the Security Council whether all representatives would be in agreement if we were now to conclude the debate without a vote and merely report to the General Assembly that we have reconsidered the applications for membership, but that the discussion has not revealed any change of attitude on the part of the members of the Council which would make it possible to make a recommendation for the admission to membership of any of the twelve States the applications of which we have been asked to reconsider."

At the 431st meeting on 20 July, the President (Ukrainian SSR) inquired whether the Council preferred not to vote at all and mentioned that such a position was apparently supported by the representative of Argentina.

The representative of Argentina, who had submitted seven draft resolutions, agreed⁶⁶

⁶³ This debate was concerned with the consideration of the new application of Burma and with the reconsideration of twelve pending applications.

⁶⁴ 280th meeting: p. 3.

⁶⁵ This debate was concerned with the consideration of a new application (Nepal) and with the reconsideration of twelve pending applications.

⁶⁶ For texts of relevant statements see:

427th meeting: President (Norway), p. 5.

429th meeting: President (Norway), pp. 18-19; Egypt, p. 15; France, p. 12; United Kingdom, pp. 3-4; United States, p. 16.

431st meeting: President (Ukrainian SSR), pp. 8-9; Argentina, pp. 9-11.

"that the Council should wait a certain time in order to show that, before replying to the Assembly that the situation has not changed, it has waited as long as possible before the date of the next session of the Assembly; however, it is understood that the Council may meet before then, to vote or to take some other decision."

Accordingly, the President, at the 431st meeting, adjourned the meeting indefinitely, without putting to the vote any draft resolution.⁶⁷

CASE 34 (ii)

Debate XI

Third phase of the debate: 440th-445th meetings

When the Security Council began to reconsider the twelve pending applications at the 440th meeting on 9 September 1949, the President (United Kingdom) asked that the Council authorize him, as President, "to report to the General Assembly that prolonged discussion here has shown that there is no change from previously adopted attitudes". The representative of Argentina asked the President to put to the vote at least one of the draft resolutions submitted by him. The representative of the USSR indicated that, if the Council decided to proceed to a vote, he would submit an amended version of his original draft resolution listing the pending applications in the chronological order of their submission and would ask that this draft resolution be also put to the vote. In reply to the proposal made by the representative of Argentina to take a vote on the admission of at least one applicant State, he made the proposal that the vote should begin with Albania whose application was the first to have been submitted to the United Nations.

At the 441st meeting on the same day, the representative of the USSR recalled that the representatives of Norway, United Kingdom, United States, France, Egypt, without counting the USSR and the Ukrainian SSR, had been of the opinion that it was not necessary to take a formal vote.

The representative of China formally moved that the Council postpone voting on the draft resolutions relating to the admission of new Members. The representative of Argentina raised objections to the Chinese motion and intimated that should the Council decide to postpone the vote requested by the Argentine delegation, he would withdraw from the Council until he had received new instructions from his Government. He also considered that the adoption of the Chinese motion would establish "a very bad precedent".

"They would allow any majority — not of a fixed bloc but of any chance bloc of seven members where a question of procedure is at issue — to prevent the minority of four from being heard and from inducing the Council to make a clear statement through the vote of its members."

After the representative of China had withdrawn his motion, the President ruled that, in view of the request of the movers of substantive draft resolutions to proceed to a vote, he had no other alternative but to put all of the eight draft resolutions to the vote.⁶⁸

⁶⁷ 431st meeting: p. 12.

⁶⁸ For texts of relevant statements see:

440th meeting: President (United Kingdom), p. 7; Argentina, p. 7; Egypt, p. 11; USSR, pp. 8-9.

441st meeting: Argentina, pp. 17-18; China, pp. 16-17; Egypt, p. 17; Ukrainian SSR, p. 18; USSR, p. 15.

2. Time and order of voting on applications

CASE 35

*Debate I*⁶⁹

Time of voting

At the 54th meeting on 28 August 1946, a United States draft resolution⁶⁹ to admit eight applicants was submitted and, at the 55th meeting on the same day, it was withdrawn. Immediately thereafter, the representative of the United States proposed to defer voting on the applications of Albania and Mongolia until the following year. The Council then examined when this draft resolution should be put to the vote; especially, whether Albania's application should be discussed before the United States motion for deferment was put to the vote. The President (Poland) suggested that the United States motion for deferment be voted upon immediately after Albania's application had been discussed.⁷¹ The representative of Mexico stated:⁷²

"...I would prefer that the Council does not vote immediately upon Albania. When we have discussed the eight applications, then the question will be raised whether, instead of voting on the applications of Albania and Outer Mongolia, as has been proposed by the United States, that action should not be deferred. If the Council then decides not to defer action, then we will take the vote on Albania and Outer Mongolia and on all the other six applicants."

There being no objection, the Council proceeded in conformity with the Mexican proposal: it discussed each application and deferred voting on them separately until after the discussion on all the eight applications was ended.

Order of voting

The applications were put to the vote in the chronological order of the receipt of the applications.

CASE 36

*Debate III*⁷³

Time of voting

At the 186th meeting on 18 August 1947, on the basis of the decision to discuss the applications in the chronological order of their submission, the first applications to be discussed were those of Albania, Mongolia, Transjordan, Ireland and Portugal. Immediately after discussion of Albania's application ended, the President (Syria) put the application to the vote.⁷⁴ He followed the same procedure in respect of each of the five applications.

After these five applications had been discussed and voted upon, the question arose whether consideration of the applications of Hungary, Italy, Austria, Romania and Bulgaria should be postponed since the peace treaties with those countries had not been ratified or, in one instance, agreed upon.

⁶⁹ This debate was concerned with the consideration of eight new applications.

⁷⁰ 54th meeting: pp. 42-43.

⁷¹ 55th meeting: p. 68.

⁷² 56th meeting: p. 87.

⁷³ This debate was concerned with the consideration of seven new applications and with the reconsideration of five pending applications.

⁷⁴ 186th meeting: p. 2037.

A proposal to postpone discussion of those applications "until a subsequent meeting, when it will be more appropriate" was not adopted.⁷⁵

Discussion thus began on Hungary's application. Objections were again raised against its admissibility on the grounds that the peace treaty with that country had not been ratified. The President stated:

"I prefer to put to the vote the postponement of the application of Hungary."

The President took a vote on this proposal. It was not adopted.⁷⁶

The President then undertook to put to the vote "the admission of Hungary to membership in the United Nations".

After discussion, the President suggested that the debate on the five applicants be postponed until the next meeting. No objection was raised. He then passed on to the applications of Yemen and Pakistan. Each was recommended unanimously for admission.⁷⁷ At the 190th meeting on 21 August 1947, the Council examined the five applications the consideration of which had been postponed; it voted on each of them successively, immediately upon the conclusion of each specific debate.

Order of voting

At the 186th meeting on 18 August 1947, the first five applications to be considered were successively voted upon immediately upon the conclusion of each specific debate, according to the order of the discussion of each application. At the 190th meeting on 21 August 1947, the Council followed the same procedure with regard to the five other applications which remained to be considered.

CASE 37

*Debate IV*⁷⁸

At the 206th meeting on 1 October 1947, in conformity with the President's (United Kingdom) proposals, each of the five applications before the Security Council was voted upon separately in the order in which the applications had been submitted to the Council, but after the discussion on all applications had been terminated.

CASE 38

*Debate VI*⁷⁹

At the 279th meeting on 10 April 1948, the new application of Burma was put to the vote immediately after its discussion was finished.⁸⁰ Italy's application was also put to the vote immediately after its discussion was terminated. Consideration of the other pending applications was postponed indefinitely.⁸¹

⁷⁵ 186th meeting: p. 2049.

