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CONTENTS

Chairman: Mr. Finn Moe (NorwaY)

Admission of new Members, including the right of candidate States to present proof of the conditions required under Article 4 of the Charter (A/1887/Rev.1, A/1899, A/1907, A/C.1/702/Rev.1 and A/C.1/703) (*continued*)

[Item 60]*

GENERAL DEBATE (*continued*)

1. Mr. HRSEL (Czechoslovakia) said that responsibility for the deadlock in the United Nations on the question of the admission of new Members rested entirely with the "Anglo-American majority" in the Security Council.

2. The attitude of that majority was, moreover, inconsistent with the principle of the universality of the United Nations, which it proclaimed on every occasion while at the same time refusing to vote for the admission of the people's democracies and attempting to obtain the admission of the countries which it viewed benevolently because of their political and social régime. That discriminatory policy was a flagrant breach of the Charter. The Soviet Union, on the contrary, was acting in accordance with its rights under Article 27, paragraph 3 of the Charter.

3. The majority in the Council had pushed its discriminatory policy to extremes: for example, the United States had proposed in 1947 that States should renounce the use of the right of the veto in connexion with the admission of new Members, and the Argentine representative had submitted a proposal at the second session of the General Assembly for the calling of a conference under Article 109 of the Charter with a view to reviewing the Charter [1]. Similarly, the General Assembly had twice asked the International Court of Justice to give an advisory opinion on the question of the admission of new Members, although the Court had no competence with regard to that question or the interpretation of the Charter.

4. The representative of Peru had claimed that the third paragraph of the draft resolution was based on the advisory opinion given by the International Court of Justice on 28 May 1948; but it provided an absolutely erroneous interpretation of that opinion by stating that Article 4 paragraph 1 of the Charter was exhaustive.

5. The two questions referred to the Court had been whether a Member of the United Nations was juridically entitled to make his consent to the admission of a new Member dependent on conditions not expressly provided by Article 4 paragraph 1, of the Charter, and whether a Member, while it recognized the conditions set forth in Article 4 to be fulfilled by the State concerned, could subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State. Those questions had been deliberately formulated in such a way as to ensure that the reply should support in principle the view of the majority, that is, the United States view. Properly formulated, the question should have been as follows: was a State entitled to refuse to vote in favour of membership for a particular candidate while voting for other candidates whose claim to membership was analogous to that of the first State ?

6. It might be noted that the Court's advisory opinion had nevertheless disappointed the hopes of those who had formulated the questions: although the majority of the Court—nine judges—had given a negative reply to the two questions put to them, it was noteworthy that two judges, Mr. Alvarez and Mr. Azevedo, had appended to the Court's advisory opinion individual opinions in which they put forward views differing appreciably from the view of the other members of the majority, and in fact very closely resembling the opinion of the minority, namely, that while the conditions set forth in Article 4, paragraph 1, of the Charter were necessary, and indeed absolutely essential, they were not exhaustive. Consequently, the advisory opinion given by the Court could not be considered as expressing the unanimous views of the majority of the judges, particularly since account must be taken not only of the text of the advisory opinion, but also of the arguments advanced by each of the judges. The majority of the Court, that is, the minority plus Mr. Alvarez and Mr. Azevedo, had supported the Czechoslovak delegation's view that Article 4, paragraph 1, of the Charter must be interpreted liberally. That was, moreover, a necessary consequence of the actual text of the Article, which in no way barred Members from taking into account the political conditions

* Indicates the item number on the General Assembly agenda.
[1] See document A/331.

relating to a candidature. Thus the standpoint of the Soviet Union and of Czechoslovakia had been confirmed by the International Court of Justice.

7. The draft resolution submitted by the delegation of Peru ignored those facts. The fourth paragraph of the draft resolution introduced a new idea: that candidate States should have the right to present proofs of their qualification. Paragraph 2 of the operative part tried to treat that right as an obligation. The real intention of those paragraphs as the USSR representative had already proved, was that an investigation should be made in each case. That method would make for the automatic admission of States backed by the " Anglo-American majority ". It was flagrantly inconsistent with Article 4, paragraph 2, of the Charter, which stated that new Members could be admitted only upon the recommendation of the Security Council.

