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CONTENTS

Chairman: Mr. Alexis KYROU (Greece).

Admission of new Members: (*a*) Status of applications still pending: report of the Security Council (A/2208, A/AC.61/L.30, A/AC.61/L.31, A/AC.61/L.32, A/AC.61/L.35, A/AC.61/L.36) (*continued*)

[Item 19]*

1. The PRESIDENT reminded members that the list of speakers would be closed at 11 a.m.

2. Mr. URQUIA (El Salvador) said that the admission of new Members raised complicated and delicate problems which could not be hastily solved. Some delegations thought that it would be better to submit the question to the special committee envisaged in the draft resolution of the five Central-American States (A/AC.61/L.32) in view of the short time left to the Committee to study the matter before the closure of the session. The sponsors of the draft resolution of the four Central-American States (A/AC.61/L.31), supporting the reasons adduced, did not therefore insist on their draft being put to the vote. If the five-Power draft resolution was adopted, the four-Power draft would be submitted to the special committee, as provided in paragraph 2 of the operative part of the five-Power draft resolution. It was true that the Argentine delegation had submitted an amendment (A/AC.61/L.36) to the four-Power draft resolution but the delegation of El Salvador hoped that the Argentine delegation would not object to its draft being sent to the special committee and not put to the vote.

3. Mr. BELAUNDE (Peru) agreed with the representative of El Salvador, that the question under consideration, which had important political implications, should be studied very thoroughly and not dealt with too hastily. The present international situation was already critical enough and should not be aggravated by a debate on such a thorny problem as the admission of new Members. For that reason the Peruvian delegation suggested that the Committee should first reach a decision on the five-Power draft resolution.

4. The question before the Committee affected the structure and the very basis of the Organization. It seemed to have been solved so far by a unilateral interpretation of the Charter made by the Security Council which should be accepted with caution and thoroughly studied by the proposed special committee. Four of the five permanent members of the Security Council had stated that they did not intend to use their right of veto in connexion with the admission of new Members. The present dead-lock was therefore due solely to the attitude of the fifth permanent member of the Security Council. The special committee's terms of reference should include a study of the situation which had arisen. Mr. Belaúnde asked that the Peruvian draft resolution should be considered one of the elements of those terms of reference and reserved his right to submit an amendment to that effect to the five-Power draft resolution.

5. Mr. FERRER VIEYRA (Argentina) said that following the Salvadoran representative's statement the Argentine delegation would not insist on its amendment to the four-Power draft resolution.

6. Mr. GROMYKO (Union of Soviet Socialist Republics) said that the question of the admission of new Members was already ancient history since it dated from 1947 and was still unsolved. States which had submitted requests for admission to the United Nations and which fulfilled the conditions laid down in Article 4 of the Charter were still not Members of the Organization. That abnormal situation was due to the fact that the ruling circles of the United States and other States which supported them, were not guided by the principles of the Charter, but by egoistic considerations absolutely unrelated to peace and the strengthening of the Organization.

7. The United States Government and the governments of many other States under its influence were following a policy of discrimination and favouritism.

*Indicates the item number on the agenda of the General Assembly.

They supported only the requests of States which, like Italy and Portugal, were members of the Atlantic bloc or of those like Ireland, Austria and the Hashemite Kingdom of Jordan which the United States Government hoped would one day join it in an aggressive coalition. Violating the United Nations Charter, the Potsdam agreements and the peace treaties already concluded with certain ex-enemy States, the United States Government and the governments of a number of other States opposed the admission of Albania, the Mongolian People's Republic, Bulgaria, Hungary and Romania. It was obvious that those States fulfilled the conditions laid down in Article 4 of the Charter for admission as Members of the United Nations and that any obstacles placed in their way were unlawful and unjustified. Albania and the Mongolian People's Republic had taken part in the fight against the common enemy, and Bulgaria, Hungary and Romania, after having rid themselves of their nazi masters, had at the end of the Second World War followed a peaceful and friendly policy towards all peoples. The only reason for objecting to their admission was that they did not comply with the imperialist policy of American ruling circles.