⁷⁶ 186th meeting: p. 2051.

⁷⁷ 186th meeting: pp. 2052, 2055.

⁷⁸ This debate was concerned with the consideration of a new application (Finland) and with the reconsideration of four pending applications.

⁷⁹ This debate was concerned with the consideration of a new application (Burma) and with the reconsideration of eleven pending applications.

⁸⁰ 279th meeting: p. 5.

⁸¹ 279th meeting: p. 15.

CASE 39

*Debate XI*⁸²

Time of voting

At the 431st meeting on 20 July 1949, the first phase of the debate ended without any vote being taken. When discussion was resumed at the 439th meeting on 7 September 1949, Nepal's application was voted upon immediately after its discussion was finished.⁸³ Of the twelve pending applications, seven were put to the vote successively and separately at the 443rd meeting on 13 September 1949, at the end of a discussion which began at the 440th meeting and concerned them as well as other procedural or substantive matters.⁸⁴ The five remaining pending applications were put to the vote successively and separately, at the 445th meeting on 15 September 1949, at the end of a discussion which began at the 444th meeting and concerned them as well as various procedural and substantive matters.⁸⁵

Order of voting

From the outset of the debate, eight draft resolutions were before the Security Council. The representative of Argentina submitted at the 427th meeting on 16 June 1949, seven separate draft resolutions recommending the admission of seven applicants.

These draft resolutions⁸⁶ dealt with the applicants in the order in which they were listed in General Assembly resolutions 197 C to I (III) (i.e., Portugal, Transjordan, Italy, Finland, Ireland, Austria, Ceylon).

At the 428th meeting on 21 June 1949, the representative of the USSR submitted a draft resolution to recommend the simultaneous admission of twelve applicants.⁸⁷ The representative of the Ukrainian SSR stated that "the USSR proposal should be the first to be put to the vote" inasmuch as it covered the applications of the seven States mentioned in the Argentine draft resolutions as well as the other five applicants.

The representative of France remarked that, at the 427th meeting, the representative of the USSR had urged that all applications should be examined in the chronological order of their submission, but that the Soviet draft resolution did not mention the twelve applicants in chronological order.

The representative of the United States referred to the precedent of 1947 when the USSR and the Ukrainian SSR and other members of the Council had agreed to take a separate vote on each application, although a Polish draft resolution before the Council proposed the simultaneous admission of Hungary, Italy, Romania, Bulgaria and Finland. He finally proposed that a separate vote be taken on the pending applications.

The representative of Argentina observed that his draft resolutions should be put to the vote first, as they had been submitted before the USSR draft resolutions.

⁸² This debate was concerned with the consideration of a new application (Nepal) and with the reconsideration of twelve pending applications.

⁸³ 439th meeting: p. 16.

⁸⁴ 443rd meeting: pp. 29-33.

⁸⁵ 445th meeting: pp. 40-41.

⁸⁶ S/1331 - S/1337.

⁸⁷ S/1340.

After the suspension of the debate, at the 431st meeting (without any vote having been taken), Nepal's application was voted on at the 439th meeting on 7 September 1949.⁸⁸ The discussion on the twelve pending applications was resumed at the 440th meeting on 9 September. The President (United Kingdom) proposed to take no vote as there was no change in the position of the members of the Council. The representative of Argentina insisted that a vote be taken at least on the first of his draft resolutions, dealing with Portugal. The representative of the USSR stated that he did not understand "the purpose of such symbolism". He declared:

"A vote must be taken on all twelve applications, in chronological order, beginning with the application of Albania, that is to say, in the order in which they were submitted to the United Nations."

He then presented to the Council a revised text of his draft resolution, in which the applicant States were listed in the chronological order of the submission of their original applications.⁸⁹

The representative of Argentina replied:⁹⁰

"If the representative of the Soviet Union insists, then, even at the risk of exhausting the President's patience, I shall request that the seven draft resolutions I submitted should be put to the vote.

"...
"The draft resolutions referring to the specific recommendations of the General Assembly, to which, it seems, we do not all show the same consideration and respect, should be voted on first, and then all the other drafts which have been submitted."

The representative of the United States intimated:⁹¹

"If the delegation of the Soviet Union insists upon a consideration of its draft resolution by a vote, then the United States will insist upon its preliminary motion, which is that a separate vote shall be taken upon each application."

The President, referring to provisional rule 32 (paragraph 1), said that the draft resolutions would be put to the vote in the chronological order of their submission. He had no other alternative as the proposers of the draft resolutions had insisted that they should be put to the vote.⁹²

A Chinese motion not to proceed to a vote was submitted but withdrawn at the 441st meeting on 8 September.⁹³

The representatives of the USSR and the Ukrainian SSR insisted that the vote be taken according to the order of the submission of the original applications and invoked the practice followed in this respect by the Council and other organs of the United Nations. Criticizing the proposal to proceed to a vote according to the chronological order of the submission of the draft resolutions, the representative of the USSR said:

"Thus we see that this policy of discrimination against some countries and of favouritism to others makes itself felt even in the question of the order in which the Council should consider and vote upon

the applications received. In deciding this question those who pursue that policy do not wish to take into account the dates at which the applications were submitted."

At the 442nd meeting on 13 September, the President stated that the practice referred to by the representative of the USSR might be valid for new applications, but that it could not apply to pending applications.⁹⁴

At the 442nd meeting, the representative of the USSR withdrew his amended draft resolution and introduced another revision which was identical with the original draft with "one small addition to the document, namely to add the word 'Nepal' after the word 'Ceylon'".⁹⁵

The representative of Egypt observed that there was nothing mandatory as regards the order of voting on applications.

At the 443rd meeting on 13 September 1949, the representative of the USSR stated that the Argentine draft proposals were contrary to the "long established practice of voting on the applications in the order of their submission". He mentioned various precedents of 1946 and 1947.

The President, referring to provisional rule 32 (paragraph 1), ruled as follows:⁹⁶

"I have already twice intimated that I propose to put the draft resolutions to the vote, when that time comes, in that order. That is my ruling, and if it is distasteful to any member of the Security Council, he can challenge it..."

The representative of the Ukrainian SSR challenged the President's ruling.⁹⁷

The representative of Norway stated that he could not follow the President's ruling for the following reasons:⁹⁸

"The President's point of departure is that we have eight draft resolutions before us and that the precedence among them should be determined according to rule 32 of the rules of procedure. Rule 32 provides that draft resolutions shall have precedence in the order of their submission. As I read this rule, however, it prescribes only the priority between several motions and resolutions relating to one and the same agenda question. It would seem a clear departure from accepted parliamentary rules if the order in which independent questions were to be voted upon could be modified by motions and draft resolutions. I therefore submit that we should address our attention in this connexion not to the draft resolutions and their order of submission, but to the agenda itself. I think that the President will agree with me that we have twelve distinct questions before us, namely, the twelve applications for membership. Unfortunately, however, the agenda does not list these twelve questions as separate items: they are all included under sub-item 2 (a), and five of them are also listed as sub-items 2 (b) to 2 (f). In other words, the agenda does not solve the problem.

"In these circumstances it would seem the most reasonable procedure to rely on the only objective

⁸⁸ 439th meeting: p. 16.

⁸⁹ S/1340/Rev.1

⁹⁰ 440th meeting: p. 9.

⁹¹ 440th meeting: p. 10.