8. The universality of the United Nations, one of the alleged objectives of the Peruvian draft resolution, could not be achieved so long as the " Anglo-American majority " pursued its discriminatory policy, which it justified by fictitious arguments. For example, Bulgaria and Albania had been accused of harbouring Greek partisans. But that had nothing to do with the question of the admission of new Members, since disputes between certain candidates and certain Member States should not be used as a pretext for opposing the admission of such candidates. It had been asserted that the Mongolian People's Republic had diplomatic relations only with two other States, as though the extent of a country's diplomatic relations could be used as a criterion for determining whether that country satisfied the necessary conditions for membership in the United Nations.

9. The inconsistency of the majority case was obvious when it was considered that that majority had supported the candidature of a State which had fought on the side of the axis Powers during the Second World War, whereas it had refused to vote for the admission of Albania and the Mongolian People's Republic, which had fought heroically by the side of the Allies. Similarly, it had recommended the admission of Austria, with which no treaty of peace had yet been concluded, whereas it refused to allow the admission of Bulgaria, Hungary and Romania, with which peace treaties had long ago been signed and ratified. Yet under the terms of those peace treaties the victorious Powers were required to support the admission of the three States to membership in the United Nations. All those facts proved that the " Anglo-American majority " used dual standards when it came to considering the admission of new Members.

10. The adoption of the Peruvian draft resolution was a new attempt to violate the Charter, particularly in regard to the principle of the unanimity of the great Powers, which was one of the safeguards of international peace and security. That principle should therefore be respected in dealing with the important political question of the admission of new Members, and the Security Council should obtain unanimity among the great Powers on a recommendation to admit candidate States. Any attempt to confuse the issue or to infringe that principle would be calculated to destroy the very ideas on which the United Nations was based.

11. For those reasons the Czechoslovak delegation would vote against the Peruvian draft resolution (A/C.1/702/Rev.1). It was convinced that the draft resolution submitted by the USSR (A/C.1/703) offered the only equitable solution of the problem consistent with the principle of the universality of the United Nations. It would therefore vote for that proposal.

12. Mr. POLITIS (Greece) felt that the deadlock in the United Nations with regard to the admission of new Members was due to a defect in the operation of the voting system in the Security Council. The situation should be remedied as soon as possible. The Cuban representative had already indicated a possible method, and the Greek delegation would be prepared to support him as soon as concrete proposals were submitted. In the meanwhile the immediate problem should be taken up. The elements of the problem were to be found in Article 4 of the Charter, in the two advisory opinions of the International Court of Justice, in the records of the Security Council, and in the requests for admission submitted by various States. Mr. Politis pointed out that one omission seemed to have been made when the applications were listed: the application of the Republic of Korea, an important one since it came from a people fighting for their independence and freedom.

13. The Security Council should have applied in each case the criteria set forth in Article 4, paragraph 1, of the Charter. It had, however, been confronted by the attitude of the USSR delegation, which maintained that those requests as a whole should be recommended by the Council. That attitude implied contempt for the provisions of the Charter, which insisted on clear and specific precautions in regard to the admission of new Members. Admittedly the principle of the universality of the United Nations had been quoted in support of that attitude. But why should there be more reason to respect that principle than the principles set forth in Article 4, paragraph 1 ? Did the principle of universality imply that the doors of the United Nations should be left open to all without formality ? Article 4, on the contrary, attached certain clearly specified conditions to the universality of the United Nations.

14. There were in the world rebel States just as there were rebel individuals. He could give examples. A State laid mines in important sea routes and foreign ships ran into those mines. There were many casualties and considerable material damage was done. The guilty State, on being tried and condemned by the International Court of Justice, refused to accept the Court's decision. The same State used mines and guns to prevent navigation in the territorial waters of a neighbouring State. If the latter took action, it would find itself involved in a armed conflict.

15. Another State undertook, in virtue of a treaty, various obligations, in particular towards its neighbours. It totally disregarded the treaty and even refused to have anything to do with its neighbours.

16. A number of other States plotted against a third. The fact was established by United Nations organs. The United Nations condemned those States, whereupon the latter declared that the action of the United Nations was illegal and continued their plotting. Tens of thousands of children were carried away from their families, and thousands of hostages were held in those States. The United Nations condemned such practices. The International Red Cross and the League of Red Cross Societies appealed to reason and humanity. All those efforts were spurned.