8. Contrary to what was claimed by the United States Government (43rd meeting), the steps taken by the Governments of Bulgaria, Hungary and Romania to rid their territory of foreign agents, especially those of American nationality, who were members of the clergy, far from being a violation of the provisions of the peace treaties concluded with those countries were in complete accordance with them. The countries in question were merely defending the fundamental rights and freedoms of their peoples, which foreign reactionary circles were trying to destroy in order to restore the old political system of those countries and to expedite the realization of the aggressive plans of the countries belonging to the Atlantic bloc. In the question of the admission of new Members the United States Government was guided solely by the interests of American military circles that wished to use the peoples' democracies to further their aggressive plans, as Germany had done during the First and Second World Wars, and to take possession of their natural resources, especially Romania's oil deposits which they had plundered in former times with their European partners. They wished to set up in those countries a system similar to that of Greece whose domestic and foreign affairs were in the hands of American military missions.

9. The United States Government did not like the political structure of countries which belonged to the people's democracies, or the success which had enabled those countries to strengthen their democratic structure and to make great progress in the economic and social fields. But could membership in the United Nations be denied those countries merely because the United States did not approve of their political systems? The United Nations was made up of States with different political systems. At the San Francisco Conference it had been recognized that a State's political system could not prove an obstacle to its admission as a member of the Organization if that State was peace-loving and fulfilled the conditions laid down in Article 4 of the Charter. The United Nations would not have been set up if that principle had not been accepted.

10. The peoples of the USSR had no sympathy for the political systems of Ireland, Portugal, the Hashemite Kingdom of Jordan, Italy or Austria. However, they would agree to the admission of those countries as Members of the United Nations provided that the States mentioned in the Polish draft resolution (A/AC.61/L.35) were also admitted. The attitude of the USSR was inspired by respect for the sovereign rights of States and by a wish to strengthen the Organization by admitting all States fulfilling the conditions laid down in the Charter. The attitude of favouritism adopted by the Western Powers was likely to destroy the Organization.

11. The USSR did not agree that Italy should receive preferential treatment. The signatories to the peace treaties with the ex-enemy countries had agreed to support the admission of those States to the United Nations. The Western Powers were, however, trying to put aside those ex-enemy States which were now people's democracies and to support Italy's candidature only. Their attitude was contrary to the provisions of Article 4 of the Charter, but the attitude of the USSR was quite otherwise. Although Mussolini's armies had joined with those of Hitler in the fight against the USSR, and Italy by joining the Atlantic bloc had violated the obligations it had assumed under the peace treaty, the USSR supported Italy's candidature in the same conditions as it did those of the thirteen other States whose requests for admission were at present still pending.

12. Mr. Gromyko recalled that the USSR draft resolution (A/C.1/703) proposing that all fourteen States should be admitted simultaneously had received substantial support at the General Assembly's sixth session and in the Security Council. It was only by resorting to procedural manœuvres and by bringing pressure to bear on certain States that the United States Government had succeeded in preventing its adoption (370th plenary meeting). Thus, the statement of the United States Government that the USSR was responsible for the dead-lock in connexion with the admission of new Members was absolutely unfounded. On the contrary, it was the United States Government which was responsible for that situation by having vetoed the simultaneous admission of the fourteen countries whose requests were still pending.

13. The United States Government had not only opposed the simultaneous admission of the fourteen candidate States, but intended to impose upon the Member States the admission of Japan to the United Nations. Moreover, the situation as regards Japan had not yet been settled especially in so far as the USSR and China were concerned, in spite of the so-called peace treaty, drawn up separately and illegally, and imposed on Japan by the United States against all the decisions reached at Potsdam. Japan had been transformed into a military base by the United States as a result of that treaty.

14. The requests for admission made by Bao Dai's Vietnam and the Government of South Korea could not be entertained as their sponsors were merely puppet governments. The Democratic Republic of Vietnam alone represented the Vietnamese people and was the only one entitled to admission to the United Nations. The same thing applied to the People's Democratic Republic of Korea which was at present fighting for its freedom and independence.

15. The present situation required that the Security Council and the General Assembly should be guided solely by the principles of the Charter and the procedure it laid down as regards the admission of new Members. It was useless to raise the question, as the United States did, of the interpretation of Articles 4 and 27 of the Charter by the International Court of Justice or by the General Assembly and to contest the principle of unanimity of the permanent members of the Security Council as established by Article 27. Under its Statute and the Charter of the United Nations, the International Court of Justice could give an advisory opinion only on legal questions falling within its competence whereas the question of the admission of new Members was a political question and not a legal one. That had been recognized by the Court in the two advisory opinions it had already given.

