

3. *Admission of New Members*

Yemen and Pakistan.—The admission of these States, which had been recommended by the Security Council, was approved unanimously. There was, however, some argument on the legal position resulting from the partition of India. It was decided that a member of the United Nations does not cease to be a member because of constitutional or frontier changes; India's membership, therefore, was not affected by the partition. A new State, on the other hand, although its territory may previously have been part of the territory of a member State, had no automatic right to membership; consequently, the formal admission of Pakistan was necessary.

Albania, Austria, Bulgaria, Eire, Finland, Hungary, Italy, Outer Mongolia, Portugal, Roumania, and Trans-Jordan.—The Security Council had failed to recommend any of these States for admission. The applications of Eire, Finland, Italy, Portugal, and Trans-Jordan had been vetoed by the Soviet Union, while the remainder had failed to secure the necessary majority. The Soviet Union had stated that the qualifications of Italy and Finland were satisfactory, but that these States and the other ex-enemy countries (Bulgaria, Hungary, and Roumania) must, in accordance with the terms of the Potsdam Agreement, be admitted simultaneously. The United States and United Kingdom, however, argued that the Potsdam Agreement merely *enabled* the applications of these States to be supported, and that the signatories were then entitled to consider each application in the light of the Charter requirements (Article 4 (1)).

In the Assembly the Soviet attitude was strongly criticized, but although the remaining four permanent members of the Security Council offered to forgo their right to veto membership applications the Soviet Union refused to do likewise. While the contention that the Assembly had the right to admit applicants irrespective of the Security Council's recommendation was rejected as legally inadmissible, it was agreed to request the International Court of Justice to advise whether a member is juridically entitled to vote against the admission of a State on grounds not expressly prescribed in Article 4 (1), or to make the simultaneous admission of other States a condition of its affirmative vote.

Resolutions were also passed recommending the Security Council to reconsider the applications of Austria, Eire, Finland, Portugal, Trans-Jordan, and Italy (the last two before the end of the current Assembly session) in the light of the Assembly's opinion that these States fulfilled the Charter requirements for membership. The New Zealand delegation supported all these resolutions, except that relating to Austria; it was not considered that an occupied country with which there was as yet no peace treaty could be properly admitted.