

ARTICLE 5

TEXT OF ARTICLE 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

NOTE

1. During the period under review, neither the General Assembly nor the Security Council adopted resolutions or decisions initiating steps under Article 5.

2. The General Assembly, however, adopted resolutions, pertaining to the situation in the occupied Arab territories, the question of Palestine and the situation in the Middle East, that may be considered to have a bearing on Article 5. Those resolutions and the related deliberations, in the course of which Article 5, together with Article 6, was explicitly invoked, are dealt with under Article 6 of the present *Supplement*.

3. There were other occasions when Article 5 was referred to explicitly or implicitly, in both the Security Council and the General Assembly, and when measures were suggested against one or another Member State in fulfilment of the Charter provision. In addition to Israel, the focus of such observations and references, as noted in the previous study, continued to be South Africa.

4. During the discussion of the credentials of representatives at the thirty-sixth regular session¹ and the eighth emergency special session,² some representatives explicitly invoked Article 5, together with Article 6, stating that the rejection of the credentials of South Africa by the General Assembly contravened the provisions of the aforementioned Articles of the Charter.

5. Article 5, together with Article 6, was also invoked explicitly in connection with the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.³

6. The implicit references to Article 5 were too numerous to be listed here.

¹G A (35), Plen., 103rd mtg., a.i. 3: Netherlands (speaking on behalf of the 10 Member States of the European Community), para. 20; United States of America, paras. 31-32; Iceland, paras. 37-38; and France, para. 51.

²G A (ES-8), Plen., 2nd mtg., a.i. 3: United States, p. 16; Norway, p. 26; and Canada, p. 27.

³G A (34), 6th Comm., 31st mtg., a.i. 114: Bangladesh, para. 22.