⁹² 441st meeting: p. 13.

⁹³ 441st meeting: pp. 17-18.

⁹⁴ 442nd meeting: p. 3.

⁹⁵ 442nd meeting: p. 4.

⁹⁶ 443rd meeting: p. 23.

⁹⁷ 443rd meeting: p. 24.

⁹⁸ 443rd meeting: p. 26.

criterion we have—namely, the chronological order of the submission of the applications for membership. I repeat that I fail to see how the priority between separate and distinct substantive questions could be determined by draft resolutions, even when the agenda is unclear and silent in this regard.”⁹⁹

The challenge to the President’s ruling was rejected by 3 votes in favour, 5 against, with 3 abstentions.¹⁰⁰

The seven Argentine draft resolutions were then put to the vote in the chronological order of their submission beginning with the draft resolution on Portugal. None of them was adopted because of the negative vote of a permanent member of the Council.

A USSR motion to declare out of order the United States motion to vote in parts on the USSR draft resolution (S/1340/Rev.2) was rejected¹⁰¹ and, subsequently, the United States motion was adopted.¹⁰²

At the 445th meeting on 15 September 1949, the Council failed to make any recommendation on the applications of Albania, Mongolia, Bulgaria, Romania and Hungary.¹⁰³ and rejected the USSR draft resolution (S/1340/Rev.2) as a whole.¹⁰⁴

3. Submission of a draft resolution recommending the admission of a number of applicant States

CASE 40 (i)

*Debate I*¹⁰⁵

At the 54th meeting on 28 August 1946, the representative of the United States submitted a draft resolution to recommend to the General Assembly that it admit to membership eight applicants.¹⁰⁶

At the 55th meeting on the same day, the representative of the USSR opposed the United States draft resolution and stated:

“We are bound to discuss each concrete application separately taking into consideration all the facts and circumstances relating to the application in question.”

The representative of Australia declared that the Security Council and the General Assembly should deal singly and separately with each application on its merits. The representative of the United Kingdom opposed the United States draft resolution because his Government had doubts concerning the qualifications of two applicants. The representatives of China and the Netherlands favoured the United States draft resolution as a practical measure, but without establishing a precedent. On a suggestion formulated by

⁹⁹ For texts of relevant statements see:

428th meeting: Argentina, p. 20; France, p. 17; Ukrainian SSR, p. 17; United States, pp. 18-20.

440th meeting: President (United Kingdom), pp. 6-7, 10; Argentina, pp. 7, 9; USSR, p. 8; United States, p. 10.

441st meeting: President (United Kingdom), p. 20; China, pp. 16-17; Ukrainian SSR, p. 18; USSR, pp. 14, 23-25.

442nd meeting: President (United Kingdom), p. 3; Argentina, pp. 9-10; Egypt, p. 12; United States, p. 4.

443rd meeting: President (United Kingdom), p. 23; Norway, p. 26; Ukrainian SSR, p. 24; USSR, p. 18.

¹⁰⁰ 443rd meeting: p. 27-28.

¹⁰¹ 444th meeting: p. 21.

¹⁰² 444th meeting: p. 25.

¹⁰³ 445th meeting: pp. 40-41.

¹⁰⁴ 445th meeting: p. 45.

¹⁰⁵ This debate was concerned with the consideration of eight new applications.

¹⁰⁶ 54th meeting: pp. 42-43.

the representative of the USSR, the representative of the United States withdrew his draft resolution and declared:

“...I am agreeable to accepting the suggestion of the representative of the Soviet Union to withdraw my motion. I am particularly ready and willing to accept that suggestion because it comes from him, and as it is quite evident that it would be the vote of the Soviet Union which would block the passage of this resolution, I therefore withdraw it.”

CASE 40 (ii)

At the 57th meeting on 29 August, after the Security Council had ended the discussion of each of the eight applications, the representative of Mexico submitted a draft resolution that the Council recommend to the General Assembly that it admit to membership all eight applicants. He added:

“We, the members of the Security Council, the Governments, and the peoples of the applicant States, as well as each one of the Members of the United Nations, and public opinion at large know that not one single objection has been made to any of the applicants that, in a spirit of justice and fairness, could be qualified as insurmountable.”

The representatives of the USSR, the United Kingdom and Australia reiterated their objections to such a proposal.

As a result of an appeal addressed to him by the representative of China the representative of Mexico withdrew his draft resolution.¹⁰⁷

CASE 41

*Debate III*¹⁰⁸

At the 186th meeting on 18 August 1947, the President (Syria) recalled that his delegation had made in the Committee on the Admission of New Members a proposal to admit the five States which had applied for membership in 1946 and had not been recommended to the General Assembly. The Committee had not, however, discussed the proposal because of lack of time. He stated:

“If it is approved and supported by some of the members, it may be discussed here.”

His suggestion was opposed by the representatives of Australia and China, who expressed the opinion that qualifications for membership should be examined separately for each applicant. The President stated:¹⁰⁹

“As long as this resolution is opposed by one of the permanent members of the Security Council, we shall not discuss it any further.”

¹⁰⁷ For texts of relevant statements see:

55th meeting: Australia, p. 50; China, p. 51; Netherlands, p. 52; USSR, p. 47; United Kingdom, p. 52; United States, p. 53.

57th meeting: President (Poland), pp. 121, 124; Australia, p. 123; China, pp. 123-124; Mexico, pp. 114-115, 124; USSR, p. 120; United Kingdom, p. 122.

¹⁰⁸ This debate was concerned with the consideration of seven new applications and with the reconsideration of five pending applications.

¹⁰⁹ For texts of relevant statements see:

186th meeting: President (Syria), pp. 2032-2033; Australia, p. 2033; China, p. 2033.

CASE 42

*Debate IV*¹¹⁰

At the 204th meeting on 25 September 1947, the representative of Poland submitted a draft resolution to recommend that five applicants (Bulgaria, Finland, Hungary, Italy and Romania) be admitted as Members of the United Nations. He stated that there was ample reason to vote on the five applications at the same time: at the Paris Conference of 1946 and again at the Council of Foreign Ministers, the problem of peace treaties with these five States had been discussed as a whole. They had also been signed the same day. Furthermore, the signatories of the peace treaties had assumed the obligation to support the applications of these countries for membership in the United Nations.

"I am led to conclude that the admission of Bulgaria, Finland, Hungary, Italy and Romania to the United Nations can now be dealt with only as a whole."

The representatives of Australia, the United States and the United Kingdom insisted that the duty laid upon the Security Council was to examine separately the qualifications of each applicant for admission.

The representative of the United States stated:

"We consider that it is the duty of the President to place each individual application for membership before the Council for a vote, and that all these applications should be voted on separately, if any member so requests."

The President (USSR), speaking as the representative of the USSR, stated:

"We are ready to agree to the admission of Italy to the United Nations, but only on the condition that all other countries which are in the same position — namely, Bulgaria, Romania, Hungary and Finland — are also admitted. We consider that it is impossible to make any separate decision on the Italian application, or to consider this case separately from other similar cases."

He also insisted that the Potsdam agreement made it mandatory on the signatory States to support the application of the former enemy States and to treat them without discrimination: that to consider the application of one State, such as Italy, separately was to deviate from the Potsdam agreement. The representative of the United States considered that each applicant had, by its conduct, to meet the qualifications of Article 4 regardless of the Potsdam agreement and stated:

"Those stipulations of the Charter are of overriding authority in all applications, in the opinion of my Government."

