
Chapter VII

Practice relative to recommendations to the General Assembly regarding membership in the United Nations

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Introductory note

The present chapter considers the practice of the Security Council in its recommendations to the General Assembly concerning applications for membership in the United Nations.

Part I sets forth the applications for admission considered and the decisions taken thereon by the Security Council and the General Assembly during the period under review. A comprehensive table, contained in section C, shows the chain of proceedings from the submission of the applications to the decisions taken thereon by the General Assembly.

Parts II to IV concern the procedures employed by the Council in the consideration of the applications. The parts entitled "Consideration of the adoption or amendment of rules 58 to 60 of the provisional rules of procedure" and "Roles of the General Assembly and the Security Council" have been deleted in the present Supplement as no material was found for inclusion therein. The part entitled "Practices relating to the applicability of Articles 4, 5 and 6 of the Charter" has been replaced by part V, "Practices relating to the applicability of Article 4 of the Charter".

During the period under review, the Council recommended the admission of three States to membership in the United Nations.

In the case of the application¹ of Nauru, a statement made by one Council member touched on the interpretation of Article 4 (1) of the Charter which sets out the criteria for membership in the United Nations (see case study in part V).

¹ S/1999/478.

Part I

Applications for admission to membership in the United Nations and actions taken thereon by the Security Council and the General Assembly, 1996-1999

Note

As in the previous Supplements to the *Repertoire*, part I contains information on the applications before the Council during the period under review and the decisions taken thereon by the Council and the General Assembly. Section A (Applications recommended by the Security Council), Section B (Discussion of the question in the Security Council), section C (Applications submitted and action taken thereon by the Security Council and the General Assembly from 1 January 1996 to 31 December 1999) and section D (Applications pending at the end of the period under review) have been maintained from previous Supplements. However, the sections entitled “Applications that failed to obtain a recommendation” and “Applications pending on 1 January 1996” have been deleted in the present Supplement as no material was found for inclusion therein.

A. Applications recommended by the Security Council

During the period from 1 January 1996 to 31 December 1999, the Council recommended the following States for admission to membership in the United Nations:

Kiribati

Nauru

Tonga

B. Discussion of the question in the Security Council

The Council held six meetings² to consider applications for admission during the four-year period from 1996 to 1999. At one of those meetings³ a statement was made concerning the admission of Nauru to membership in the United Nations (see case study in part V).

² See table in section C.

³ See S/PV.4017.

C. Applications submitted and action taken thereon by the Security Council and the General Assembly from 1 January 1996 to 31 December 1999

<i>Applicant</i>	<i>Application and dates of submission and circulation</i>	<i>Referral to Committee: Council meeting and date</i>	<i>Committee meeting and date; Committee report and recommendations</i>	<i>Decision of the Council: Council meeting and date</i>	<i>Security Council resolution/ presidential statement</i>	<i>Vote</i>	<i>General Assembly plenary meeting and date</i>	<i>General Assembly resolution</i>	<i>Vote</i>	<i>Result of proceedings</i>
Kiribati	S/1999/477 14.4.99 26.4.99	3995th mtg. 4.5.99 Referred by President	98th meeting 22.6.99 S/1999/715 Draft resolution recommending admission Committee recommended that the Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	4016th mtg. 25.6.99	Draft resolution (S/1999/715) adopted as resolution 1248 (1999) President made a statement (S/PRST/1999/18)	Adopted without vote	54th session 1st plenary meeting, 14.9.99	54/1 14.9.99	Adopted by acclamation	Admitted
Nauru	S/1999/478 16.4.99 26.4.99	3996th mtg. 4.5.99 Referred by President	99th and 100th meetings 22 and 25.6.99 S/1999/716 Draft resolution recommending admission Committee recommended that the Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	4017th mtg. 25.6.99	Draft resolution (S/1999/716) adopted as resolution 1249 (1999) President made a statement (S/PRST/1999/19)	14-0-1 (China abstained)	54th session 1st plenary meeting, 14.9.99	54/2 14.9.99	Adopted by acclamation	Admitted

<i>Applicant</i>	<i>Application and dates of submission and circulation</i>	<i>Referral to Committee: Council meeting and date</i>	<i>Committee meeting and date; Committee report and recommendations</i>	<i>Decision of the Council: Council meeting and date</i>	<i>Security Council resolution/ presidential statement</i>	<i>Vote</i>	<i>General Assembly plenary meeting and date</i>	<i>General Assembly resolution</i>	<i>Vote</i>	<i>Result of proceedings</i>
Tonga	S/1999/793 8.7.99 16.7.99	4024th mtg. 22.7.99 Referred by President	101st mtg. 27.7.99 S/1999/823 Draft resolution recommending admission Committee recommended that the Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	4026th mtg. 28.7.99	Draft resolution (S/1999/823) adopted as resolution 1253 (1999) President made a statement (S/PRST/1999/23)	Adopted without vote	54th session 1st plenary meeting, 14.9.99	54/3 14.9.99	Adopted by acclamation	Admitted

D. Applications pending at the end of the period under review

<i>Applicant</i>	<i>Date of application</i>	<i>Document</i>
Tuvalu	16 November 1999	S/2005/5

Part II Presentation of applications

Material concerning the presentation of applications — that is, the submission of applications to the Secretary-General, their immediate communication to representatives on the Security Council pursuant to rule 59 and their subsequent inclusion in the provisional agenda of the Council — may be found in the table of applications in section C of part I.