17. The facts cited by Mr. Politis were all clearly set forth in United Nations documents. Could it be asserted that the States in question had proved that they fulfilled the conditions for admission required under Article 4 of the Charter ? Would they deserve to be admitted to the United Nations under a collective arrangement proposed in the name of the principle of universality ? Such a suggestion was inconsistent with the Charter and must be rejected.

18. On the basis of such ideas, the Greek delegation agreed with the guiding principles of the draft resolution submitted by the Peruvian delegation. It had, however, reservations to make on certain details.

19. The submission of evidence by an applicant State establishing its qualifications did not seem to be an adequate guarantee, because the factor on which the judgment of the United Nations must be based was the conduct of a State, and such conduct must above all be in keeping with the Charter. It was difficult to imagine any applicant State submitting evidence of that kind. The most which could be done was to provide that an applicant State should be heard if the United Nations deemed it necessary. It was probably for those reasons that the Preparatory Commission of the United Nations had decided not to list the evidence required of a State to qualify and that it had decided to abide by the existing text of Article 4.

20. At all events the main thing was to remind the Security Council of its obligation to consider each request for admission separately and to judge each of them on its own merits.

21. Mr. NINCIC (Yugoslavia) stressed that the question of admitting new Members was of particular interest to his country, since only one of the seven States adjacent to Yugoslavia was a Member of the United Nations, while the applications of the other six were pending.

22. A new effort should be made to break the deadlock in the United Nations on that question. The problem, which was political in its origin and in its effects, could not be solved on a juridical, but only on a political, basis. The political solution must be the admission of the applicant States as a group, and it should be noted that an increasing number of representatives appeared to share that view.

23. Although Yugoslavia recognized that all of those States did not fulfil to the same extent the conditions required under Article 4 of the Charter—and, in particular, that some of its neighbours did not show any ardent desire for peace or any consistent respect for their international obligations—it would not oppose their admission. It would adopt that attitude not only to facilitate the collective solution which it advocated, but also because it felt that such a course would make it easier to establish normal relations with the States in question and would thus serve the cause of peace and security in its part of the world.

24. Only such a solution would contribute to the universality which the United Nations should achieve if it did not wish to see its possibilities for action seriously impaired. Admittedly the Charter nowhere referred to the concept of the universality of the United Nations ; but it should be remembered that, in the days of San Francisco, the expression " United Nations " had still been synonymous with a military alliance. However, if reference were made to Article 2, paragraph 6, of the Charter dealing with non-member States, it seemed that the authors had been already aware of the disadvantages resulting from the absence of some of the States of the world. The character of the Organization had since developed, and the need for universality had become more compelling than ever.

25. For those reasons the Yugoslav delegation would support any proposal which recommended that the Security Council should vote for the applicant States as a group.

26. Mr. CHERNUSHENKO (Byelorussian Soviet Socialist Republic) considered the draft resolution submitted by the Peruvian delegation to be a new attempt by the representatives of the " Anglo-American bloc ", headed by the United States of America, to settle the question of admitting new Members not only by disregarding, but even by violating, the relevant provisions of the Charter. The primary object was to circumvent the provision of Article 4, paragraph 2 of the Charter, which set forth clearly that the General Assembly should decide on the admission of an applicant State upon the recommendation of the Security Council. The Colombian representative had gone so far as to assert that, if the Security Council did not submit a recommendation, the General Assembly could decide unilaterally. Such statements were contrary to the Charter and represented a new attempt to circumvent the Security Council.

27. The Cuban representative had stated at the 459th meeting that the International Court of Justice had not clarified the matter of the application of the principle of the unanimity of the great Powers in the Security Council with regard to the admission of new Members. Although the Byelorussian delegation still maintained the view that the International Court of Justice was not competent to deal with the matter, it felt obliged to recall the advisory opinion given by the Court on 3 March 1950 [1]. According to that opinion a State could not be admitted to membership in the United Nations, under Article 4, paragraph 2, of the Charter, by a decision of the General Assembly when the Security Council had not recommended its admission, either because the applicant State had not obtained the required majority or because a permanent Member had voted against a resolution recommending its admission.