The representative of Belgium observed that the procedure envisaged by the Polish proposal

"would, in fact, amount to making the admission of one State dependent on the admission of one or more other States, and there is no provision for this in Article 4 of the Charter. It would mean adding to the conditions laid down in Article 4."

The representative of Poland then agreed that the vote be taken separately on each application, provided

that thereafter the President submitted the Polish draft resolution to the vote.

At the 205th meeting on 24 September 1947, the Council considered the effect of such a procedure.

The representative of Syria observed:

"...if the joint vote on all the applicants were to fail, all those applicants who previously had the affirmative vote would also fail of admission. That is impossible. No such procedure could be admissible."

The representative of Poland confirmed the interpretation given by the representative of Syria. The representative of the United Kingdom stressed that the procedure suggested by the representative of Poland would place them "in a ridiculous position," because, after voting in favour of an applicant, they would be compelled to vote against it when voting against the Polish resolution. The representative of the USSR recalled that in 1946 the United States had made a proposal to admit simultaneously to the United Nations a number of applicants, and that, if the position taken in 1947 by the USSR was regarded as "a horse-trade", the same should be said of the United States. The representative of the United States objected to a comparison of the two proposals:

"There was no 'horse-trading' proposed at a former meeting by the United States which involved a threatened use of the veto to keep a country that is qualified from being admitted into the United Nations. That is the dangerous situation in which we now find ourselves. We are apparently making a record which indicates to all the world that the veto will be used unless a certain procedure can be imposed upon this Security Council in such a manner that countries will have to vote against certain countries that they deem qualified, or for certain countries that they deem not qualified, in order to get any action taken."

After the discussion of all the applications had ended and before they were put separately to the vote, the representative of Belgium, at the 206th meeting on 1 October 1947, submitted the following proposal in order that the implication of the votes about to be cast be made clear:

"The Security Council resolves to hold a separate and final vote on each application for membership."

The representative of Poland insisted that any procedure which would tend to prevent a proposal from being submitted to the vote would "make it impossible for a draft resolution to be submitted to the Council by a minority". He requested therefore that the Belgian proposal be withdrawn and suggested that the Polish proposal be put first to the vote, after which the five applications would be voted on separately. The representative of Syria stated that the Polish draft resolution was irregular in that it implied that "there was a unity of destiny or a unity of principle between the applicants", whereas each application had to be judged on its own merits and voted on separately. He further declared that if the Polish resolution was put to the vote and rejected, the contention would probably be raised that, in view of the "general principle, according to which, when the whole is rejected, its component parts are rejected with it," the Council would have no right to vote on the separate applications, "which,

¹¹⁰ This debate was concerned with the consideration of a new application (Finland) and with the reconsideration of five pending applications.

in the opinion of the Polish representative, were considered as inherent parts of his resolution for wholesale admission of the five applicants”.

The representative of Poland then withdrew his previous consent that his draft resolution be put to the vote in parts, because the condition under which he had made such consent had not been respected. He therefore requested that the Polish draft resolution be voted upon *in toto* and not in parts especially since there was no draft resolution before the Council except the Polish proposal.

Discussion took place between the representatives of Belgium, Brazil, France, on the one hand, and the representative of Poland on the other hand, as to the interpretation of rule 32 of the provisional rules of procedure. The representative of Poland argued that it was optional and discretionary with the original mover to accept or reject the request of a representative that a resolution be voted in parts. The representative of Brazil pointed out that the draft resolutions referred to in rule 32 were those presenting a certain unity of character, whereas the Polish proposal was in reality a *plurality* of separate resolutions.

The representatives of Belgium and France stated that rule 32 merely meant that the vote on a resolution in parts was granted automatically on request without any decision of the Council, if the original mover did not object, but that the Council was always free to take procedural decisions and thus to split up a proposal, if it found that such a course of action was advisable.

The President (United Kingdom) ruled

“... that we should vote upon the Belgian proposal forthwith. If any member wishes to challenge that ruling, the way is open to him to do so.”

and intimated that he would, if necessary, rule the Polish draft resolution out of order. The President stated:

“... I did not understand that there was a proposal to divide his (Poland's) draft resolution. The situation is that the Council has before it separate applications, in some cases submitted separately, from a number of applicants.”

The President's ruling was not challenged. The representative of Poland stated:

“We are willing that the Belgian proposal, to the effect that each application should be voted upon separately, should be put to the vote first; we shall decide what to do regarding our draft resolution after that voting is completed. Perhaps we shall ask for a vote on our draft resolution, or perhaps we shall withdraw it.”

The Belgian draft resolution to hold a separate and final vote on each application was adopted by 9 votes to 2.¹¹¹

The applications of Italy and Finland were rejected because of the negative vote of a permanent member; those of Hungary, Bulgaria and Romania were rejected for failure to obtain the affirmative votes of seven members.¹¹²

The representative of Poland did not ask for a vote on his draft resolution, which was therefore not put to the vote.

After the voting on the various applications had finished, the representative of Poland gave the following explanation of his votes:¹¹³

“The Polish delegation voted in favour of the application of Hungary. After that application was rejected, however, we abstained from voting or opposed the other applications. The non-admission of Hungary has made a complete change in our original intention, which was to admit five States which are returning to normal conditions and normal diplomatic relations with all other nations.”

CASE 43 (i)

*Debate XI*¹¹⁴

First phase of the debate: 427th-431st meetings

At the 428th meeting on 21 June 1949, after the representative of the USSR had submitted his draft resolution recommending the simultaneous admission of twelve applicants,¹¹⁵ the representative of the United States submitted the following motion which he based on a precedent of 1947:¹¹⁶

“... I move as a procedural matter, that the action of the Security Council on this draft resolution S/1340, be taken up by separate consideration and a separate vote taken on the different applications made by the countries named in the draft resolution, so that each member of the Security Council may reflect the attitude of his country on each applicant...”

The representative of France considered that the USSR draft resolution was not compatible with Article 4 which

“... obliges us to judge whether those conditions of admission are fulfilled which, obviously, can only be done by taking each case separately.

“The draft is moreover contrary to the opinion of the International Court of Justice...”

No action was taken on the USSR draft resolution during the first phase of the debate.¹¹⁷

CASE 43 (ii)

Debate XI

Third phase of the debate: 440th-445th meetings

At the 442nd meeting on 13 September 1949, the representative of the United States recalled the instance

¹¹³ For texts of relevant statements see:

204th meeting: Australia, pp. 2413, 2421; Belgium, p. 2421; Poland, pp. 2411-2412, 2422; USSR, pp. 2414-2415; United Kingdom, p. 2418; United States, pp. 2414, 2416.

205th meeting: Australia, pp. 2441-2442; Belgium, p. 2438; China, pp. 2439-2440; France, p. 2438; Poland, pp. 2437, 2443; Syria, p. 2436; USSR, p. 2441, United Kingdom, p. 2439; United States, p. 2442.

206th meeting: President (United Kingdom), pp. 2473, 2474; Belgium, p. 2464; France, p. 2466; Poland, pp. 2465, 2469, 2475, 2477; Syria, p. 2467; USSR, p. 2473; United States, p. 2468.

For discussion on the interpretation of rule 32, see 206th meeting: pp. 2471-2473, see chapter I, Case 75.

¹¹⁴ This debate was concerned with the consideration of a new application (Nepal) and with the reconsideration of twelve pending applications.

¹¹⁵ S/1340; 428th meeting, p. 12.

¹¹⁶ 428th meeting, p. 20. For the precedent of 1947, see Case 26.