16. In its advisory opinion of 28 May 1948[1] on the interpretation of Article 4 of the Charter, the Court had pointed out that the taking into account of such factors was implied in the very wide and flexible nature of the prescribed conditions and no relevant political factor, including any connected with the conditions of admission, was excluded. Thus, when called upon to give an opinion on a question outside its competence, the Court had recognized that Article 4 did not exclude political considerations.

17. The same comment applied to the attempts made to induce the International Court of Justice to give an opinion on the question whether the Security Council's recommendation should be supported by the affirmative votes of the permanent members of the Council and whether the General Assembly needed such a recommendation. The request for such an opinion had been useless, for the provisions of the Charter were quite clear. The question involved was one of procedure and not of substance, which had to be settled in accordance with the provisions of the Charter; before the Council could adopt a recommendation, it had to be supported by all the permanent members. In the advisory opinion issued on 3 March 1950,[2] the International Court of Justice had said that a State could not be admitted as a Member of the United Nations when the Security Council had not recommended its admission either because the applicant State had failed to obtain the requisite majority or because of the negative vote of a permanent member of the Council. In the opinion of the Court, therefore, the vote of one of the permanent members of the Security Council against the admission of a new Member was enough to prevent the Council from adopting a recommendation on the question.

18. Such a definite finding should have satisfied once and for all those delegations that had requested an opinion of the International Court of Justice but such was not the case. While it was true that the sponsors of the draft resolution (A/AC.61/L.29)—the purpose of which had been to request a further opinion of the Court on the matter—had withdrawn their proposal, there were still those who maintained that it was for the General Assembly or the International Court of Justice to interpret the Charter or, at least, those provisions relating to the admission of new Members. In substance, their theory remained unchanged. The Central-American delegations which had withdrawn their draft resolution were now submitting a new draft, sponsored by four States, to the effect that the General Assembly should consider separately each of the applications for admission that were pending and in each case should decide in favour of or against admission. That text was based on the United States proposal, which had been intended to ensure the admission of the countries supported by the United States and to prevent the admission of those which for reasons entirely foreign to the principles of the Charter were not fortunate enough to meet with that country's favour. Moreover, the text stated in a gratuitous and absurd way that the Security Council could take a decision concerning the admission of new Members without the affirmative vote of the permanent members of the Council. It invoked the statement of 7 June 1945[3] at San Francisco to claim that decisions of the Security Council concerning the admission of new Members should be taken by a procedural vote. The statement in question, however, said no such thing.

19. The Peruvian draft resolution (A/AC.61/L.30) arose from the same motives and had the same purpose: not to admit any State to the Organization except those useful to the ruling circles of the United States, and to prevent the admission of Bulgaria, Romania, Hungary, Albania and the People's Republic of Mongolia. With regard to the conditions under which the Security Council decided on the admission of new Members and the statement of 7 June 1945, the preamble of the Peruvian draft resolution contained the same absurd assertions as the draft resolution sponsored by the four Central-American States. The Central-American countries had submitted a second draft resolution, the five-Power draft, which showed clearly that their position on the issue did not rest on firmly established principles. Their arguments varied with the moment. When steps were proposed with regard to Franco Spain, those delegations became exponents of the principle of universality, which according to them would require that every country in the world, even Franco Spain, should be admitted to the Organization; but as soon as it was proposed to admit the people's democracies, that great principle lost all merit in their eyes. The position of those countries varied to suit the demands of the ruling circles of the United States.

20. It was easy to grasp the intent of the five-Power draft resolution which recommended the establishment of a special committee to make a detailed study of the question—as if the matter had not been sufficiently considered already. Once more the method proposed was contrary to the provisions of the Charter, under which the General Assembly could act only on the Security Council's recommendation. The sponsors of the draft were confusing the issue. They were asking a new committee to engage in interminable debates which, as they well knew, would produce no positive result.

21. Why did the sponsors bring forward proposals of that kind, with minor variations, at every session of

[1] See *Admission of a State to the United Nations (Charter, Article 4), Advisory Opinion, I.C.J. Reports 1948*, p. 57.

[2] See *Competence of the General Assembly for the admission of a State to the United Nations, Advisory Opinion, I.C.J. Reports 1950*, p. 4.

