
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 D 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 from the present *Supplement* as there was no material for inclusion.

Part V deals with practices relating to the applicability of Articles 4, 5 and 6 of the Charter.

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

The application of the former Yugoslav Republic of Macedonia, whose admission had been pending since 30 July 1992, was finalized when the Security Council recommended its admission to the General Assembly under that provisional name, and the General Assembly decided to admit that country to membership in the United Nations (case 1).

The Federal Republic of Yugoslavia (Serbia and Montenegro) did not submit an application for admission to membership in the United Nations during the period under review.¹ The Security Council made a recommendation to the General Assembly regarding the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council (case 2).

¹ By resolution 777 (1992) of 19 September 1992, the Security Council considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations and recommended to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it should not participate in the work of the General Assembly. Acting on the recommendation of the Security Council, the General Assembly, on 22 September 1992, adopted resolution 47/1, by which it decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it should not participate in the work of the General Assembly.

Part I

Applications for admission to membership in the United Nations and actions taken thereon by the Security Council and the General Assembly, 1993-1995

Note

As in the previous volumes of the *Repertoire*, part I provides 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 pending on 1 January 1993) and section D (Applications submitted and action taken thereon by the Security Council and the General Assembly) have been maintained.

The table in section D includes additional information on the dates of circulation of the applications, as distinct from their dates of submission, the meetings at which the applications were first considered by the Council and their reference to the Committee on the Admission of New Members, the meetings, reports and recommendations of the Committee, and the presidential statements adopted by the Council following adoption of its resolutions. The sections concerning applications that failed to obtain a recommendation and applications pending at the end of the period under review contained in previous *Supplements* have been omitted as there was no material for inclusion.

A. Applications recommended by the Security Council

During the period from 1 January 1993 to 31 December 1995, the Council recommended the following seven States for admission to membership in the United Nations:

- Andorra
- Czech Republic
- Eritrea
- Monaco
- Palau
- Slovakia
- The former Yugoslav Republic of Macedonia

Case 1

By a letter dated 30 July 1992 addressed to the Secretary-General,² the President of the country referred to in the letter as “the Republic of Macedonia” requested its admission to membership in the United Nations.

By a note dated 22 January 1993,³ the Secretary-General circulated the application in accordance with rule 135 of the rules of procedure of the General Assembly and rule 59 of the provisional rules of procedure of the Security Council and

² S/25147, annex.

³ S/25147.

“following informal consultations held by the President of the Security Council at the request of the Secretary-General concerning the receivability” of that application.

In a letter dated 25 January 1993 addressed to the Secretary-General, the Minister for Foreign Affairs of Greece stated the views and position of the Government of Greece on that application. He stated the strong objection of Greece to the admission of the applicant to membership of the United Nations “prior to a settlement of certain outstanding issues necessary for safeguarding peace and stability, as well as good-neighbourly relations in the region”.⁴ Greece further pointed out that admission “prior to meeting the necessary prerequisites, and in particular abandoning the use of the denomination ‘Republic of Macedonia’, would perpetuate and increase friction and tension and would not be conducive to peace and stability in an already troubled region.”⁵

By resolution 817 (1993) adopted at the 3196th meeting, held on 7 April 1993 to consider the item entitled “Report of the Committee on the Admission of New Members concerning the application for admission to membership in the United Nations contained in document S/25147”, the Security Council recommended to the General Assembly that “the State whose application is contained in document S/25147 be admitted to membership in the United Nations”, that State being provisionally referred to for all purposes within the United Nations as “the former Yugoslav Republic of Macedonia” pending settlement of the difference that had arisen over the name of the State.

In a statement issued subsequently by the President of the Council on behalf of the members of the Council,⁶ the President stated that the reference in the resolution that had just been adopted to “the former Yugoslav Republic of Macedonia” carried no implication whatsoever that the State concerned had any connection with the Federal Republic of Yugoslavia (Serbia and Montenegro) and that it merely reflected the historic fact that it was in the past a republic of the former Socialist Federal Republic of Yugoslavia.

B. Discussion of the question in the Security Council

The Security Council held 14 meetings to consider applications for admission during the period under review.⁷

At the 3204th meeting, held on 28 April 1993 on the item entitled “Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council”, the question of the membership of the Federal Republic of Yugoslavia (Serbia and Montenegro) was discussed in the context of the adoption of a draft resolution on the question of the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council.⁸

⁴ S/25158, p. 3.

⁵ By a letter dated 6 April 1993 addressed to the President of the Security Council (S/25543), the Minister for Foreign Affairs of Greece stated, inter alia, that the Government of Greece considered the draft resolution before the Council “an acceptable basis for addressing the issue of the application of the former Yugoslav Republic of Macedonia for admission to the United Nations”.

⁶ S/25545.

⁷ See table in section D.

⁸ See case 2 in the present chapter.