¹¹⁷ For texts of relevant statements see:

428th meeting: Argentina, p. 14; Canada, p. 15; France, pp. 12-13; Ukrainian SSR, p. 16; USSR, p. 12; United States, pp. 18-20.

429th meeting: Egypt, pp. 14-15; France, pp. 11-12; Ukrainian SSR, pp. 8, 10, 11; United Kingdom, pp. 2-3; United States, pp. 16-17.

¹¹¹ 206th meeting: p. 2475.

¹¹² 206th meeting: pp. 2475-2476.

of 1946 when the representative of the USSR had opposed the admission of a number of applicants to membership as then proposed by the United States and had insisted first, that applications be voted upon separately, and second, that the United States proposal be withdrawn. The representative of the United States stated that since that time the United States had always stood for a separate consideration of applications for membership unless there was a special reason for joint consideration. He also referred to rule 60 as requiring that each application be considered on its own merits.

At the 443rd meeting on 13 September 1949, the representative of the USSR invoked rule 32 (paragraph 2), and opposed the United States motion to vote in parts on the USSR draft resolution. He also criticized the reference made by the representative of the United States to rule 60:

"There is nothing in that rule to exclude the acceptance of recommendations for the admission to membership in the United Nations of several States by a single resolution.

"The delegation of the Soviet Union cannot agree that a vote should be taken in parts in regard to each country enumerated in its proposal, and insists that its draft resolution (S/1340/Rev.2) be put to the vote as a whole, as it was submitted..."

The representative of Norway thought that rule 32 was not applicable in the present case, as

"...the second part of rule 32 applies only to a proposal which refers to one separate question. If one draft resolution refers to several distinct substantive questions, the author has no right to object to the breaking up of the draft resolution..."

The representative of the United States stated:

"I think it is a fair interpretation of rule 32 to say that it does not apply when seven members — an ordinary majority of the Security Council — act instead of one member. It is always within the power of a legislative body to handle the conduct of its affairs..."

He again referred to the precedent of 1947.

The Security Council then proceeded to vote on the seven Argentine draft resolutions in the order in which they had been submitted.¹¹⁸ Immediately thereafter, the President (United Kingdom) proceeded to put to the vote the USSR draft resolution. The representative of the Ukrainian SSR stated:

"If you wish to vote on the resolution in parts, kindly put to the vote the applications of the five States not yet voted on and then vote on the draft resolution as a whole."

The representative of the USSR, however, objected to such a procedure and stated:

"We hold that our resolution can be put to the vote only as an integral whole. No separate votes on different parts of the resolution or on single countries can be permitted."

At the 444th meeting on 15 September, the representative of Egypt pointed out the inconsistency of voting on the Soviet draft resolution as a whole since some of the members of the Council would in voting

against that resolution find themselves voting against some applicant States whose applications they had voted for previously, and *vice versa*. He expressed doubt, however, as to how the text of the draft resolution could be divided and asked how the Council would divide it. The President suggested that, for the purpose of voting on the USSR draft resolution in parts, the wording of the latter draft resolution be kept but that instead of thirteen applicant States, the name of one applicant State at a time would be inserted and a vote taken on each draft resolution. The representative of Egypt wondered whether the procedure proposed by the representative of the United States was an amendment, but felt that, at any rate, it was not a division in the sense of rule 32 (paragraph 2). The representative of the United States replied:

"If that is meant as a question, I should like to answer by simply saying that there is a great difference between the status of a motion to amend and the status of this motion presented by the United States. The difference is in its effect. For example, a motion to amend could in all probability be vetoed, but this is a procedural motion and it cannot be vetoed. In making this motion, the United States was very particular to distinguish between an amendment and a motion of procedure..."

Speaking of the interpretation given by the representatives of the United States and Canada to rule 32, the representative of the USSR said that it was "false, far-fetched and illegal".

He referred again to the instance of 1946 when the representative of the United States had favoured the admission of eight applicants and recalled that the Secretary-General of the United Nations had supported that proposal, as well as the representatives of Brazil, Mexico, Egypt, China and the Netherlands.

"...the proposal submitted by the United States representative is not, in fact, of a procedural character. It is fraught with political implications and it is rather doubtful whether it can be regarded as a procedural proposal. If we adopted that proposal we would, in fact, be faced with thirteen draft resolutions instead of one..."

The President replied that one change which had intervened since 1946 was the advisory opinion of the International Court of Justice. He also intimated that he regarded the USSR draft resolution as "unconstitutional" as it purported to make the admission of certain States dependent on the admission of others "which is expressly barred by the opinion of the International Court of Justice". Finally, referring to rule 32, he said that its purpose was to avoid a discussion at each time but that the Council was not barred thereby from taking a vote on its procedure if it wished to do so as it remained master of its own procedure.

The representative of the Ukrainian SSR stated that the President's reference to the opinion of the International Court was unfounded.

The representatives of China and Egypt, referring to their position of 1946 on the question of admission of a number of applicants, said that "at that time, the United Nations was considering the first applications for membership, and we wanted to make exceptions". Furthermore they had made their support of the admission of a number of applicants conditional on approval being unanimous, a condition which had not been satisfied.

¹¹⁸ S/1331 - S/1337, O.R., 4th year, Suppl. for June 1949. 443rd meeting: pp. 29-33.

The representative of the USSR objected again to his draft resolution being divided, and stated that the United States motion was impracticable since it would result in thirteen draft resolutions instead of one. The representative of the USSR submitted a motion that the United States motion was out of order.

The USSR motion to declare the United States motion out of order was rejected by 2 votes in favour, 8 against, with one abstention.¹¹⁹

The representative of the USSR stated immediately after the voting:

"...by recognizing that the United States motion is in order, the majority of the Security Council has legalized illegality and arbitrariness. I should like this statement to be included in the record: the majority of the Security Council has taken an arbitrary step and in violation of rule 32 of the Council's rules of procedure..."

The United States draft motion to vote separately on the applications mentioned in the Soviet draft resolution was adopted by 8 votes to 3.¹²⁰

At the 445th meeting on 15 September 1949, the Council voted separately on the five applications not yet voted upon (i.e., Albania, Mongolia, Bulgaria, Romania and Hungary) and did not adopt any proposal recommending their admission.¹²¹

The Soviet draft resolution (S/1340/Rev.2) was then put to the vote as a whole, and was rejected by 4 against, 2 votes in favour, with 4 abstentions.¹²²

The representatives of the United Kingdom, France, and Canada stated that, in opposing the Soviet draft resolution they were opposing the principle underlying it: "that of making the admission of certain states dependent and conditional upon the admission of certain others". In their opinion, the Soviet draft resolution was "in conflict with the Charter of the United Nations and in disregard of the advisory opinion of the International Court of Justice". The representative of the USSR reasserted that the attitude of the United Kingdom and of the United States was inspired by their policy of discrimination against some countries and favouritism towards others and that the Soviet draft resolution was the only means to find a way out of the dead-end in which the Council found itself, although the Soviet Union had various serious misgivings and objections to several of the States patronized by the United States and the United Kingdom.¹²³

CASE 44

*Debate XIII*¹²⁴

At the 569th meeting on 19 December 1951, the representative of the USSR submitted a draft resolution to recommend the simultaneous admission of the thirteen applicants.¹²⁵ Immediately thereafter, the Security

¹¹⁹ 444th meeting: p. 21.

¹²⁰ 444th meeting: p. 25.

¹²¹ 445th meeting: pp. 40, 41.

¹²² 445th meeting: p. 45. One member cast no vote.

