

Chapter VII

PRACTICE RELATIVE TO RECOMMENDATIONS TO THE GENERAL ASSEMBLY
REGARDING MEMBERSHIP IN THE UNITED NATIONS

1993-1995

CONTENTS

	<i>Page</i>
INTRODUCTORY NOTE.....	1
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.....	2
A. Applications recommended by the Security Council.....	2
B. Discussion of the question in the Security Council, 1993-1995.....	4
C. Applications pending on 1 January 1993.....	4
D. Tabulation of applications submitted and action taken thereon by the Security Council and the General Assembly between 1 January 1993 and 31 December 1995.....	5
PART II PRESENTATION OF APPLICATIONS	
Note.....	9
PART III. REFERENCE OF APPLICATIONS TO THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS	
Note.....	9
PART IV PROCEDURES IN THE CONSIDERATION OF APPLICATIONS WITHIN THE SECURITY COUNCIL	
Note.....	10
PART V. PRACTICES RELATIVE TO THE APPLICABILITY OF ARTICLES 5 AND 6 OF THE CHARTER	
Note.....	10

INTRODUCTORY NOTE

The present chapter generally follows the format adopted for previous *Supplements*.

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 58-60 of the provisional rules of procedure” and “The 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 Republic of Macedonia, whose admission had been pending since 30 July 1992, was finalised when the Security Council recommended its admission to the General Assembly under a 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 A/RES/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 (Tabulation of applications submitted and action taken thereon by the Security Council and the General Assembly) have been maintained.

The new 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 entitled “Applications that failed to obtain a recommendation” and “Applications pending at the end of the period under review” contained in previous Supplements are not, however, contained in the present *Supplement* as there was no material found for inclusion.

A. APPLICATIONS RECOMMENDED BY THE SECURITY COUNCIL

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

Principality of Andorra
Czech Republic
Eritrea
The Former Yugoslav Republic of Macedonia
Principality of Monaco
Republic of Palau
Slovak Republic

CASE 1

By letter dated 30 July 1992 from the President of the Republic of Macedonia addressed to the Secretary-General,² the President requested the admission of the Republic of Macedonia as a State Member of the United Nations.

By a Note dated 22 January 1993³, 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 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-General⁴, 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.”⁵ 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.”⁶

By resolution 817 (1993) adopted at the 3196th meeting of the Security Council held on 7th April 1993 to consider agenda item “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 (S/25544),” 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.⁷

In a statement⁸ issued subsequently by the President of the Council, on behalf of the members of the Council, 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 had been in the past a republic of the former Socialist Federal Republic of Yugoslavia.

² S/25147.

³ S/25147.

⁴ S/25158.

⁵ *Ibid*; p.3.

⁶ By letter dated 6 April, 1993 addressed to the President of the Security Council, 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.” (S/25543).

⁷ Paragraph 2.

⁸ S/25545.

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.⁹

At a separate meeting held on 28 April 1993 on the agenda item “Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council,”¹⁰ 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.¹¹

C. APPLICATIONS PENDING ON 1 JANUARY 1993

<i>Applicant</i>	<i>Date of application</i>	<i>Document</i>
The Republic of Macedonia	30.7.92	S/25147

⁹ See table in section D.

¹⁰ S/PV.3204.

¹¹ See Case 2 below.

D. TABULATION OF APPLICATIONS SUBMITTED AND ACTION TAKEN THEREON BY THE SECURITY COUNCIL AND THE GENERAL ASSEMBLY BETWEEN 1 JANUARY 1993 AND 31 DECEMBER 1995