28. As already shown by the representative of the Soviet Union, the Peruvian proposal was not in keeping with the provisions of the Charter or with the rules of procedure of the Security Council and of the General Assembly. It was intended to make way for the admission to the United Nations of certain States which enjoyed the support of the United States and, at the same time, to prevent the admission of Albania, the People's Republic of Mongolia, Bulgaria, Romania and Hungary. Article 4 of the Charter did not provide that a State should submit documents in support of its qualifications as a Member of the United Nations. Nor was any such obligation to be found in the provisional rules of procedure of the Security Council nor of the General Assembly. The sponsors of the Peruvian draft resolution had obviously acted not on the basis of Article 4 of the Charter but for quite different reasons.

29. He pointed out that the delegations of El Salvador, Guatemala, and Honduras, in their explanatory note regarding the request that the item should be included in the agenda of the current session of the General Assembly (A/1906), had expressed the hope that States, with which they had common racial, political or social ties, would be admitted, although no such criterion was to be found in Article 4 of the Charter. If those three States really wished to expedite the admission of the States with which they had common ties, they should not impede the admission of other democratic States.

30. On the other hand, the draft resolution submitted by the USSR delegation (A/C.1/703) pointed to a solution of the problem. The proposal was that all the applicant States should be admitted without discrimination. Several representatives, particularly the Syrian representative, had already advocated the adoption of that method. That proposal, which was based on the clear and simple provisions of the Charter, would make it possible to solve the problem fairly and without delay. The delegation of the Byelorussian SSR would therefore vote for it and against the draft resolution submitted by the Peruvian delegation.

[1] 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.

31. Mr. QUEVEDO (Ecuador) was afraid that the opposition shown not only to the entry of all States to the United Nations but even to the admission of a few might constitute an obstacle to the achievement of satisfactory results and render the debate fruitless.

32. The delegation of Ecuador had consistently supported the principle of universality. It had, in 1948, stated in the *Ad Hoc* Political Committee that it should ultimately be obligatory for all States to become Members of the United Nations. Recently, moreover, the representative of Ecuador in the Security Council had said that the United Nations should aim at universality, since it would be far easier to maintain peace and security if all peace-loving States were members of the Organization. He had added that, where any doubt existed as to the qualifications of a State applying for membership, it should be given the benefit of the doubt, since its admission might possibly lead to a change in its policy.

33. It was probably unnecessary for the General Assembly to consider the applications of States for whose admission it had already voted. It would, however, be useful if the Assembly were to reconsider the applications which had not hitherto obtained a favourable vote, since a changed situation might possibly result in a change of attitude toward those States on the part of the General Assembly.

34. Clearly, in spite of the precedents, doubts had been expressed and still remained as to the construction to be placed on the Security Council's vote when it had considered the admission of a new Member—a construction which hinged upon the interpretation given to Articles 4, 24 and 27 of the Charter. The advisory opinion of the International Court of Justice of 28 May 1948 [3] further strengthened such doubts, and the opinion of the Court of 3 March 1950 [4] left the fundamental question unsolved, as it was based on the premise of the absence of any recommendation by the Council. If the Court had been required to reply to the question whether the negative vote of a permanent Member was sufficient to invalidate a recommendation of the Council which had received at least seven favourable votes, the question would have been finally decided—unfortunately, however, the Court had not been asked to answer that question.

35. If the Assembly wished to interpret the provisions of the Charter relating to the voting in the Security Council on a recommendation for the admission of new Members, it should bear in mind the fact that it had already established a series of rulings on the matter by adopting resolutions 113 (II), 197 (III), and 296 (IV).

36. By its resolution 113 A (II) the General Assembly in effect recommended that the five permanent members of the Security Council should consult with a view to reaching agreement on the recommendation of applicants which had made a previous request and whose admission had not been recommended. That meant that the Assembly had believed that the Security Council's recommendations required the affirmative vote of all the five permanent members. Resolution 197 (III) and resolution 296 (IV), of the General Assembly were based on the same interpretation.

