



GENERAL ASSEMBLY

ORIGINAL: ENGLISH

Fourth session

Item 17 of the agenda

ADMISSION OF NEW MEMBERS

Report of the Ad Hoc Political Committee

Rapporteur: Mr. Joseph NISOT (Belgium)

1. The General Assembly, at its fourth regular session, received from the Security Council the following special reports concerning the admission of new Members:
 - (a) Application of the Republic of Korea for membership in the United Nations (A/968).
 - (b) Application of Nepal for membership in the United Nations (A/974)
 - (c) Reconsideration of the applications of Albania, Austria, Bulgaria, Ceylon, Finland, Hungary, Ireland, Italy, Jordan, Mongolian People's Republic, Portugal and Romania (A/982).
2. At its 224th meeting on 22 September 1949, the General Assembly decided to refer the special reports of the Security Council to the Ad Hoc Political Committee for consideration and report.
3. The Ad Hoc Political Committee considered this item during its 25th to 29th meetings held on 31 October, 1, 2, 3 and 4 November.
4. At the 25th meeting on 31 October, the representative of Australia submitted nine draft resolutions concerning the applications for membership in the United Nations of the following States: Austria, Ceylon, Finland, Ireland, Italy, Jordan, Republic of Korea, Portugal and Nepal (A/AC.31/L.9 to 17). The draft resolutions proposed that the General Assembly should request the Security Council to reconsider these applications in the light of the determination of the Assembly that, in its judgment, the States concerned fulfilled the necessary requirements and should therefore be admitted to membership in the United Nations.
5. At the same meeting the representative of Argentina submitted a draft resolution (A/AC.31/L.13) proposing that certain questions concerning the admission of new Members should be submitted to the International Court of Justice for an advisory opinion.
6. At the 26th meeting on 1 November 1949, the representative of the Union of Soviet Socialist Republics submitted a draft resolution (A/AC.31/L.19) /proposing that

proposing that the General Assembly should recommend the Security Council to reconsider the applications of Albania, Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon and Nepal for membership in the United Nations.

7. In conformity with the request made to them by the Chairman of the Committee, at the 27th meeting on 2 November, the representative of Argentina and the Rapporteur had studied various proposals submitted to them by the delegations desiring a modification of the draft resolution (A/AC.31/L.18) submitted by Argentina. This study resulted in the submission, at the 28th meeting on 3 November, of a new text (A/AC.31/L.20) of the Argentine resolution, which proposed that the General Assembly should request the International Court of Justice to give an advisory opinion as to whether the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, could be effected by a decision of the General Assembly when the Security Council had 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 of the Council on a resolution so to recommend.

8. At the same meeting the representative of Iraq introduced a draft resolution (A/AC.31/L.21) proposing that the General Assembly should request all States members of the Security Council to apply with greater flexibility and generosity Article 4, paragraph 1, of the Charter to States that had not so far gained the seven votes of the Security Council necessary for a recommendation to United Nations membership.

9. At the 29th meeting on 4 November, the representative of the Netherlands submitted an amendment (A/AC.31/L.22) proposing to replace paragraph 2 of the Argentine revised draft resolution (A/AC.31/L.20) by the following text: "Keeping in mind the discussion concerning the admission of new Members in the Ad Hoc Political Committee at its fourth regular session". The representative of Argentina accepted the Netherlands amendment, provided that it should also replace paragraph 1 of the Argentine draft resolution.

10. A joint amendment (A/AC.31/L.23) was submitted by the representatives of the United States of America, Saudi Arabia and Iraq to the fourth paragraph of the Iraqi draft resolution (A/AC.31/L.21) proposing that the General Assembly should request the Security Council to keep under consideration in the light of Article 4, paragraph 1 of the Charter, the pending applications of all States which so far had not gained admission to the United Nations.

11. At the same meeting the Committee voted on the various draft resolutions and amendments. The results of the voting were as follows:

/(a) The nine

(a) The nine draft resolutions proposed by Australia

- (1) The draft resolution concerning the application for membership of Algeria (A/AC.31/L.9) was adopted by 42 votes to 5, with 3 abstentions.
- (2) The draft resolution concerning the application for membership of Carlon (A/AC.31/L.10) was adopted by 41 votes to 5, with 3 abstentions.
- (3) The draft resolution concerning the application for membership of Finland (A/AC.31/L.11) was adopted by 41 votes to 5, with 3 abstentions.
- (4) The draft resolution concerning the application for membership of Ireland (A/AC.31/L.12) was adopted by 40 votes to 5, with 3 abstentions.
- (5) The draft resolution concerning the application for membership of Italy (A/AC.31/L.13) was adopted by 41 votes to 6, with 3 abstentions.
- (6) The draft resolution concerning the application for membership of Jordan (A/AC.31/L.14) was adopted by 40 votes to 5, with 4 abstentions.
- (7) The draft resolution concerning the application for membership of the Republic of Korea (A/AC.31/L.15) was adopted by 37 votes to 6, with 8 abstentions.
- (8) The draft resolution concerning the application for membership of Portugal (A/AC.31/L.16) was adopted by 41 votes to 5, with 4 abstentions.
- (9) The draft resolution concerning the application for membership of Spain (A/AC.31/L.17) was adopted by 41 votes to 5, with 4 abstentions.