[3] See *Documents of the United Nations Conference on International Organization III/1/37 (1)*.

the General Assembly when they themselves must realize that such proposals could not provide a basis for a solution of the problem? They did so because the United States and the countries in its orbit wished to drag out the question of the admission of new Members as another way of preventing the admission of countries whose political structure was not honoured by the approval of the ruling circles of the United States.

22. With respect to the interpretation of the Charter, some sponsors of the various proposals said that the final decision rested with the International Court of Justice, while others maintained that it rested with the General Assembly. They forgot—or rather, pretended to forget—that the Charter had not empowered any organ to interpret the articles which established the powers of other organs. The definition and distribution of powers among the various organs were the best proof of that fact. That was how the members of the San Francisco Conference had understood the question, for the competent Sub-Committee had stated in its report of 2 June 1945[4] that each organ would interpret the sections of the Charter which applied to its powers, and that that rule would apply alike to the General Assembly, the Security Council and the International Court of Justice. The Sub-Committee had added that it was therefore unnecessary to include in the Charter a provision expressly authorizing the application of that principle. That conclusion had been reached after due deliberation and mature reflection, and only those who were determined to ignore the Charter itself could ignore that conclusion.

23. In the statements they had made at the 42nd meeting, the representatives of El Salvador and Peru had, as was their custom, slandered the USSR, accusing it of obstructing the solution of the problem. They had again raised the question of the so-called veto. Mr. Gromyko reiterated that it was wrong to allege that the USSR had abused its privileged vote; clearly the failure to solve the problem of the admission of new Members was due to the attitude of the United States. Nor was the allegation that the unanimity rule was contrary to the interests of the smaller nations any more firmly grounded in fact. It was more to the interest of the smaller nations than to that of the USSR that the unanimity rule should be maintained and respected. Whereas the great Powers were able to defend their interests, the smaller nations needed protection against the arbitrary action of certain States or groups of States which, if there were no unanimity rule, could call upon a docile majority to impose upon the Security Council decisions contrary to the principles of the Charter, to the interests of international peace and security, or to the legitimate interests of the smaller nations.

24. The representatives of the Latin-American countries, and particularly the Peruvian representative, had attempted to maintain that the USSR applied the unanimity rule with regard to the admission of new Members in a manner which was not only illegal but, according to them, contrary to the statement of 7 June 1945. In their view, the statement meant that the admission of new Members could be classed as a procedural matter to which the unanimity rule did not apply. Those assertions were ridiculous, for the statement specified that the questions on which the Security Council's decision required the unanimous vote of the permanent members included not only the fundamental questions enumerated in the Charter but also the preliminary question of whether a given matter was to be considered of a substantive or a procedural nature.

25. As for the alleged abuse by the USSR of its privileged vote, no one had the right to assume the position of arbiter in such a matter. It was for each permanent member of the Council alone to decide how it would use its vote. If the decisions on the admission of new Members had been taken in other conditions, if they had been left to the United States and the countries under its influence, then those countries which the United States favoured would have long since been admitted to the Organization and the democratic countries would still be waiting before a closed door. It was precisely to prevent the United Nations from becoming the instrument of a single State or group of States able to dictate its decisions to the Organization at will that the unanimity rule had been provided.

26. The Peruvian representative had said that in considering the admission of new members, States should be guided by common sense. In the opinion of that representative his position was the one dictated by common sense; but views could and indeed did differ on that point. If the matter was to be solved, the discriminatory policy would have to be abandoned and the democratic principles of the Charter applied. The Committee should not recommend solutions such as those which the Peruvian representative proposed; they could only complicate the issue, for they coincided with the views of those for whom the United Nations was only a branch of the United States Department of State.

27. According to the Peruvian representative, the establishment of a special committee would be a step forward which would enable a solution to be reached more quickly but in fact the proposal would only cause the Organization to waste another year.

28. It was time that the sponsors of the various draft resolutions, which were contrary to the express provisions of the Charter and which could not expedite the solution of the problem, realized that if their aim was to exert pressure on the USSR their efforts would be fruitless. Their arguments would convince no one.