¹²³ For texts of relevant statements see:

442nd meeting: Argentina, p. 10; United States, pp. 6, 8.

443rd meeting: Norway, p. 26; Ukrainian SSR, p. 34; USSR, pp. 22, 35; United States, pp. 37-38.

444th meeting: President (United Kingdom), p. 12; Canada, pp. 3-4; China, p. 14; Egypt, pp. 5, 6, 15; Ukrainian SSR, p. 13; USSR, pp. 7, 8, 9, 10, 18, 21; United States, p. 6.

445th meeting: President (United Kingdom), p. 42; Canada, p. 43; France, pp. 42-43; USSR, pp. 43-44, 45.

¹²⁴ This debate was concerned with the reconsideration of Italy's application and of thirteen other pending applications.

¹²⁵ S/2449.

Council agreed to postpone discussion of the applications indefinitely.¹²⁶

4. The question of submission of a draft resolution with a view to voting on an application

CASE 45

*Debate I*¹²⁷

At the 57th meeting on 29 August 1946, the President (Poland), before putting the various applications separately to the vote, proposed to use a form of resolution submitted earlier and then withdrawn by the representative of Mexico for the collective admission of the eight applicants. He proposed to do so by removing the names of the eight applicants and by substituting successively the name of each applicant on which the vote was to be taken.¹²⁸

This proposal met with no objection and was followed.

CASE 46

*Debate III*¹²⁹

At the 186th meeting on 18 August 1947, when votes were taken on several applications, no draft resolution was submitted by any member of the Security Council.

At the 190th meeting on 21 August 1947, no draft resolution was submitted with regard to the voting on the applications of Hungary, Romania and Bulgaria. Two separate draft resolutions were, however, submitted concerning the applications of Italy¹³⁰ and Austria.¹³¹ After all the applications had been voted upon, the Council approved unanimously a draft resolution stating that the Council had taken due notice of the opinions of its members in regard to all the applications and had recommended the admission of Yemen and Pakistan.¹³²

CASE 47

*Debate IV*¹³³

At the 204th meeting on 25 September 1947, the representative of the United States insisted that each application be put separately to the vote.¹³⁴ The President (USSR) observed that no United States resolution was before the Security Council. The representative of the United States replied:

"... The President is quite correct in saying that there is no United States resolution before the Council with regard to the admission of Italy. In our opinion, however, subject to the view of the Council and to what the President may decide, it is

¹²⁶ 569th meeting: p. 33. For texts of relevant statements see: 569th meeting: France, p. 33; USSR, pp. 26-27; United States, pp. 30-31.

¹²⁷ This debate was concerned with the consideration of eight new applications.

¹²⁸ 57th meeting: pp. 124-125.

¹²⁹ This debate was concerned with the consideration of seven new applications and with the reconsideration of five pending applications.

¹³⁰ 190th meeting: p. 2127.

¹³¹ 190th meeting: p. 2130.

¹³² 190th meeting: p. 2136-2137.

¹³³ This debate was concerned with consideration of one new application (Finland) and with reconsideration of four pending applications.

¹³⁴ The representative of Poland had submitted a draft resolution recommending the admission of all five applicants (204th meeting: p. 2412).

not necessary to have a resolution. We consider that it is the duty of the President to place each individual application for membership before the Council for a vote, and that all these applications should be voted on separately, if any member so requests."

At the 206th meeting on 1 October, the representative of Poland remarked:

"Before the Council, there is only one draft resolution, namely the Polish draft of 25 September. No other draft resolution has been submitted; and we must now proceed, in accordance with the provisional rules of procedure, to vote on resolutions in the order in which they were introduced."

At the same meeting, the applications were put to the vote as follows by the President (United Kingdom):¹³⁵

"We shall now proceed to vote separately on each of the applications. The first application on which we have to vote is that of Hungary."

The votes were taken on each application in the same manner, without any draft resolution being submitted.¹³⁶

CASE 48

*Debate VI*¹³⁷

At the 279th meeting on 10 April 1948, a draft resolution to recommend the admission of Burma was submitted in writing by China,¹³⁸ and was adopted.

The President (Colombia) put the application of Italy to the vote as follows:¹³⁹

"We shall now proceed to vote on the question of recommending to the General Assembly the admission of Italy."

CASE 49

*Debate XI*¹⁴⁰

At the 445th meeting on 15 September 1949, the Security Council had before it a USSR draft resolution to recommend the simultaneous admission of all applicants.¹⁴¹ After discussion on the procedure of voting, the Council adopted a United States motion to vote on the USSR draft resolution in parts, with the object, as stated by the President (United Kingdom), of enabling "each member of the Security Council to

reflect the attitude of his country on each applicant". In response to a request by the representative of the USSR that the President read the text on which the Council would vote, the President recited the words used at the 206th meeting on 1 October 1947 when the Council had decided to vote separately on the applications listed in a Polish draft resolution for the simultaneous admission of five applicants. At the request of the representative of the Ukrainian SSR, the meeting was recessed in order that written texts might be placed before the Council. The representative of the USSR declared that he wished "to state formally for the record that we are about to vote on the proposals of the President. This is not the draft resolution of the Soviet Union..."

The President put to the vote each of the five applications not yet voted upon:¹⁴²

"Will those members of the Council who are in favour of recommending to the General Assembly that . . . be admitted to the United Nations, please raise their hands."¹⁴³

5. Conflict between a proposal to recommend admission and a proposal to postpone voting

CASE 50

*Debate I*¹⁴⁴

At the 57th meeting on 29 August 1946, the Security Council considered the order in which a recommendation in favour of Albania's application and a United States motion to defer voting on the application for a year would be put to the vote. The representative of the United States requested the President (Poland) to rule on the order of the voting, his own view being that his motion would have priority in the voting. The representative of the USSR considered that a recommendation in favour of Albania's admission which had been made in writing eight months before the presentation of the United States motion should receive priority in the vote over the United States motion. He stated that the rules of procedure required proposals to be voted upon in the order in which they were received. The representative of Australia considered that the simple common sense of the situation "was that a proposal to postpone voting on an application should be put to the vote before a vote was taken on the application itself". The representative of the Netherlands stated that rule 33 applied, since, he stated:

"If the mere motion to postpone discussion has precedence, I certainly feel sure that a motion to postpone voting has precedence."

The representative of the USSR considered the case entirely different from that contemplated in rule 33, and stated:

"This rule of procedure covers the postponement of the discussion of a particular case. But in this

¹³⁵ 206th meeting: p. 2475.

¹³⁶ For texts of relevant statements see:

204th meeting: President (USSR), p. 2414; United States, p. 2414.

206th meeting: Poland, p. 2469.

¹³⁷ This debate was concerned with the consideration of one new application (Burma) and with the reconsideration of eleven pending applications.

¹³⁸ S/717, 279th meeting: p. 4.

¹³⁹ 279th meeting: p. 15.

¹⁴⁰ This debate was concerned with the consideration of one new application (Nepal) and with the reconsideration of twelve pending applications.

¹⁴¹ At the 443rd meeting on 13 September 1949, seven draft resolutions submitted by the representative of Argentina concerning the admission of Portugal, Transjordan, Italy, Finland, Ireland, Austria and Ceylon (S/1331-S/1337) had been voted upon, and another draft resolution submitted by the representative of China concerning Nepal (S/1385) had also been voted upon at the 439th meeting on 7 September 1949.

¹⁴² 445th meeting: p. 40.

