

view that the Charter conditions were exhaustive, both qualified the opinion that extraneous political considerations could not be taken into account¹. Their reservations on this point did not, however, prevent them from subscribing to the Advisory Opinion as a whole.

Opening the debate in the *ad hoc* Political Committee, the delegate of *Australia* presented a series of seven draft resolutions dealing both with the Advisory Opinion and with individual applications for membership. The first of these resolutions recommended that each member of the Security Council and of the General Assembly in exercising its vote on the admission of new members should act in accordance with the Advisory Opinion. Of the remainder five dealt in identical terms with the applications of Finland, Ireland, Italy, Portugal, and Transjordan, each reaffirming the Assembly's previously expressed view that the opposition of one of the permanent members of the Security Council to the admission of the State named was based on grounds not included in Article 4 of the Charter, that the State fulfilled the requirement of Article 4, and that it should, therefore, be admitted to membership; in the light of this view and of the Advisory Opinion the Security Council was called on to reconsider the relevant application. A further resolution in respect of Ceylon differed in wording only in so far as this was a new application.

The *United States* submitted a similar draft resolution in respect of Austria. This resolution recalled that in August, 1947, eight members of the Security Council had supported a resolution recommending the admission of Austria "at such time and under such conditions as the General Assembly might deem appropriate," reiterated the Assembly's opinion that Austria is a peace-loving State, and requested reconsideration of her application in the light of this view and of the Advisory Opinion.

Another draft resolution was submitted by *Belgium* in connection with the applications of Italy and Finland. These applications had been vetoed by the Soviet Union solely because Bulgaria, Hungary, and Roumania were not simultaneously admitted—a reason which, in the opinion of the International Court of Justice, did not entitle the Soviet Union to withhold its consent. Since the fitness for membership of

¹ Judge Alvarez: "Cases may arise in which the admission of a State is liable to disturb the international situation, or at all events the international organization, for instance, if such admission would give a very great influence to certain groups of States, or produce profound divergencies between them. Consequently, even if the conditions of admission are fulfilled by an applicant, admission may be refused. In such cases, the question is no longer a legal one: it becomes a political one and must be regarded as such."

Judge Azevedo: "All political considerations may intervene in determining the judgment of the organs of the United Nations regarding the qualifications laid down in Article 4 of the Charter. Hence, objections that have been raised regarding the protection of the rights of man, the attitude of countries during the last war, the extent of diplomatic relations, &c., may, in principle, justify the rejection of an application."