37. Moreover, every delegation had taken up its position on the matter in the past. Thus, if the Assembly wished to reconsider the caselaw it had established, new and convincing arguments would have to be submitted. Furthermore, a new interpretation by the General Assembly could obviously, in no circumstances, contradict the provisions of the Charter. At any rate, the delegation of Ecuador would be unable to go to such lengths. Under those conditions, a decision regarding a change in the interpretation of Article 4 could only be taken after a thorough study, which would make it plain to all that no infringement of the United Nations Charter was implied. In any case, the delegation of Ecuador was not prepared at the present juncture to make any definitive statement on the matter.

38. In making those observations, the delegation of Ecuador did not wish to imply that any of the drafts submitted were inconsistent with the Charter. It reserved the right to comment at a later stage on the various draft resolutions and amendments which had been, or would be, submitted. It considered that the Peruvian draft resolution did not imply any change of interpretation with regard to the Security Council's recommendation on the admission of new Members nor any obligation on the part of the General Assembly to adopt or reject the Security Council's further decision. In its opinion, the existing atmosphere of mistrust was not very propitious for the admission of new Members. The best solution would probably be a political one, namely an agreement between the five permanent members of the Council. That solution, however, also appeared improbable as matters stood.

39. The delegation of Ecuador regretted that all the States whose admission had already been recommended by the General Assembly had not yet become Members of the United Nations. It particularly deplored the absence of Italy, whose application had been supported by an enormous majority, of the Republic of Korea, which at present constituted the touchstone of the Organization, and of Libya, whose accession to independence was due to the United Nations.

40. Sir Gladwyn JEBB (United Kingdom) congratulated Mr. Belaunde on his admirable speech (494th meeting), which had done much towards clarifying the problem. The Peruvian draft resolution had the essential merit of avoiding both the danger of stagnation and the still greater danger of a lack of moderation.

41. The United Kingdom delegation would vote for the Peruvian draft resolution—subject to the omission of a word in paragraph 5 of the operative part, as those proposals were founded on the principle of objectivity recognized by the International Court of Justice in its opinion of 28 May 1948.

42. That principle of objectivity implied that applications should be examined impartially and that Members should base themselves solely on whether the applicants fulfilled the conditions prescribed in Article 4 of the Charter. It was not always easy to ascertain whether an applicant fulfilled those conditions. Nevertheless, the admission of a State should not be made to depend upon conditions not prescribed in Article 4, such as the political character of the applicant. The International Court of Justice in its opinion of 28 May 1948, and the General Assembly in its resolution 197 (III), had stipulated that in no case should the request for admission by a State be rejected for reasons not provided for by Article 4.

43. The facts mentioned in the second paragraph and in paragraph 2 of the operative part and of the Peruvian draft resolution were not limitative. Those facts should undoubtedly be considered whenever the application of a State was examined and there was every reason to suppose that the competent bodies of the United Nations had taken them into account in the past. There was no harm in

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

drawing attention to those facts. However, it was also necessary to take into account the political element to which the USSR representative had referred, as at times, in spite of their desire to be objective, the members of the Security Council introduced an element of political appreciation when they came to consider the evidence, albeit of a concrete nature, which was submitted to them. Consequently, it would be desirable to amend paragraph 1 of the operative part, of the Peruvian draft resolution by deleting the word " juridical ".

44. It had been primarily because of that political factor that the Charter had laid down that the Security Council, which bore the main responsibility for maintaining international peace and security, should be required to make a previous recommendation to the General Assembly regarding the admission of new Members. In that connexion, the rule of the veto had given rise to criticism. Such criticism, however, did not affect the problem under consideration.

45. The Cuban representative believed that the might of veto should not be exercised when the Security Council made a recommendation on the admission of an applicant. The United Kingdom delegation, however, did not consider that to be the case and believed that there was the clearest legal indication that no applicant could be admitted against the formal negative vote of one of the permanent members of the Security Council. The United Kingdom delegation had already stated that it would not exercise its right of veto and would confine itself to abstaining in the case of an applicant having the support of certain other members of the Council. That view was shared by the majority of the permanent members, and it was to be hoped that it would eventually be accepted by all of them. Nevertheless, as the International Court of Justice had indicated, the negative vote of a permanent member would only be illegal if it had been cast for reasons other than those laid down in Article 4 of the Charter.