29. The United States representative (43rd meeting) had merely repeated the arguments put forward by the United States delegation at previous sessions of the General Assembly. He had blamed the USSR for the present dead-lock and had advocated the setting up of a committee to study the matter, a measure that would result merely in delaying the settlement of the problem for another year. He had carefully refrained from recalling that the United States delegation in the Security Council had pressed for a vote of the Council on the applications for admission, knowing full well that the Council could not make positive recommendations because prior agreement had not been reached among the permanent members. The United States had sought to place the USSR delegation in the position of rejecting certain proposals in order to be able to charge it once more with barring the admission of new Members.

[4] *Ibid*, IV/2/B/1.

From the remarks of the United States representative it was clear that his Government intended to go on obstructing a solution of the problem.

30. The attitude of the United States representative indicated that his country's ruling circles, with the collaboration of a docile majority, intended to lead the United Nations to suit their purposes. After having practically admitted that the various draft resolutions of the Latin-American delegations concerning the admission of new Members were not consistent with the Charter, the United States representative had considered the possibility of amending the Charter, and had gone so far as to ask whether the procedure prescribed in the United States Senate, whereby the Senate could reject a decision of the President by a two-thirds majority, might not be followed for that purpose. The procedure laid down in the United States Senate, however, could not bind the Members of the United Nations. The United States representative, when speaking of collective power and wisdom, was obviously referring, in the case of power, to the number of votes on which the United States could count, and in the case of wisdom, to submission to the will of the United States. He averred that he wanted to break the dead-lock, but the policy of the United States Government remained obstructionist. When he spoke of the need to infuse new blood into the United Nations, he was thinking solely of the countries that already served the interests of the aggressive North-Atlantic bloc or were virtually its allies.

31. The USSR delegation, which loyally defended the principles of the Charter, would oppose any decision likely to delay still further a solution of the problem. Such a decision would strike a further blow against the authority of the United Nations. A grave responsibility rested on the States which were trying to drag out the settlement of the problem. World opinion was coming to realize more and more clearly that a settlement regarding the admission of new Members, like the solution of other problems, was blocked by United States obstruction. The USSR delegation could not agree that one State or any group of States should impose its will on the United Nations. States supporting such a policy, or taking refuge in silence, bore a grave responsibility.

32. The USSR delegation supported the Polish draft resolution the object of which was to open the way for the admission of fourteen States to the United Nations. It would like to hope that that text would rally the support of all other delegations and that the problem would be finally settled in conformity with the Charter.

33. Sir Gladwyn JEBB (United Kingdom) noted that many countries had long awaited admission to the United Nations. He particularly regretted the absence, among others, of Ceylon, Italy, Austria, Ireland, Portugal and Finland.

34. The United Kingdom delegation would make brief comments only on the Peruvian draft resolution and the draft of the four Central-American States. He wished at the outset, however, to reply to some of the remarks made at the previous meeting by the representative of El Salvador, who had said that the wording of the Charter should be disregarded and its provisions interpreted as they had been accepted at the San Francisco Conference and that the Committee should reject the apparently plain meaning of Article 27, paragraph 3, which laid down that decisions of the Security Council on all matters other than procedural should be made by an affirmative vote of seven members, including the concurring votes of the permanent members. In the United Kingdom delegation's view, the practice of allowing the Security Council to arrive at decisions on questions of substance by a majority of seven, which did not necessarily include the votes of all the permanent members, but permitted of an abstention by one or more of them, was in entire harmony with the Charter. If a permanent member elected not to vote at all, then he was to be presumed in law not to be objecting to the decision of the Council, and to that extent at least to be concurring in it. On the other hand, for the Security Council to arrive at a decision on a substantive matter against the declared wish and contrary to the vote of a permanent member would undoubtedly be contrary to the provisions of Article 27, paragraph 3, and consequently a violation of the Charter.

35. Everybody knew that the privilege of the veto had been abused by the USSR. The United Kingdom and the United States had made clear that if a negative vote of theirs would prevent the Security Council from recommending the admission of a new Member, they would rather abstain. On the other hand, the Soviet Union had used the veto twenty-eight times to block the admission of candidates fulfilling the requirements to the satisfaction of the vast majority of the Member States, including sometimes all the other members of the Security Council.

