

ARTICLE 4

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ARTICLE 4

TEXT OF ARTICLE 4

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.

INTRODUCTORY NOTE

1. In the period covered by this *Supplement*, no constitutional issues arose in respect of Article 4.

2. The General Survey contains a brief outline of the action taken by the Security Council and the General Assembly and is supplemented by the tabulation in the annex. The decisions of the two organs for the most part bear upon the terms of Article 4 and are treated in the Analytical Summary of Practice under the previously established headings.

I. GENERAL SURVEY

A. Use of subsidiary organs

3. During the period under review, the Security Council continued to examine applications directly, without reference to its Committee on Admission of New Members.

B. States admitted to membership and applications which remain pending

4. The following States were admitted to membership in the United Nations during the period covered by this *Supplement*. They are listed according to the order in which they were admitted. In each case admission was decided by the General Assembly upon the recommendation of the Security Council.

Guyana	Barbados	Swaziland
Botswana	Southern Yemen	Equatorial Guinea
Lesotho	Mauritius	

5. By the end of the period under review, applications for admission to membership in the United Nations of the following applicants remained pending:¹

¹ Listed in the chronological order of the reproduction of their applications in document form. For application of the German Democratic Republic, see *Repertory, Supplement No. 3, vol. 1*, under Article 4, paras. 5 and 6.

Republic of Korea
Democratic People's Republic of Korea
Republic of Viet-Nam
Democratic Republic of Viet-Nam
German Democratic Republic

C. Action taken by the Security Council and by the General Assembly concerning the application for admission of new Members

6. During 1966, the Security Council recommended² to the General Assembly the admission of the following states: Guyana on 21 June; Botswana and Lesotho on 14 October; and Barbados on 7 December.

7. At its twenty-first session, the General Assembly resolved³ by acclamation to admit Guyana on 20 September, Botswana and Lesotho on 17 October, and Barbados on 9 December 1966 to membership in the United Nations.

8. The Security Council recommended⁴ the admission of

² Guyana: S C resolution 223 (1966); Botswana: S C resolution 224 (1966); Lesotho: S C resolution 225 (1966) and Barbados: S C resolution 230 (1960)

³ Guyana: G A resolution 2133 (XXI); Botswana: G A resolution 2136 (XXI); Lesotho: G A resolution 2137 (XXI); and Barbados: G A resolution 2175 (XXI)

⁴ Southern Yemen: S C resolution 243 (1967) and Mauritius: S C resolution 249 (1968)

the People's Republic of Southern Yemen on 12 December 1967 and Mauritius on 18 April 1968, and the General Assembly, at its twenty-second session, admitted⁵ those states to membership on 14 December 1967 and 24 April 1968, respectively.

9. At its twenty-third session, the General Assembly,

⁵ Southern Yemen: G A resolution 2310 (XXII) and Mauritius: G A resolution 2371 (XXII).

acting upon the recommendations⁶ adopted by the Security Council on 11 September 1968 and 6 November 1968 regarding the applications of Swaziland and the Republic of Equatorial Guinea, respectively, decided⁷ to admit Swaziland on 24 September and the Republic of Equatorial Guinea on 12 November of that year.

⁶ Swaziland: S C resolution 257 (1968) and Equatorial Guinea: S C resolution 260 (1968)

⁷ Swaziland: G A resolution 2376 (XXIII) and Equatorial Guinea: G A resolution 2384 (XXIII).