(b) The draft resolution proposed by the Union of Soviet Socialist Republics (A/AC.31/L.19) was rejected by a roll-call vote of 9 in favour to 30 against, with 16 abstentions.

In favour: Byelorussian Soviet Socialist Republic, Czechoslovakia, Iraq, Mexico, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Canada, Chile, China, Cuba, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Honduras, Iceland, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay.

Abstentions: Afghanistan, Colombia, Denmark, Egypt, Guatemala, Haiti, India, Iran, Israel, Liberia, Nicaragua, Saudi Arabia, Syria, Thailand, Venezuela, Yemen.

/(c) The draft

- (c) The draft resolution proposed by Argentina (A/AC.31/L.20) as amended was adopted by a roll-call vote of 37 in favour to 9 against with 8 abstentions.

In favour: Afghanistan, Argentina, Belgium, Bolivia, Brazil, Burma, Chile, China, Colombia, Cuba, Dominican Republic, Egypt, El Salvador, Guatemala, Haiti, Honduras, India, Iran, Iraq, Mexico, Netherlands, New Zealand, Nicaragua, Pakistan, Panama, Peru, Philippines, Saudi Arabia, Syria, Thailand, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay, Venezuela, Yemen.

Against: Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark, Norway, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Abstentions: Australia, Canada, Ethiopia, France, Greece, Iceland, Israel, Liberia.

- (d) The draft resolution proposed by Iraq (A/AC.31/L.21) was voted upon paragraph by paragraph,

- (1) The first paragraph of the draft resolution was adopted by 40 votes to 2, with 7 abstentions;
- (2) The second paragraph was rejected by 21 votes to 20 with 12 abstentions;
- (3) The third paragraph was adopted by 40 votes to 9, with 5 abstentions;
- (4) The fourth paragraph, as amended by the United States of America, Saudi Arabia and Iraq (A/AC.31/L.23) was adopted by 31 votes to 7, with 14 abstentions;
- (5) The Iraqi draft resolution as a whole, as amended, was adopted by 34 votes to 10, with 9 abstentions.

12. The Ad Hoc Political Committee recommends to the General Assembly the adoption of the following resolutions:

ADMISSION OF NEW MEMBERS

A.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Austria for membership in the United Nations (A/982 that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Austria, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Austria was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Reaffirms its determination that Austria is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Austria, in the light of this determination of the General Assembly.

B.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Ceylon for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Ceylon, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Ceylon was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Determines that Ceylon is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Ceylon, in the light of this determination of the General Assembly.

/c.

C.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Finland for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Finland, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Finland was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4;

1. Reaffirms its determination that Finland is in its judgment a peaceloving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Finland, in the light of this determination of the General Assembly.

/D.

D.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Ireland for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Ireland, but that no recommendation was made to the General Assembly because of the opposition of one permanent member.

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Ireland was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Reaffirms its determination that Ireland is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Ireland, in the light of this determination of the General Assembly.

E.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Italy for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Italy, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Italy was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 23 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Reaffirms its determination that Italy is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Italy, in the light of this determination of the General Assembly.

/F.

F.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Jordan for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Jordan, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Jordan was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Reaffirms its determination that Jordan is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;

2. Requests the Security Council to reconsider the application of Jordan in the light of this determination of the General Assembly.

G.

The General Assembly,

Noting from the special report of the Security Council (A/968) that nine members of the Security Council on 9 March 1949 supported a draft resolution recommending the admission to the United Nations of the Republic of Korea, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of the Republic of Korea was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Determines that the Republic of Korea is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of the Republic of Korea, in the light of this determination of the General Assembly.

H.

The General Assembly,

Noting from the special report of the Security Council on the reconsideration of the application of Portugal for membership in the United Nations (A/982) that nine members of the Security Council on 13 September 1949 supported a draft resolution recommending the admission to the United Nations of Portugal, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Portugal was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Reaffirms its determination that Portugal is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Portugal, in the light of this determination of the General Assembly.

I.

The General Assembly,

Noting from the special report of the Security Council (A/974) that nine members of the Security Council on 7 September 1949 supported a draft resolution recommending the admission to the United Nations of Nepal, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

Considering that the opposition to the application of Nepal was based on grounds not included in Article 4 of the Charter,

Recalling the recommendation of the General Assembly in resolution 197 (III)A of 8 December 1948 that each member of the Security Council and of the General Assembly, in exercising its vote on the admission of new Members, should act in accordance with the advisory opinion of the International Court of Justice of 28 May 1948, which declared that a State was not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of Article 4,

1. Determines that Nepal is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;
2. Requests the Security Council to reconsider the application of Nepal, in the light of this determination of the General Assembly.

J.

The General Assembly,

Keeping in mind the discussion concerning the admission of new members in the Ad Hoc Political Committee at its fourth regular session,

Requests the International Court of Justice 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?"

K.

The General Assembly,

Considering the special report of the Security Council on the admission of new members (A/982),

1. Requests the States permanent members of the Security Council to refrain from the use of the veto in connexion with the recommendation of States for membership in the United Nations;
2. Requests the Security Council to keep under consideration, in the light of Article 4, paragraph 1, of the Charter, the pending applications of all States which so far have not gained admission to the United Nations.