36. The fact that the privilege had been abused by one Member State was not a valid reason for depriving other Members of it. Admittedly the rule of unanimity of the permanent members of the Security Council which had been agreed to at the Yalta Conference and subsequently embodied in the Charter did not commend itself to several Member States. But it had been accepted by all, and until the Charter was amended in that respect the United Kingdom could not accept any proposal which would directly or indirectly abolish the unanimity rule. If the rule were abolished in one matter, such as the admission of new Members, nothing would prevent efforts to abolish it in others.

37. The representatives of Peru and El Salvador had claimed that the statement of 7 June 1945 justified their view that the veto did not apply to the admission of new Members. Sir Gladwyn knew the text of the statement well, having taken part in its preparation and he could not see how that argument could possibly be sustained. Paragraph 4 of the statement read: ". . . Decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might in the end require the Council under its responsibility to invoke measures of enforcement . . . It is to such decisions and actions that unanimity of the permanent members applies". Obviously the election of a new Member came within the category of decisions requiring the unanimity of the five permanent members. That had been the opinion of the four sponsoring Powers at San Francisco, and remained the opinion of the United Kingdom.

38. The Polish representative had said, in submitting his draft resolution (43rd meeting), that the attitude of the United Kingdom and of all other delegations that had so far opposed the admission of certain Eastern European States was a flagrant breach of the peace treaties concluded with those States. He had asserted that the United Kingdom and the other signatories to the treaties had pledged themselves to support the candidacy of those five States. In order to settle the matter once and for all, Sir Gladwyn read out the relevant text of the preamble, which was common to all the peace treaties. The conclusion of a peace treaty merely "enabled" the allied and associated Powers to support the applications for admission; it was nowhere laid down that they were bound to do so. If the United Kingdom and other States had opposed the applications for membership of the States in question it was precisely because those States had violated many provisions of the peace treaties.

39. The United Kingdom's attitude towards the Polish draft resolution remained exactly as it had been towards all "package" proposals for the admission of several new Members. The United Kingdom considered that any proposals which made the admission of one country or a number of countries conditional upon the admission of another country was contrary to the provisions of the Charter and to the advisory opinion of the International Court of Justice. Moreover, the Polish proposal included a new idea, namely, that the Security Council should submit a recommendation on the simultaneous admission of the States listed in the draft resolution. That supplied another reason for rejecting the draft resolution: it prejudged the Security Council's decision.

40. Sir Gladwyn reserved the right to speak at greater length at the appropriate time in order to sift the various arguments that had been adduced. In any case it was obvious that there was a very sharp division of opinion on the matter and that the Committee had not enough time left for satisfactory discussion. His delegation therefore welcomed the proposal to set up a special committee to study the problem generally and report back to the General Assembly's eighth session. The United Kingdom delegation hoped that the Committee would quickly conclude the general debate on the admission of new Members and would approve the setting up of a special committee. That committee's proposed terms of reference, though satisfactory, could doubtless be amended or clarified. In the light of opinions expressed during the general debate, and on the basis of the proposals submitted to the Committee, the proposed inter-sessional body would undoubtedly be able to do useful work towards solving to the satisfaction of all the problem of the admission of new Members.

41. Mr. RIBAS (Cuba) noted with some dismay that no progress had been made on the question of the admission of new Members, while the number of applications continued to grow. Several of the applications had obtained the approval of at least seven members of the Security Council, but the Council had been unable to submit recommendations to the General Assembly because one of the permanent members had maintained its veto against them. The Security Council had always interpreted Article 27 of the Charter to mean that its decisions on applications for the admission of new Members had to be made in accordance with the rule of unanimity of the permanent members.

42. In 1949, when pending applications for membership were being considered, the President of the Security Council had invited the three new Council members, Cuba, Egypt and Norway, to express their views on the subject. At the 428th meeting, the Cuban delegation had advocated the admission of all States that fulfilled the conditions laid down in Article 4 of the Charter, and adherence to the advisory opinion of the International Court of Justice of 28 May 1948, which held that a Member State was not entitled under the Charter "to subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State." It had regretted that in such an important matter, where the rule of unanimity was incompatible with the purposes of the Charter and with respect for human rights and fundamental freedoms, the Security Council had not followed the Interim Committee's recommendation (A/578) that the Council's decisions on the admission of new Members should be taken by an affirmative vote of seven of its members. The Cuban delegation had also asked the Security Council to apply the recommendation contained in paragraph 3 of the operative part of resolution 267 (III) adopted by the General Assembly on 14 April 1949.