II. ANALYTICAL SUMMARY OF PRACTICE

A. Questions bearing upon the provisions of Article 4 (1)

I. THE QUESTION OF THE UNIVERSALITY OF THE ORGANIZATION

10. No decisions requiring treatment under this heading were taken during the period under review.⁸

** a. *Proposals submitted to the Security Council referring to the principle of universality*

⁸ Incidental references, however, continued to be made to the principle of universality in the Security Council in connexion with the question of admission of new Members: S C, 21st yr., 1287th mtg.; Argentina, para. 32; 1306th mtg.: Jordan, para. 12; Uruguay, para. 24; Mali, para. 79, S C, 22nd yr., 1384th mtg.: Canada, para. 62; S C, 23rd yr., 1450th mtg.: Algeria, para. 26; Brazil, para. 67; and in the General Assembly in connexion with the question of China: G A (XXI), Plen., 1470th mtg. China, paras. 117-120 and 126; Guinea, para. 133; 1472nd mtg.: USSR, para. 17; Congo Brazzaville, para. 59; 1473rd mtg.: Afghanistan, paras. 46-48; 1475th mtg.: Canada, paras. 26-29; Romania, paras. 44-49; Yugoslavia, paras. 73 and 74; Poland, paras. 101 and 102; 1476th mtg.: Ukrainian SSR, para. 2; Iraq, para. 16; Mauritania, para. 34; Thailand, para. 47; 1477th mtg.: Central African Republic, paras. 75 and 76; Somalia, paras. 100, 102; 1478th mtg.: Kenya, paras. 163 and 171; Philippines, paras. 200 and 201; 1479th mtg.: Indonesia, para. 86; 1480th mtg.: Nepal, para. 9; Liberia, para. 93; 1481st mtg.: Ghana, paras. 35 and 39; Syria, para. 47; Israel, para. 69; G A (XXII), Plen., 1602nd mtg.: United States, para. 25; Italy, paras. 93-96; 1604th mtg.: Lesotho, para. 1; Romania, paras. 27-29; Chile, para. 75; 1606th mtg.: Nepal, para. 16; New Zealand, para. 56; Thailand, paras. 65 and 69; 1607th mtg.: Iceland, para. 9; Yugoslavia, paras. 72 and 75; 1608th mtg.: Niger, para. 28; Hungary, para. 30; Rwanda, para. 46; Bulgaria, para. 60; Mauritania, para. 66; 1609th mtg.: Mali, para. 65; Indonesia, para. 159; Iran, para. 166; G A (XXIII), Plen., 1712th mtg.: Yemen, paras. 15 and 18; 1713th mtg.: Ecuador, paras. 11 and 14; 1714th mtg.: Equatorial Guinea, para. 144; Australia, paras. 195, 196 and 202; Indonesia, para. 221; 1715th mtg.: Malawi, paras. 18 and 19; USSR, paras. 26-29; Iraq, para. 47; 1717th mtg.: Madagascar, para. 18; 1718th mtg.: Rwanda, para. 6; 1719th mtg.: Nigeria, para. 4; United Arab Republic, para. 73; 1721st mtg.: Ukrainian SSR, para. 31; Czechoslovakia, para. 38; Yugoslavia, para. 42; 1722nd mtg.: Southern Yemen, paras. 3 and 4; China, paras. 28-30; G A (XXIV), Plen., 1798th mtg.: China, paras. 121 and 122; 1799th mtg.: Algeria, para. 44; 1800th mtg.: Philippines, paras. 2-7; 1801st mtg.: Gabon, para. 27; Yugoslavia, para. 39; 1802nd mtg.: Madagascar, para. 9; Romania, paras. 91 and 95; 1803rd mtg.: Poland, para. 12; 1804th mtg.: Southern Yemen, para. 90; 1806th mtg.: United Arab Republic, para. 4; 1807th mtg.: Algeria, paras. 2, 23 and 25; China, paras. 57-59. See also Introduction to the Annual Report of the Secretary-General: G A (XXII), Suppl. No. 1 A, paras. 161 and 162

** b. *Proposals submitted to the General Assembly referring to the principle of universality*

** 2. THE QUESTION WHETHER A NEW STATE CREATED THROUGH THE DIVISION OF A MEMBER STATE OF THE UNITED NATIONS ACQUIRES MEMBERSHIP IN THE ORGANIZATION

3. THE QUESTION OF THE MANNER IN WHICH APPLICANT STATES ARE TO INDICATE THEIR ACCEPTANCE OF THE OBLIGATIONS CONTAINED IN THE CHARTER

**a. *The instrument of adherence—the practice under the former rules of procedure*

b. *The formal instrument of acceptance—the practice under the present rules of procedure*