C. Applications pending on 1 January 1993

<i>Applicant</i>	<i>Date of application</i>	<i>Document</i>
The former Yugoslav Republic of Macedonia	30 July 1992	S/25147

D. Applications submitted and action taken thereon by the Security Council and the General Assembly from 1 January 1993 to 31 December 1995

<i>Applicant</i>	<i>Application and dates of submission and circulation</i>	<i>Referral to 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>
Slovakia	S/25046 1.1.93 4.1.93	3155th mtg. 7.1.93 Referred by President	91st meeting 7.1.93 S/25066 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3157th mtg. 8.1.93	Draft resolution (S/25066) adopted as resolution 800 (1993) President made a statement (S/25069)	Adopted without vote	47th session, 95th mtg. 19.1.93	47/222	Adopted without vote	Admitted
Czech Republic	S/25045 4.1.93 4.1.93	3156th mtg. 7.1.93 Referred by President	92nd meeting 7.1.93 S/25067 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3158th mtg. 8.1.93	Draft resolution (S/25067) adopted as resolution 801 (1993) President made a statement (S/25071)	Adopted without vote	47th session, 95th mtg. 19.1.93	47/221	Adopted without vote	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>
The former Yugoslav Republic of Macedonia	S/25147 30.7.92 22.1.93	3195th mtg. 6.4.93 Referred by President	93rd meeting 7.4.93 S/25544 Draft resolution recommending admission under the provisional name "the former Yugoslav Republic of Macedonia" pending settlement of the difference that had arisen over the name of the State Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3196th mtg. 7.4.93	Draft resolution (S/25544) adopted as resolution 817 (1993) President made a statement (S/25545)	Adopted without vote	47th session, 98th mtg. 8.4.93	47/225	Adopted without vote	

<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>
Eritrea	S/25793 12.5.93 18.5.93	3215th mtg. 25.5.93 Referred by President	94th meeting 25.5.93 S/25841 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3218th mtg. 26.5.93	Draft resolution (S/25841) adopted as resolution 828 (1993) President made a statement (S/25847)	Adopted without vote	47th session, 104th mtg. 28.5.93	47/230	Adopted without vote	Admitted
Monaco	S/25796 14.5.93 18.5.93	3216th mtg. 25.5.93 Referred by President	95th meeting 25.5.93 S/25842 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3219th mtg. 26.5.93	Draft resolution (S/25842) adopted as resolution 829 (1993) President made a statement (S/25848)	Adopted without vote	47th session, 104th mtg. 28.7.93	47/231	Adopted without vote	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>
Andorra	S/26039 9.6.93 6.7.93	3250th mtg. 7.7.93 Referred by President	96th meeting 8.7.93 S/26051 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3251st mtg. 8.7.93	Draft resolution (S/26051) adopted as resolution 848 (1993) President made a statement (S/26054)	Adopted without vote	47th session, 108th mtg. 28.7.93	47/232	Adopted without vote	Admitted
Palau	S/1994/1315 14.11.94 18.11.94	3468th mtg. 29.11.94 Referred by President	97th meeting 29.11.94 S/1994/1356 Draft resolution recommending admission Committee recommended the Security Council have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure	3469th mtg. 29.11.94	Draft resolution (S/1994/1356) adopted as resolution 963 (1994) President made a statement (S/PRST/1994/73)	Adopted without vote	49th session, 89th mtg. 15.12.95	49/63	Adopted without vote	Admitted

Part II Presentation of applications

Note

Material concerning the presentation of applications — that is, the submission of applications to the Secretary-General pursuant to rule 58, their communication by the Secretary-General to representatives on the Security Council pursuant to rule 59 and their subsequent inclusion in the provisional agenda of the Council — is found in the table of applications in section D of part I.

Rule 59 provides, *inter alia*, that the Secretary-General “shall immediately place the application for membership before the representatives on the Security Council”.

During the period under review, the Secretary-General circulated to the members of the Council all applications received by him for admission to membership in the United Nations under cover of a note. In the case of the application for membership by the former Yugoslav Republic of Macedonia, which was submitted on 30 July 1992, that application was communicated to members of the Council in a note by the Secretary-General dated 22 January 1993⁹ and included in the agenda of the Council at its 3195th and 3196th meetings, held on 6 and 7 April 1993, respectively. In the note by which the application was transmitted, the Secretary-General also noted that “informal consultations held by the President of the Security Council at the request of the Secretary-General concerning the receivability of the application” had preceded the circulation of the application.

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

Note

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, in accordance with rule 59 of the provisional rules of procedure. There were no proposals to waive the application of that rule.¹⁰ On all occasions,¹¹ upon recommendation of the Committee on the Admission of New Members, the Council waived the time limit set forth in paragraph 4 of rule 60, in accordance with paragraph 5 of that rule.¹²

⁹ S/25147.

¹⁰ 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”.

¹¹ See table in part I, section D.

¹² The fourth and fifth paragraphs of rule 60 provide as follows:

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

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

Part IV

Procedures in the consideration of applications within the Security Council

Note

During the period under review, the Council decided upon all applications in the chronological order of their receipt. All applications were decided upon separately. The Council adopted the 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”. In each case, following the adoption of the resolution, the President of the Council made a statement on behalf of the members of the Council.

Part V

Practices relative to the applicability of Articles 4, 5 and 6 of the Charter

Note

During the period under review, the Security Council did not take or consider any measures under Article 5 or Article 6 of the Charter. In the deliberations of the Council in connection with the adoption of resolution 821 (1993) on the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council, the criteria for membership contained in Article 4 of the Charter were referred to (case 2).

Article 4 of the Charter provides as follows:

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

Case 2

At its 3204th meeting, held on 28 April 1993 in connection with the item entitled “Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council”, the Council adopted resolution 821 (1993) by 13 votes in favour, with 2 abstentions (China, Russian Federation). By that resolution, the Council reaffirmed that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and therefore recommended to the General Assembly that, further to the decisions taken in Assembly resolution 47/1, it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the work of the Economic and Social Council.

In a statement made following the vote, the representative of the United States stated that her country would support the application of the Federal Republic of Yugoslavia for membership in the United Nations when Serbia and Montenegro met the criteria in the Charter, that is, the Federal Republic of Yugoslavia would have to show that it was a peace-loving State and had demonstrated its willingness to comply fully with Chapter VII resolutions of the Security Council.¹³

¹³ S/PV.3204, pp. 6-7.