43. A review of the debate on applications for admission showed that four of the five permanent members had supported the General Assembly's recommendations. A single permanent member, the USSR, had by its attitude not only caused the present dead-lock but in so doing had ignored the provisions of the Charter and the advisory opinion of the International Court of Justice. The USSR had made its affirmative vote subject to a specific condition—the simultaneous admission of all the applicant States. In opposing the individual consideration of each application for membership, the USSR was violating the spirit and the letter of the Charter.

44. The applications of States which were unquestionably qualified, such as Italy, would remain pending unless the Security Council changed its procedure or accepted the USSR proposal for "package" admission. In the opinion of the Cuban delegation that would be not only an arbitrary procedure, but also a dangerous precedent.

45. In the First Committee (495th meeting), at the General Assembly's sixth session, the head of the Cuban delegation had analysed every aspect of the complex problem from the legal point of view and had reached definite conclusions on the scope of the right of veto. The Salvadoran representative had referred to those conclusions during his statement (42nd meeting) on behalf of the Central-American delegations. The essential conclusion was that the admission of new Members was not subject to veto by a permanent member of the Security Council; an application approved by any seven members of the Security Council should therefore be submitted to the General Assembly for its decision.

46. The question arose: who was to rule that the admission of new Members was a procedural matter? As

the Cuban delegation had pointed out at the sixth session, the Security Council was obviously unwilling and unable to take that decision itself, since the double veto would intervene. According to the San Francisco statement of 7 June 1945, the question whether a matter was procedural had to be decided by seven affirmative votes, including those of all the permanent members. The USSR representative had stressed that point in the statement he had just made. However, the question was not as simple as it might appear. When the Security Council had considered whether the communist Chinese Government should be invited to send a representative to the Council, the Chinese representative had inquired whether the matter was one of substance. The Council had decided by a majority vote that it was a procedural matter. The Chinese representative had voted against that decision, but the President of the Council had ruled that the veto was without effect and his ruling had been upheld. At any rate the General Assembly, not the Security Council, must find a solution to the question of the procedure to be applied in voting on the admission of new Members.

47. In support of that argument Mr. Ribas cited the statement made by the Cuban representative at the 495th meeting of the First Committee showing—the USSR representative had just advanced the same argument—that each organ was entitled to interpret the rules which it was called upon to apply. That being the case, if the Security Council notified the General Assembly that an application for admission had received the affirmative votes of at least seven members but that one of the permanent members had cast a negative vote, it was the General Assembly's duty to apply, and consequently to interpret, Article 27 of the Charter in order to decide whether there was a favourable recommendation. If the General Assembly regarded the question as one of substance, it would decide that there was no recommendation. If it regarded the question as one of procedure, it would decide that seven affirmative votes were sufficient to constitute a recommendation, and it could therefore consider the application for admission and take a decision.

48. The Cuban delegation considered that the Peruvian draft resolution and the draft of the five Central-American States provided a solid basis for a careful study of the matter with a view to finding a way out of the present dead-lock. It supported those proposals and would therefore vote against the Polish draft resolution.

49. Mr. MAHMOUD (Egypt) recalled that the present dead-lock on the admission of new Members dated from 1946. Even at that time the Egyptian delegation had maintained in the General Assembly and in the Security Council, as it still maintained, the universal character of the Organization. That meant that applications for membership should be considered objectively and that candidates should not be accepted or rejected on any grounds other than those prescribed in the Charter.

50. The International Court of Justice had confirmed that view. In its advisory opinion of 28 May 1948 it had declared that a Member of the United Nations was not legally entitled to make its consent to the admission of a new Member dependent on conditions not expressly provided by Article 4, paragraph 1, of the Charter. That opinion had clarified one aspect but had not solved the whole problem. A second advisory opinion of the Court, dated 3 March 1950, stated that the General Assembly had no power to decide on the admission of a State without a recommendation from the Security Council. That had clarified another aspect, but the problem still remained practically untouched. The Security Council was in fact unable to adopt recommendations on the pending applications.

51. Nothing in the experience of recent years or even of recent months indicated that the present dead-lock would be ended. The last Security Council debates on the question showed that clearly. In accordance with resolution 506 (VI), the permanent members of the Security Council had conferred upon the pending applications for membership but had been unable to find a basis for agreement, since they had not changed their positions. Consequently, all applications for membership considered by the Council had been rejected.