¹⁴³ For texts of relevant statements see:

444th meeting: President (United Kingdom) pp. 25, 26; USSR, p. 26. 445th meeting: President (United Kingdom), pp. 37, 38, 40; Canada, p. 38; Egypt, p. 35; Ukrainian SSR, pp. 36, 38; USSR, pp. 36, 40.

¹⁴⁴ This debate was concerned with the consideration of eight new applications.

case . . . we are now concerned with taking a decision. How can two entirely different situations be confused?"

The President stated:

"... It seems again clear by logic that the motion to postpone a vote must come before the vote itself."

The United States motion was put to the vote and was not adopted.¹⁴⁵

¹⁴⁵ For texts of relevant statements see: 57th meeting: President (Poland), pp. 119, 127, 129, 132; China, p. 131; Australia, p. 135; Netherlands, pp. 117, 135; USSR, pp. 116, 117, 130-131; United States, pp. 116, 127-128, 134.

Part VI

THE ROLE OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL

NOTE

Under Article 4 of the Charter, admission is effected by a decision of the General Assembly upon the recommendation of the Security Council. Basic questions of principle underlying procedures to facilitate the discharge of these responsibilities were discussed at the time draft rules of procedure governing the admission of new Members were being drawn up at the joint meetings of the committees established by the Security Council and the General Assembly.¹ Subsequent proceedings in the Security Council contain no material that would justify a detailed presentation of the practice of the Council in respect of matters then made the subject of agreed procedures.

Practice in respect of matters already made the subject of agreed procedures centres around the form and contents of reports submitted to the General Assembly by the Security Council in accordance with rule 60 of the provisional rules of procedure. Under this rule, the Security Council is to forward a recommendation to the General Assembly with a complete record of the discussion. If there is no recommendation, or if consideration of the application is postponed, a special report is to be forwarded with a complete record of the discussion. Notifications, whether in the form of letters or of special reports, have been forwarded to the General Assembly in respect of all applications placed before representatives on the Security Council by the Secretary-General. These notifications have been submitted before the expiration of the time limits fixed in rule 60 except in such special circumstances as the holding of a second part of a regular session, the signing of peace treaties with former enemy States, or in case of requests for urgent reconsideration of pending applications addressed to the Security Council by the General Assembly.² Although rule 60 refers only to time limits to be respected for the notification of recommendations, similar time limits have in the practice of the Security Council also been respected for the submission of special reports.

¹ See Part II on consideration of the adoption or amendment of the provisional rules regarding admission of new Members.

² In some cases, the General Assembly determined that the applicant State satisfied the requirements of Article 4 (1) and requested reconsideration of the application in the light of this determination of the General Assembly (Resolutions 113 C to H (II), 197 C to I (III), 296 A to I (IV) and 550 (VI)).

In other cases, the General Assembly requested reconsideration without making such a determination (Resolutions 35 (I) and 197 B (III)) or requested the Security Council to keep applications under consideration (Resolutions 296 K (IV) and 495 (V)). Resolutions 113 E and F (II) requested the Council to reconsider the applications of Italy and Transjordan before the end of the second session of the Assembly. Resolution 197 I (III) requested the Council to reconsider the application of Ceylon at the earliest possible moment.

When the Security Council has decided to recommend an applicant State for admission, the notification to the General Assembly has been contained in a letter from the President of the Security Council addressed to the President of the General Assembly, transmitting the text of the recommendation, the report, if any, of the Committee on the Admission of New Members, and the record of the discussion of the Council.³

When the Security Council has failed to recommend an applicant or has decided to postpone consideration of an application, the notification to the General Assembly has been contained in a "Special Report",⁴ with the following information:

- (a) The names of the applicants concerned;
- (b) How the applications were included in the agenda of the Council;
- (c) An indication of the positions of the representatives on the Council;
- (d) The decision of the Council on the applications;
- (e) A reference to the verbatim records of the relevant meetings of the Council, which, in accordance with rule 60, are transmitted to the General Assembly for its information.

Proceedings of the Security Council bearing upon questions of the relationship of Council and Assembly under Article 4 which are not governed by agreed rules of procedure contain material of greater significance for an appreciation of the attitudes of individual members of the Security Council than for the analysis of the practice of the Council. The problems involved in the relationship of the Council and the General Assembly in the matter of the admission of new Members cannot indeed satisfactorily be studied in the light of the records of the Council alone, since these problems have been debated more comprehensively in the General Assembly than in the Security Council, and have been the subject of two advisory opinions of the International Court of Justice rendered at the request of the General Assembly.⁵ The inclusion within

³ A/256, A/533, A/818, A/1402. Before 1 January 1948, the notification was sometimes referred to as a special report (S/177 - A/108), or contained in a Note from the Secretary-General to Members of the General Assembly (S/479 - A/350).

⁴ A/406, A/617, A/618, A/968, A/974, A/982. The failure of the Council to make recommendations in favour of Italy, Transjordan and Ceylon was notified by the President of the Security Council to the President of the General Assembly by means of letters (A/515, A/823).

⁵ By resolution 113 B (II) of 17 November 1947, the General Assembly requested the International Court of Justice to give an advisory opinion on the following question:

"Is a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, juridically entitled to make its consent

the present *Repertoire* of material derived from other organs of the United Nations having been deemed in general impracticable, the present note and the attached case histories will be confined to presenting the exiguous material on this point derived from the records of the Security Council.

Much debate, especially in the General Assembly, has centered on the question whether an affirmative recommendation of the Security Council in favour of an applicant is necessary for the General Assembly to admit the applicant so recommended.

In cases where a permanent member voted negatively while seven or more members voted affirmatively, or where the required majority of seven was not obtained, the Security Council reported the decision to the General Assembly, usually in the following form:

"On ... the Security Council (re)considered the application(s) of ... After a discussion, the Council voted on the proposal to recommend the admission ... to the United Nations. The result of the vote was ... As ... the proposal was not adopted."

No decisions have been taken in the form of a recommendation not to admit an applicant State. During the review of the rules of procedure concerning the admission of new Members undertaken together by the General Assembly and the Security Council, the two committees rejected a text proposed by Australia to provide that the Council could recommend the non-admittance of an applicant State. On this point, reference should be made to the report of the Committee of Experts of 25 August 1947.⁶ In the combined action of the two organs, recommendation by the Council has, in practice, been considered a prior, integral and indispensable part of the procedure of admission, the last phase of which is the decision of the General Assembly.

CASE 51

At the 81st meeting on 29 November 1946, the Security Council considered General Assembly resolution 35 (I) of 19 November 1946,⁷ which recommended that the Council re-examine the applications for membership from Albania, Ireland, Mongolia,

to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article? In particular, can such a Member, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State?"

By resolution 296 J (IV) of 22 November 1949 the General Assembly requested the Court to give an advisory opinion on the following question:

"Can the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent member upon a resolution so to recommend?"

For the advisory opinions of the Court, see: *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion: I.C.J. Reports 1948, p. 57.*

Whereas the advisory opinion of the Court of 24 May 1948 was endorsed by the General Assembly and brought to the attention of the Security Council by Resolution 197 A (III), the advisory opinion of the Court of 3 March 1950, while discussed in the General Assembly, was not the subject of a formal resolution and was, therefore, not brought to the attention of the Council by the Assembly.

⁶ See Case 2 (i).

⁷ S/197, 81st meeting: pp. 507-508.