Applicant	Application and dates of submission and circulation	Reference to Committee: Council meeting and date	Committee meeting and date; Committee report and recommendations	Decision of the Council: Council meeting and date	Security Council resolution/ Presidential statement	Vote	General Assembly plenary meeting and date	General Assembly resolution	Vote	Result of proceedings
Slovak Republic	S/25046 1.1.93 4.1.93	3155 th mtg. 7.1.93 Referred by President	91 st 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.	3157 th mtg. 8.1.93	Draft resolution (S/25066) adopted as resolution 800 (1993) President made a statement (S/25069)	Adopted without vote	47 th session, 95 th mtg. 19.1.93	47/222	Adopted without vote	Admitted
Czech Republic	S/25045 4.1.93 4.1.93	3156 th mtg. 7.1.93 Referred by President	92 nd meeting 7.1.93 S/25067 Draft resolution recommending admission Committee recommended the Security Council	3158 th mtg. 8.1.93	Draft resolution (S/25067) adopted as resolution 801 (1993) President made a statement (S/25071)	Adopted without vote	47 th session, 95 th mtg. 19.1.93	47/221	Adopted without vote	Admitted

Applicant	Application and dates of submission and circulation	Reference to Committee: Council meeting and date	Committee meeting and date; Committee report and recommendations	Decision of the Council: Council meeting and date	Security Council resolution/ Presidential statement	Vote	General Assembly plenary meeting and date	General Assembly resolution	Vote	Result of proceedings
			have recourse to the provisions of the last paragraph of rule 60 of the provisional rules of procedure.							
“The Republic of Macedonia”	S/25147 30.7.92 22.1.93	3195 th mtg. 6.4.93 Referred by President	93 rd meeting 7.4.93 S/25544 Draft resolution recommending admission under the provisional name of “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.	3196 th mtg. 7.4.93	Draft resolution (S/25544) adopted as resolution 817 (1993) President made a statement (S/25545)	Adopted without vote	47 th session, 98 th mtg. 8.4.93	47/225	Adopted without vote	Admitted As “The former Yugoslav Republic of Macedonia”.
Eritrea	S/25793 12.5.93	3215 th mtg. 25.5.93	94 th meeting 25.5.93	3218 th mtg. 26.5.93	Draft resolution (S/25841) adopted	Adopted without vote	47 th session,	47/230	Adopted without vote	Admitted

Applicant	Application and dates of submission and circulation	Reference to Committee: Council meeting and date	Committee meeting and date; Committee report and recommendations	Decision of the Council: Council meeting and date	Security Council resolution/ Presidential statement	Vote	General Assembly plenary meeting and date	General Assembly resolution	Vote	Result of proceedings
	18.5.93	Referred by President	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.		as resolution 828 (1993) President made a statement (S/25847)		104 th mtg. 28.5.93			
Principality of Monaco	S/25796 14.5.93 18.5.93	3216 th mtg. 25.5.93 Referred by President	95 th 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.	3219 th mtg. 26.5.93	Draft resolution (S/25842) adopted as resolution 829 (1993) President made a statement (S/25848)	Adopted without vote	47 th session, 104 th mtg. 28.7.93	47/231	Adopted without vote	Admitted
Principality	S/26039	3250 th mtg.	96 th meeting	3251 st mtg.	Draft resolution	Adopted	47 th	47/232	Adopted	Admitted

Applicant	Application and dates of submission and circulation	Reference to Committee: Council meeting and date	Committee meeting and date; Committee report and recommendations	Decision of the Council: Council meeting and date	Security Council resolution/ Presidential statement	Vote	General Assembly plenary meeting and date	General Assembly resolution	Vote	Result of proceedings
of Andorra	9.6.93 6.7.93	7.7.93 Referred by President	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.	8.7.93	(S/26051) adopted as resolution 848 (1993) President made a statement (S/26054)	without vote	session, 108 th mtg. 28.7.93		without vote	
Republic of Palau	S/1994/1315 14.11.94 18.11.94	3468 th mtg. 29.11.94 Referred by President	97 th 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.	3469 th 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	49 th session, 89 th 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 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 1993¹² 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

REFERENCE 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.¹³ On all occasions¹⁴, 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 the same rule.¹⁵

¹² S/25147.

¹³ 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 Council upon which each member of the Council shall be represented”.

¹⁴ See table in Part I, Section D.

¹⁵ Paragraphs 4 and 5 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.

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 below). There were no explicit references to Article 4 of the Charter.

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.”

“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.”

CASE 2

At its 3204th meeting held on 28 April 1993 in connection with the agenda 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 and the Russia 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 United Nations 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.¹⁶

¹⁶ S/PV.3204; pp. 6-7.