46. If the Peruvian draft resolution were amended in such a way as no longer to be based solely on juridical criteria but also to take into account political elements, its originality would reside in the fact that, as a general rule, applicants would be required to submit evidence in favour of their applications. However, the submission of such evidence should be optional since, in the past, many States had been admitted without submitting any evidence. Furthermore, it was possible that certain applicants might not have concluded non-aggression treaties or that, indeed, they might prefer their evidence not to be publicly examined by Member States with which they might not at the moment be on very friendly terms. Consequently, some applicants might hesitate to supply oral evidence. Nevertheless, there should be nothing to prevent the applicant who wished to supply such evidence from so doing.

47. The United Kingdom delegation again rejected the USSR representative's suggestion that the United States and the United Kingdom delegations were responsible for the existing deadlock because, as he put it, they had discriminated against certain applicant States. The United Kingdom delegation had confined itself to withholding its support from those of the applicants which it had considered did not fulfil the conditions prescribed in Article 4 of the Charter. It had, moreover, been supported in that attitude by a large majority, both in the Council and in the Assembly. On the contrary, it was the exercise of the veto by the Soviet Union, even against those applicants which it did not profess to regard as not fulfilling the conditions prescribed in Article 4, which had been responsible for the deadlock.

48. The USSR draft resolution was unnecessary since the last paragraph of the Peruvian draft resolution recommended that the Council should reconsider all pending applications for membership. That provision was surely preferable to the corresponding provision of the USSR draft resolution, which excluded the consideration of the request for admission of the Republic of Korea. If, therefore, the Peruvian draft resolution were adopted, the USSR draft resolution would become otiose.

49. The United Kingdom delegation would vote against the USSR draft resolution if it implied that the Security Council would accept *en bloc* all the States mentioned. However, as it did not consider that the draft resolution thus prejudged the attitude which the members of the Security Council might adopt, the United Kingdom delegation would abstain.

50. As the Chilean representative had already remarked, universality, although clearly one of the aims of the United Nations, did not constitute an immediate aim laid down by the Charter. As Mr. Eden had stated on several occasions, everything should be done to broaden the basis of the United Nations. It was to be hoped, therefore, that the Security Council would find it possible to agree on a recommendation to admit at least some of the applicants. The continued exclusion of Italy and Ceylon was a flagrant instance of the inability of the USSR delegation to apply the principle of objectivity to its considerations of individual cases.

51. Mr. SHCHERBATYUK (Ukrainian Soviet Socialist Republic) recalled that, since 1946, the question of the admission of new Members had constantly appeared on the general Assembly's agenda. The question of the admission of fourteen states was once again before the Assembly. Some of them had applied for admission as early as 1946 and 1947. Their applications had been examined by the Security Council and the General Assembly, but they had not obtained membership owing to the opposition of the United States and some other States belonging to the " Anglo-American bloc ".

52. The delegation of the Ukrainian SSR, in its desire to strengthen the United Nations, had voted at the fifth session for the USSR draft resolution proposing the simultaneous admission of thirteen States [1]. The United Kingdom and United States delegations had, however, taken up the unacceptable position that only States within their political and economic sphere of influence or belonging to the aggressive " Atlantic bloc " were eligible for admission.

53. Great harm had been done to the United Nations by that attitude. In particular, the refusal to accept the applications of Albania, Bulgaria, Hungary, the Mongolian People's Republic and Romania was unwarranted, and constituted an act of discrimination and an infringement of the peace treaties concluded with Bulgaria, Hungary and Romania. The United States had no real desire to see independent countries admitted to the United Nations. It had, therefore, exerted pressure to secure the rejection of the USSR draft resolution for the simultaneous admission of the thirteen States. Criticism of that attitude had been steadily growing and the Syrian representative had in particular pointed out its inconsistency.

54. The Peruvian draft resolution did not indicate the right way to break the deadlock ; on the contrary, it complicated matters by creating additional difficulties. The admission of new Members might be opposed on the

[1] See *Official Records of the General Assembly, Fifth Session, Annexes*, Agenda item 19, document A/1577.

pretext that the evidence was deemed to be inadequate. Besides, neither the Charter nor the rules of procedure of the Assembly or the Security Council stipulated that States had to provide proof of their fitness. In those circumstances, the Peruvian draft resolution was an undeniable attempt to pursue in another form the policy of discrimination against the people's democracies.