Portugal and Transjordan "on their respective merits as measured by the yardstick of the Charter, in accordance with Article 4". In the course of the discussion, statements were made as to whether the Council was under an obligation to adopt the recommendation of the Assembly. It was also suggested that, since the Council had already instructed its Committee of Experts to establish a sub-committee to meet with the Assembly Committee on Procedure to review the provisional rules of procedure relating to the admission of new Members, consideration of the Assembly's recommendations could be postponed until the Council had acted on the new rules.⁸

The representative of Australia proposed that "the Council adopt the Assembly's recommendation and refer the question to the Committee on the Admission of New Members".⁹

The representative of Poland stated:

"... We do not consider that the Security Council is legally bound to adopt the recommendation of the General Assembly because, as one of the representatives has already stated, the General Assembly is in no way an institution of appeal for the decisions of the Security Council. If we vote for adoption of that, we do it as a free decision because we think that such a decision is politically advisable and wise."

The representative of France stated:

"... I too agree that we should accept the General Assembly's resolution. To do so would not appear to violate any of the rules, and the establishment between the organs of the United Nations of joint working methods is quite natural and highly desirable. The recommendation contemplates one such form of collaboration, and we must therefore accept it."

In summarizing the discussion, the President (United States) stated:

"It seems clear from the discussion ... that the unanimous opinion of the Council is that we should accept the resolution sent us by the General Assembly. In my view, the Council is under no legal or juridical obligation to accept that resolution. The courtesy, however, which is due from one of the principal organs of the United Nations to another principal organ of the United Nations, in which all Members are represented, would seem to make it imperative, unless the Council has overriding and important reasons of substance for refusing to accept a resolution passed by the General Assembly to the Council, that it do so ..."

The representative of the Netherlands requested that the Australian draft resolution be voted upon in two parts in accordance with rule 32, to permit him to amend the second part to postpone action on the applications until after the revised rules of procedure on the admission of new Members had been accepted by the Council and the Assembly. He also suggested that, in the first part, the word "adopt" be deleted and the word "accept" be substituted, because he was uncertain whether it was for the Council to adopt the recommendation of the Assembly. The representative

⁸ See Case 2 (i). Rule 136 of the General Assembly rules of procedure had not been adopted.

⁹ 81st meeting: pp. 508-509.

of Australia accepted the Netherlands' amendment to the first part, but not to the second.

At the request of the President, the representative of Australia withdrew the second part of his draft resolution and the representative of the Netherlands did not press his suggestion.¹⁰

The amended Australian draft resolution to "accept" the recommendation of the General Assembly was adopted without vote.¹¹

At the 82nd meeting on 10 December 1946, the President's proposal that reconsideration of the applications be placed temporarily on "the list of matters of which the Security Council is seized" was adopted without vote.¹²

CASE 52

At the 190th meeting on 21 August 1947, after the Council had rejected proposals to recommend the applications of several States, the representative of the United States submitted a draft resolution¹³ to request the General Assembly to consider the qualifications of the rejected applicants with the understanding that the Council would

"...immediately recommend to the General Assembly the admission of any of the above-mentioned applicants which the General Assembly shall have considered qualified for admission."

He stated:

"... My Government has opposed certain applications and in the General Assembly will continue to oppose them unless the reasons for our opposition change. However, in an instance of this type we should not desire our opposition to be the determining factor in keeping out of the Organization a State which, in the opinion of a two-thirds majority of the Members of the United Nations, would meet the qualifications. I submit that any other permanent member should consider taking the same attitude."

The representative of Australia supported the United States resolution:

"... My delegation warmly welcomes the United States proposal and the principle embodied in it. The members of the Council will appreciate that for two years Australian representatives have been striving for an objective which this resolution partly meets—that is, to obtain an amendment to the rules of procedure of the General Assembly and of the Security Council, in order to make the Assembly more truly sovereign on this question of the admission of new Members."

In opposing the United States draft resolution, the representative of the USSR stated:

"What is being suggested here is a reverse procedure, according to which the General Assembly must first decide whether a particular State deserves admission to the United Nations, and the Security Council must then at once approve this decision of the General Assembly. That is a direct contradiction of the procedure provided by the Charter."

¹⁰ For texts of relevant statements see: 81st meeting: President (United States), pp. 519-520; Australia, p. 508; Egypt, p. 509; France, p. 516; Netherlands, p. 515; Poland, p. 511.

¹¹ 81st meeting: p. 522.

¹² 82nd meeting: p. 524.

¹³ 190th meeting: p. 2134.

The representative of the United States withdrew his draft resolution in view of the fact that "the USSR has indicated an unalterable opposition."¹⁴

CASE 53

At the 427th meeting on 16 June 1949, in connexion with the consideration of the various applications for admission to the United Nations then pending, the representative of Argentina argued that the view that the General Assembly had no right to admit an applicant State to membership notwithstanding the failure of the Council to recommend the applicant was "erroneous". He observed that Article 4 (2) referred to the word "recommendation" without qualifying it by any adjective such as "favourable". In his opinion, the word "recommendation" might be either favourable or unfavourable, and in either case, the General Assembly had to take the final decision either to accept or reject the application. He was of the opinion that, in view of the obligation to make a recommendation to the Assembly, the Council, by postponing consideration of the application, prevented the Assembly from exercising the power which it alone possessed. Referring to observations made in the Assembly by the representative of the USSR to the effect that rule 136 (formerly 126) of the rules of procedure of the General Assembly provided that, if the Council did not make a favourable recommendation, the Assembly could not take any decision thereon, the representative of Argentina remarked that this provision authorized the Assembly to send the matter back to the Council, but could not, without violating the Charter, deprive the Assembly of the power of decision conferred upon it. He stated:

"It had been contended that applications for admission require the approval of both the General Assembly and the Security Council. This argument is not clear. If it is contended that the Council must voice its approval by a recommendation and that the Assembly must voice its approval by a decision, then we are in agreement. If, however, it is contended that both organs must take a decision on the basis of complete equality, then the contention is erroneous and contrary to the Charter, which states that the Council shall only recommend, while the Assembly shall have the power to decide."

He maintained that an examination of Articles 18 and 24 indicated that the power to decide on the admission of new Members was expressly granted to the General Assembly alone; the power to make recommendations appeared neither among the specific powers of the Council nor among its powers in Chapter V. He also referred to the consideration given to this question at the United Nations Conference on International Organization in 1945, and recalling the view of the Advisory Committee of Jurists at San Francisco regarding the provision which became Article 4 (2), cited the text of their opinion:

"... the Committee was advised that the new text did not, in the view of the Advisory Committee of Jurists, weaken the right of the Assembly to accept or reject a recommendation for the admission of a new Member, or—I draw the particular attention of the members of the Council to what fol-

¹⁴ For texts of relevant statements see: 190th meeting: Australia, pp. 2137-2138; Poland, p. 2136; USSR, pp. 2138-2139; United States, p. 2134.

lows:—'a recommendation to the effect that a given State should not be admitted to the United Nations'."

At the 429th meeting on 24 June, the representative of the United Kingdom, referring to the statement of the representative of Argentina, observed:¹⁵

"If the framers of the Charter really had meant

that whatever the Security Council's recommendation might be, favourable or unfavourable, the General Assembly could admit a candidate, surely they could not have been very content with the text of Article 4 of the Charter as they left it... If we consider the very great care which the framers of the Charter exercised to prevent overlapping of the functions of the General Assembly and the Security Council and, still more, to avoid conflict between those two organs, I cannot bring myself to believe that that was their intention."

¹⁵ For texts of relevant statements see:
427th meeting: Argentina, pp. 14-29.
429th meeting: United Kingdom, p. 4.