52. It was said that peace was indivisible, but the co-operation of all peace-loving States was necessary to maintain and strengthen peace. To close the doors of the United Nations to certain States was to divide the world and deliberately to exclude States which desired to collaborate in the common cause. World peace and prosperity could only gain by the admission of States which by their history, civilization, culture, economic potential and social experience played an important part in international relations.

53. A study of the successive votes of the Security Council showed that several applications had obtained seven or more votes but had not been accepted because they had not received the unanimous vote of the permanent members of the Council. Certain delegations wondered whether the unanimous votes of the permanent members was necessary for a recommendation to admit a new Member who had obtained the required majority. In other words, they doubted whether the negative vote of a single permanent member of the Security Council was enough to exclude a State from the United Nations.

54. The Salvadoran and Peruvian representatives had referred to the negotiations at the San Francisco Conference which had preceded the adoption of Article 27 of the Charter. The arguments which they had adduced in support of their case merited a detailed and complete study which did not appear possible at so late a stage of the discussion.

55. The Egyptian delegation desired an adequate and practical solution of the problem of the admission of new Members, in conformity with the Charter and with the universal character of the Organization. For that reason, without prejudice to the other proposals before the Committee, his delegation favoured the draft resolution of the five Central-American States. It would be helpful for the proposed special committee to examine, calmly and objectively, the ideas and suggestions submitted to it and present to the General Assembly's eighth session concrete proposals capable of enlisting unanimous support.

56. Mr. MATES (Yugoslavia) declared that the admission of new Members would make the United Nations a truly universal community. Unfortunately, international relations since the Second World War had not developed in the spirit of understanding and

co-operation hoped for at the time of the San Francisco Conference, but that had made an effective international organization all the more necessary.

57. The acceptance of an application for admission was not to be regarded as a favour or as a certificate of good conduct granted to the applicant State, but simply as an act of political wisdom designed to facilitate the solution of international problems. Article 4 of the Charter should be applied in the light of the general interest of the United Nations. The present dead-lock could be ended only if the permanent members of the Security Council were guided by that principle. A world organization, if it were to be effective in solving major international problems, must also include States which were responsible for prevailing tensions.

58. A number of governments would obviously be embarrassed by a strict interpretation of Article 4, but there was nothing to preclude a more liberal interpretation. It should not be forgotten that, in the opinion of the majority, even certain original members of the United Nations did not always live up to the spirit of Article 4.

59. It was all the more distressing that States fulfilling all the conditions prescribed by the Charter were persistently excluded from the Organization. Apparently, however, the problem could not be solved through legal interpretation. It was essentially of a political nature, and had arisen in the early days of the Organization from the growing tension between the great Powers. The question had become a major problem only because of the privileged position of the five permanent members of the Security Council.

60. Mr. Mates then recalled the origin of the problem. In 1946 eight applications for admission had been submitted to the Security Council: those of Afghanistan, Portugal, Iceland, Ireland, the People's Republic of Mongolia, Albania, Sweden and the Hashemite Kingdom of Jordan. The United States representative had proposed in the Security Council (54th meeting) that the Council should recommend to the General Assembly the admission of those eight States. If that proposal had been adopted, an important precedent would have been established in support of the principle of universality. Unfortunately it had been rejected by another permanent member of the Security Council on the ground that "package" admission was not in order and that each application should be considered separately. Consequently Afghanistan, Iceland and Sweden had been admitted to the Organization but the applications of Ireland, Portugal and the Hashemite Kingdom of Jordan had been vetoed by the USSR representative because those three States did not maintain normal relations with that country. Those relations had not changed, but that had not prevented the USSR from including those three States in its list for admission *en bloc*. Albania and the People's Republic of Mongolia had not obtained the required majority in the Council, no doubt because of the previous USSR attitude towards the United States proposal.

61. In that way the admission of new Members had come to be a subject of bargaining between the great Powers. Obviously the question could not be solved by legal argument. The Yugoslav delegation therefore supported the draft resolution of the five Central-American delegations which would establish a special committee to study all aspects of the question and report to the General Assembly's eighth session. It was to be hoped that that committee would be able to consider all the facts of the problem and propose a solution that would ensure the universality of the Organization.

The meeting rose at 1.5 p.m.

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