55. The Peruvian representative claimed that the admission of new Members must be based on juridical considerations. But, as the USSR representative had stated, such considerations did not form the basis of the draft resolution submitted by Peru. On the other hand, the USSR draft resolution was equitable, impartial and in conformity with the Charter. Since the United States and the United Kingdom were attempting to prevent the admission of Albania, Bulgaria, Hungary, Mongolian People's Republic and Romania, the USSR draft resolution rightly recommended that the Security Council should re-examine the applications of the thirteen States which had already applied for membership, together with the candidature of Libya.

56. The delegation of the Ukrainian SSR would vote for the USSR draft resolution and against the Peruvian draft resolution.

57. Mr. MUNOZ (Argentina) recalled that his delegation's position on the principles involved had long been known. First, it interpreted Article 4 of the Charter as meaning that the recommendation of the Council did not necessarily imply a favourable opinion. Furthermore, as the Argentine representative had explained at previous sessions and as the Cuban representative had recently stated, the delegation of Argentina felt that the right of veto should not apply to the admission of new Members. He added that the veto should not be used whenever there was any doubt as to whether it was or was not applicable, because any privilege should be interpreted in a restrictive sense.

58. At San Francisco, the Committee of Jurists had said that nothing in the draft of Article 4 of the Charter precluded the General Assembly from rejecting an application which had been recommended by the Security Council. In the same way, the General Assembly might admit a State even if the Council had previously expressed an unfavourable opinion. That interpretation had been officially adopted by the Conference and the only argument used to refute it subsequently in the General Assembly had been that there was a mistake in the declaration of the Committee of Jurists.

59. Nevertheless, although in the opinion of the Argentine delegation the question was quite clear and there could be no possible doubt on the matter, the General Assembly had not accepted that thesis. An effort must therefore be made to solve the problem on practical lines.

60. The Peruvian draft resolution (A/C.1/702/Rev.1) was a serious attempt to do so, since it provided that the General Assembly should take a definitive decision on the matter. Furthermore, that decision should be adopted at the earliest possible date.

61. The Argentine delegation had accordingly submitted an amendment (A/C.1/704) to the draft resolution submitted by Peru calling for the addition of the following paragraph:

> " 4. *Decides* that, on receipt of the evidence to which paragraph 2 refers, and not later than 15 March 1952, the General Assembly shall be convened in special session with a view to the satisfactory solution of the problem of the admission of new Members ".

62. The provision requiring applicants to furnish evidence would not of course apply to such States as Italy which, as the General Assembly had already recognized in various resolutions, fulfilled the conditions prescribed in Article 4 of the Charter. Nevertheless, the Argentine delegation, knowing the Peruvian representative's view on the point, had refrained from submitting an amendment. It would, however, have liked Italy to be made the subject of a special resolution by reason of its moral standing and the responsibilities devolving on it as a Power administering a trust territory.

63. The Argentine delegation considered that the USSR draft resolution (A/C.1/703) offered a means of obtaining a recommendation from the Security Council in respect of all applicants. That method would allow the problem to be resolved in a spirit of conciliation. Nevertheless, the principle of universality, rather than admission by group, should be pursued. Moreover, a time-limit should be fixed so that the problem might be solved during the Assembly session.

64. Therefore, the delegation of Argentina presented an amendment (A/C.1/705) to the USSR draft resolution, which called for the addition to the preamble of the following paragraph:

> " *Noting* the increasing general sentiment in favour of the universality of the United Nations, membership in which is open to all peace-loving states which accept the obligations contained in the Charter and, in the judgment of the Organization, are able and willing to carry out those obligations "

and for the addition at the end of the operative part of following the words:

> " and report to the General Assembly during its sixth session ".

65. In any case, whether the General Assembly chose the method proposed by the Peruvian draft resolution or the one envisaged in the USSR draft resolution, the main consideration was that it should not postpone indefinitely the solution of the problem.

The meeting rose at 1.5 p.m.

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