

these two States was not in question, this resolution merely drew attention to the Advisory Opinion of the Court, and asked the Security Council to reconsider the two applications.

The delegation of *Sweden* submitted a draft resolution which noted the Advisory Opinion and asked the Council to consider all pending applications "in the light of the principle of universality, and taking into account the circumstances in each particular case."

The most extreme of the draft resolutions was submitted by *Argentina*, and related to the procedure for effecting admissions. This proposal was based on the premise that "recommendation" in the context of the relevant Charter provision ("admission . . . will be effected by a decision of the General Assembly upon the recommendation of the Security Council") may mean either a favourable or unfavourable recommendation. An affirmative vote of any seven members of the Security Council should, it was submitted, be regarded as constituting a favourable recommendation; further, the Assembly should have the power to override both favourable and unfavourable recommendations.

This resolution, being widest in scope, was considered first. While many delegations applauded its motives, nearly all considered it unconstitutional. There was general agreement that a "recommendation," in this context at least, required a favourable decision of the Council, that such a decision was not procedural, and that therefore the Soviet Union was within its legal rights in insisting on the application of the unanimity rule. The delegate of *France* considered that every member had the right to veto a decision within the limits of the powers assigned to it, provided this power was exercised in good faith and with good reason. The other permanent members of the Security Council, however (China, United Kingdom, and United States), reiterated their willingness to forgo their veto right on applications which received majority approval.

The delegate of *Yugoslavia* said that the Argentine proposal would have the effect of illegally revising the Charter, and that therefore the General Assembly was not competent to adopt it. The *French* delegate, however, pointed out that there was a legal distinction between competence and legality, and a number of delegations felt that it would be unwise by a hasty decision to set a precedent which might be used to limit the Assembly's powers in the future. The *Yugoslav* proposal that the Committee should declare the Assembly not competent to decide on the resolution was rejected by 10 votes in favour, 28 (N.Z.) against, with 11 abstentions. The *Argentine* representative then agreed to withdraw his resolution pending the outcome of the discussions in the Assembly and the Security Council on the question of the admission of new members.