11. During the period under review eight new Members were admitted to the United Nations. In each case, formal instruments of acceptance of the obligations contained in the Charter were submitted together with the original applications.⁹

4. THE QUESTION OF THE RESPECTIVE ROLES OF THE SECURITY COUNCIL AND THE GENERAL ASSEMBLY REGARDING THE JUDGMENT TO BE MADE BY THE ORGANIZATION

12. The recommendations adopted by the Security Council during the period under review contained no express reference to the judgment of the Security Council, but simply stated in each case that the Council, having considered the application of a given country, recommended that it should be admitted. The decisions of the General Assembly on the admission of these eight States likewise contained no express reference to the judgment of the General Assembly.

⁹ Guyana: S C, 21st yr., Suppl. for Apr.-June, p. 153, S/7349; Botswana: *ibid.*, Suppl. for July-Sept., p. 149, S/7518; Lesotho: *ibid.*, Suppl. for Oct.-Dec., pp. 20 and 21, S/7534; Barbados: *ibid.*, pp. 108 and 109, S/7607; Southern Yemen: S C, 22nd yr., Suppl. for Oct.-Dec., p. 265, S/8284; Mauritius: S C, 23rd yr., Suppl. for Jan.-March, p. 267, S/8466; Swaziland: *ibid.*, Suppl. for July-Sept., p. 242, S/8808; Equatorial Guinea: *ibid.*, Suppl. for Oct.-Dec., p. 109, S/8883.

5. THE QUESTION OF THE MEANING TO BE ATTACHED TO THE TERMS PEACE-LOVING STATES . . . ABLE AND WILLING TO CARRY OUT [THE] OBLIGATIONS [CONTAINED IN THE CHARTER]

13. No specific reference was made to the terms of Article 4 (1) in proposals submitted to the Security Council or to the General Assembly during the period under review. Although there continued to be statements of position¹⁰ in respect of specific interpretations of these terms, there were no attempts to define their meaning in any general sense. The following developments have, however, a bearing on the requirements of Article 4 (1).

14. In a letter¹¹ of 13 December 1967 to the President of the Security Council, the representative of the United States recalled the considerations expressed by the Secretary-General in the introduction to his annual report¹² with respect to the States referred to as "micro-States" and his reference to the provision of Article 4 under which each applicant must be able and willing to carry out the obligations contained in the Charter. It was also stated in the letter that "as no applications for membership are now pending in the Security Council, we believe the time may be appropriate for considering the suggestions that have been put forward Members of the Council will recall that rule 59 of its provisional rules of procedure requires that in the absence of a contrary decision by the Security Council, applications for membership be referred by the President to the Committee on the Admission of New Members The United States believes that the Security Council could usefully and appropriately seek the assistance and advice of this Committee in examining the issues outlined by the Secretary-General with a view to providing the members and the Security Council with appropriate information and advice. We could accordingly request that as President of the Council you consult the members about the possibility of reconvening the Committee for such a purpose."

¹⁰ In the Security Council in connexion with admission of new Members: S C, 21st yr., 1287th mtg.: Japan, para. 22; Mali, para. 53; China, paras. 60 and 64; Jordan, para. 101; 1306th mtg.: Nigeria, para. 3; Uruguay, para. 32; Japan, para. 59; USSR, para. 63; 1330th mtg.: New Zealand, para. 21; USSR, para. 69; Mali, para. 84; S C, 22nd yr., 1384th mtg.: Japan, para. 28; United Kingdom, para. 41; Denmark, para. 56; United States, para. 75; S C, 23rd yr., 1414th mtg.: United States, para. 44; Senegal, para. 51; USSR, para. 88; 1450th mtg.: United Kingdom, para. 10; Brazil, para. 70; United States, para. 75; USSR, para. 76; 1458th mtg.: Senegal, para. 5; Ethiopia, para. 32; United Kingdom, para. 95.