Part III Referral of applications to the Committee on the Admission of New Members

During the period under review, all applications were referred by the President of the Security Council to the Committee on the Admission of New Members. There were no proposals to waive the application of rule 59 of the provisional rules of procedure.⁴ In each instance, upon the recommendation of the Committee on the Admission of New Members, the Council waived the time limits set forth in paragraph 4 of rule 60, in accordance with paragraph 5 of that same rule⁵ in order to present its recommendations to the General Assembly at its fifty-third session. All the applications were, however, considered by the General Assembly at its fifty-fourth session.

Part IV Procedures in the consideration of applications within the Security Council

During the period under review, the Council observed the practice of deciding upon applications in the chronological order of their receipt. The Council decided upon all applications separately. In all but one instance, the Council adopted the

⁴ Rule 59 provides, inter alia, that “unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall be represented”.

⁵ The fourth and fifth paragraphs of rule 60 read as follows:

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

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

draft resolutions submitted by the Committee on the Admission of New Members without debate and without a vote, “in accordance with the understanding reached in prior consultations among members of the Council”. Following the adoption of the resolution, the President of the Council made a statement on behalf of the members of the Council. In the case of Nauru, the draft resolution was put to the vote and adopted by 14 votes to none, with one abstention (China). Prior to the vote, the representative of China made a statement.⁶

Part V

Practices relating to the applicability of Article 4 of the Charter

Note

During the consideration of the admission of Nauru to membership, a statement of position was made by one Council member which touched on the interpretation of Article 4 (1) of the Charter.⁷

Case

Admission of Nauru

By a letter dated 16 April 1999 addressed to the Secretary-General,⁸ Nauru submitted an application for admission to membership in the United Nations. The Secretary-General circulated that request in a note dated 26 April 1999.⁹

The Security Council considered the application at its 3996th meeting, held on 4 May 1999, and referred the application, in accordance with rule 59, to the Committee on the Admission of New Members. The Committee, in paragraph 4 of its report, dated 25 June 1999,¹⁰ recommended to the Council the adoption of a draft resolution on the application of Nauru for admission to membership in the United Nations. Paragraph 5 of the same report stated that China was unable to associate itself with the recommendation of the Committee and that it would expound its position at the formal meeting of the Security Council.

At its 4017th meeting, held on 25 June 1999,¹¹ the Security Council considered the report of the Committee concerning the admission of Nauru and decided to proceed to the vote¹² on the draft resolution contained in paragraph 4 of the report. Speaking before the vote, the representative of China stated that his delegation attached importance to the desire of Nauru to be admitted to membership in the United Nations and had carried out serious study with regard to its application. In considering Nauru’s admission, he believed it most essential that the purposes and principles of the Charter should be fully complied with, that General

⁶ S/PV.4017, p. 2; see also the case study in part V.

⁷ Article 4 (1) reads as follows: “Membership in the United Nations is open to all other peace-loving states which accept the obligations in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.”

⁸ S/1999/478, annex.

⁹ S/1999/478.

¹⁰ S/1999/716.

¹¹ S/PV.4017.

¹² See table in part 1, section C, for details of the vote.

Assembly resolution 2758 (XXVI) of 1971¹³ should be implemented and that the new Member should fulfil its Charter obligations and comply with General Assembly resolutions. It was on that basis that China was unable to support the recommendation by the Council to the General Assembly concerning the admission of Nauru to the membership of the United Nations. At the same time, considering the long-term interests of the peoples of China and Nauru, and given the request of the South Pacific countries, China would not block the recommendation. The representative of China expressed the hope that following its admission to membership of the United Nations, Nauru would strictly comply with resolutions of the General Assembly, including Assembly resolution 2758 (XXVI). China abstained from the ensuing vote.

Nauru was admitted to membership in the United Nations on 14 September 1999 pursuant to the recommendation of the Security Council¹⁴ and the decision of the General Assembly.¹⁵

¹³ By resolution 2758 (XXVI) of 25 October 1971, the General Assembly decided “to restore its rights to the People’s Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occup[ie]d at the United Nations and in all the organizations related to it”.

¹⁴ Security Council resolution 1249 (1999).

¹⁵ General Assembly resolution 54/2.