In the General Assembly in connexion with the question of China: G A (XXI), Plen., 1472nd mtg.: Burma, para. 10; 1473rd mtg.: France, para. 33; 1474th mtg.: Pakistan, para. 161; 1475th mtg.: Canada, para. 15; 1477th mtg.: Central African Republic, para. 87; Somalia, paras. 100 and 102; 1478th mtg.: Niger, para. 93; United Arab Republic, para. 152; 1479th mtg.: Malaysia, para. 132; 1480th mtg.: Nepal, para. 9. 1481st mtg.: Ghana, para. 35; G A (XXII), Plen., 1603rd mtg.: Upper Volta, paras. 14-16; 1606th mtg.: Nepal, paras. 6 and 7; Madagascar, para. 21; 1607th mtg.: Colombia, paras. 25 and 26; 1608th mtg.: Niger, para. 28; G A (XXIII), Plen., 1713th mtg.: Ecuador, para. 14; 1714th mtg.: Equatorial Guinea, paras. 143 and 144; Australia, paras. 195 and 196; 1715th mtg.: Malawi, paras. 9-19; G A (XXIV), Plen., 1800th mtg.: Philippines, paras. 1-8; 1801st mtg.: Gabon, para. 27; 1804th mtg.: Pakistan, paras. 25, 30-31, 38 and 39; 1806th mtg.: Central African Republic, paras. 70-72; 1807th mtg.: Algeria, paras. 2, 10 and 23.

¹¹ S C, 22nd yr., Suppl. for Oct.-Dec., pp. 321 and 322. S/8296.

¹² G A (XXII), Introduction to the Annual Report of the Secretary-General, Suppl. No. 1 A, paras. 163-167; see also *Repertory, Supplement No. 3*, vol. I, under Article 4, para. 23.

15. In the introduction to his annual report,¹³ the Secretary-General reiterated his earlier suggestion and expressed the view that the problem of the "micro-States" required urgent attention.

16. The question of the holding of a meeting of the Security Council on the subject matter was further dealt with in communications between the representative of the United States¹⁴ and the President of the Security Council.¹⁵ A draft resolution¹⁶ was subsequently submitted to the Security Council by the United States in which the Secretary-General was requested to inscribe on the provisional agenda of the twenty-fourth session of the General Assembly an item entitled "Creation of a category of associate membership". No action had been taken by the Security Council on the question by the end of the period covered by this *Supplement*.

** 6. THE QUESTION OF THE SUBMISSION OF INFORMATION OR EVIDENCE BY APPLICANTS IN CONNEXION WITH THE REQUIREMENTS OF ARTICLE 4 (1)

7. THE QUESTION OF CONDITIONS OF ADMISSION

17. No decisions requiring treatment under this heading were taken during the period under review. Some references were, however, made, during the discussions of the question of the Palestine refugees, to certain conditions other than those contained in Article 4 which would be applicable to the admission of a particular Member.¹⁷

** 8. MERGER OF MEMBER STATES

** 9. CESSATION OF CO-OPERATION BY A MEMBER STATE¹⁸

B. Questions bearing upon the provisions of Article 4 (2)

** 1. THE QUESTION OF SEPARATE OR SIMULTANEOUS CONSIDERATION AND/OR ADMISSION OF APPLICANTS

** a. *Proposals submitted in the Security Council*

** b. *Proposals submitted in the General Assembly*

¹³ G A (XXIII), Introduction to the Annual Report of the Secretary-General, Suppl. No. 1 A, para. 172.

¹⁴ S C, 24th yr., Suppl. for July-Sept., p. 124. S/9327; *ibid.*, pp. 159 and 160, S/9397.

¹⁵ S C, 22nd yr., Suppl. for Oct.-Dec., p. 333, S/8316; S C, 23rd yr., Suppl. for Jan.-March, p. 156, S/8376; *ibid.* p. 208, S/8437; *ibid.*, Suppl. for Apr.-June, pp. 108 and 109, S/8520.

¹⁶ S C, 24th yr., Suppl. for July-Sept., p. 164, S/9414.

¹⁷ G A (XXI), Spec. Pol. Com., 509th mtg.: Somalia, para. 6; 514th mtg.: Jordan, para. 2; Pakistan, paras. 7 and 8; G A (XXII), Spec. Pol. Com., 589th mtg.: Libya, paras. 7-9; USSR, para. 51; 591st mtg.: Jordan, para. 49; G A (XXIV), Spec. Pol. Com., 670th mtg.: Syria, paras. 14-29.

¹⁸ For the cessation and subsequent resumption of co-operation by Indonesia, see: *Repertory, Supplement No. 3*, vol. I, under Article 4, paras. 29-35; and also G A (XXI), Plen., 1420th mtg., paras. 1-9.

2. THE QUESTION OF THE NATURE OF THE FUNCTIONS OF THE SECURITY COUNCIL AND OF THE GENERAL ASSEMBLY ENVISAGED BY THE WORDS "WILL BE EFFECTED BY A DECISION OF THE GENERAL ASSEMBLY UPON THE RECOMMENDATION OF THE SECURITY COUNCIL."

18. The General Assembly continued its practice of admitting new Members only on the basis of a positive recommendation by the Security Council. In each of its eight resolutions¹⁹ to admit new Members during the period un-

¹⁹ G A resolutions 2133 (XXI), 2136 (XXI), 2137 (XXI), 2175 (XXI), 2310 (XXII), 2371 (XXII), 2376 (XXIII) and 2384 (XXIII).

der review, the General Assembly expressly took note of the fact that a recommendation for the admission of the applicant had been received from the Security Council.

3. THE QUESTION WHETHER THE RECOMMENDATION OF THE SECURITY COUNCIL IS SUBJECT TO THE VOTING PROCEDURE PRESCRIBED BY ARTICLE 27 (3) OF THE CHARTER

Practice of the Security Council

19. The practice of the Security Council in this respect continued unchanged during this period.

ANNEX

Tabulation of principal instances in which formal votes relating to the admission of new Members were taken by the Security Council and by the General Assembly

I. SECURITY COUNCIL

Application and draft resolution	Meeting and date	Vote			Result of proceedings
		For	Against	Abstentions	
<i>1966</i>					
Guyana	1287th mtg., 21 June	Unanimous			Adopted
Botswana	1306th mtg., 14 Oct.	Unanimous			Adopted
Lesotho (Kingdom of)	1306th mtg., 14 Oct.	Unanimous			Adopted
Barbados	1330th mtg., 7 Dec.	Unanimous			Adopted
<i>1967</i>					
Southern Yemen (People's Republic of)	1384th mtg., 12 Dec.	Unanimous			Adopted
<i>1968</i>					
Mauritius	1414th mtg., 18 April	Unanimous			Adopted
Swaziland	1450th mtg., 11 Sept.	Unanimous			Adopted
Equatorial Guinea (Republic of)	1458th mtg., 6 Nov.	Unanimous			Adopted

II. GENERAL ASSEMBLY (plenary only)

Draft resolution recommended by the relevant committee or submitted directly to the plenary	Meeting and date	Vote			Result of proceedings
		For	Against	Abstention	
<i>1966</i>					
Draft resolution under which the General Assembly, having received the recommendation of the Security Council, would decide to admit Guyana to membership	1409th mtg., 20 Sept.	Acclamation			Res. 2133 (XXI)
Similar draft resolution regarding Botswana	1444th mtg., 17 Oct.	Acclamation			Res. 2136 (XXI)
Similar draft resolution regarding Lesotho (Kingdom of)	1444th mtg., 17 Oct.	Acclamation			Res. 2137 (XXI)
Similar draft resolution regarding Barbados	1487th mtg., 9 Dec.	Acclamation			Res. 2175 (XXI)
<i>1967</i>					
Similar draft resolution regarding Southern Yemen (People's Republic of)	1630th mtg., 14 Dec.	Acclamation			Res. 2310 (XXII)
<i>1968</i>					
Similar draft resolution regarding Mauritius	1643rd mtg., 24 April	Acclamation			Res. 2371 (XXII)
Similar draft resolution regarding Swaziland	1674th mtg., 24 Sept.	Acclamation			Res. 2376 (XXIII)
Similar draft resolution regarding Equatorial Guinea (Republic of)	1714th mtg., 12 Nov.	Acclamation			Res. 2384 (XXIII)