



General Assembly Plenary Committee Topic Background Guide
Topic 3: Admission of New Members to the United Nations¹

30 September 2011

The United Nations (UN) began in 1945 with 51 member states that came together at the end of World War II to create a forum for multilateral diplomacy and the promotion of international peace and security. According to the Charter they signed and ratified, if additional states wanted to join the new organization, they had to meet two criteria. First, they had to be “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.” Second, their admission had to be “effected by a decision of the General Assembly upon the recommendation of the Security Council.”²

The admissions process works as follows. If, upon receipt of a membership application, the Security Council recommends admission, the General Assembly (GA) must confirm that the potential member is “peace-loving” and able and willing to carry out the obligations of the Charter. Then, if the GA approves the application by at least a 2/3 majority, the Secretary General informs the country of its admission. By contrast, if the Security Council does not recommend admission, the GA can only debate the merits of the application and send it back to the Security Council for reconsideration.³

Several subsidiary organs of the GA play a role in evaluating membership applications, including the High-Level Committee on the Review of Technical Cooperation among Developing Countries; the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting Independence to Colonial Countries and Peoples; the GA Second Committee (social, humanitarian and cultural) and the GA Fourth Committee (special political and decolonization). The final vote, however, takes place among the entire GA membership.

Since 1945, 142 states have joined the original 51 members, bringing the total membership to 193. The most recent new members are Montenegro, which was admitted in 2006, and South Sudan, which was admitted in 2011.⁴ A number of additional entities – including Palestine, Taiwan, Kosovo, Abkhazia, and South Ossetia -- would like to join but have not yet been admitted, largely because of the need for all of the permanent five members of the Security Council (the US, UK, France, Russia, and China) to approve or abstain from vetoing their nomination. In addition, most would-be UN members are involved in conflicts with current UN member states that lobby against their admission. According to would-be UN member states, their lack of admission to the UN ignores their right to self-determination. But according to member states in which such groups exist, admission of these groups would be a violation of the international norm of non-intervention in states’ domestic affairs. In recent years, tensions over self-determination and independence have erupted into violence. This raises questions about whether and how the UN should change its admission process.

¹ This background guide was written by Karen Ruth Adams, faculty advisor, with contributions from Cady Sowre (2008). Copyright 2011 by Karen Ruth Adams.

² “Charter of the United Nations,” Article 4, available at <http://www.un.org/aboutun/charter/>

³ United Nations General Assembly, “Rules of Procedure: XIV, Admission of New Members to the United Nations,” available at http://www.un.org/ga/ropga_adms.shtml

⁴ United Nations, “Growth in UN Membership, 1945-present,” available at <http://www.un.org/en/members/growth.shtml> For an alphabetical list of members with their dates of admission, see United Nations, “Member States of the United Nations,” <http://www.un.org/en/members/>

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History and Current Events

From the UN's founding in 1945 to its expansion in the 1960s and 1970s and again in the early 1990s, the admission of new members has reflected global, regional, and national trends, specifically, the end of World War II, the decline of European empires, and the end of the Cold War.

The UN was born and named from the World War II alliance of the US, UK, France, Russia, and China, which opposed the Axis powers of Germany, Italy, and Japan. This alliance was officially called the United Nations. In the midst of the war, the allies began to draft plans for an international organization to replace the failed League of Nations. They gave the new organization their name, gave themselves veto power on the Security Council, and gave the Security Council a critical role in amending the Charter and admitting new members. The allies also wrote into the Charter provisions that allowed UN members to treat the defeated Axis powers with impunity.⁵ Because they were not considered "peace loving," Axis powers were not admitted to the UN until long after the end of the war. Italy, Austria, and Spain were admitted in 1955, and Japan was admitted in 1956. West Germany (the Federal Republic of Germany) and East Germany (the German Democratic Republic) were not admitted until 1973.⁶

In 1949, during the Chinese Revolution, the nationalist government that participated in the United Nations alliance and helped set up the UN retreated to Taiwan, leaving mainland China under the control of a new communist government. According to Russia, an ally of the new government, this meant that the Chinese seat at the UN should be taken from the nationalist government running Taiwan (the Republic of China) and given to the communist government running the mainland (the People's Republic of China). But the US and its Western bloc allies on the Security Council refused to do so. As a result, for more than 20 years, the Chinese seat at the UN was occupied by Taiwan, and the PRC did not have any representation at the UN. In 1971, the situation was reversed. US President Nixon recognized the mainland Chinese government, the GA passed Resolution 2758 stating that "the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations," and Taiwan lost its seat at the UN.⁷ Since then, Taiwan has repeatedly applied for UN membership. Due to opposition from China, it has never been admitted, or even granted observer status.

Currently, there are two entities with permanent observer status at the UN: the Holy See (Vatican), which is recognized as a non-member state, and Palestine, which is recognized as a non-state entity. Observer status is granted by the General Assembly. Observers have "a standing invitation to participate as observer in the sessions and the work of the General Assembly." They can attend meetings and speak but cannot vote.⁸

Over the years, as Chinese economic power has grown, international recognition of Taiwan has dwindled to just 24 countries.⁹ This is why it is difficult for Taiwan even to achieve observer status. In 2007, when Taiwan last applied for UN membership, its application letter was returned.¹⁰ In 2008, the new president of Taiwan, Ma Ying-

⁵ "Charter of the United Nations," Article 107.

⁶ United Nations Department of Public Information, "United Nations Member States."

⁷ Bruce Weber, "Players Big and Small Recall the China Opening of '71," *New York Times*, July 26, 1997, available at <http://query.nytimes.com/gst/fullpage.html?res=9B00EED7173AF935A15754C0A961958260> United Nations General Assembly, Resolution 2758 (1971), available at [http://www.undemocracy.com/A-RES-2758\(XXVI\)/page_1/rect_485,223_914,684](http://www.undemocracy.com/A-RES-2758(XXVI)/page_1/rect_485,223_914,684)

⁸ United Nations, "Non-Member States and Entities," <http://www.un.org/en/members/nonmembers.shtml>

⁹ Nicholas Kulish, "A Diplomat Reflects on Taiwan's Isolation," *New York Times*, June 24, 2007, available at <http://www.nytimes.com/2007/06/24/world/asia/24taiwan.html>

¹⁰ "Admit Taiwan to UN, Academic Says," *Taipei Times*, 18 September 2007, available at <http://www.taipeitimes.com/News/taiwan/archives/2007/09/18/2003379297>

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jeou, announced he would work for closer ties with China instead of pursuing a UN seat.¹¹ In response, China dropped its objections to Taiwan joining selected other international organizations, such as the World Health Organization, as an observer (non-voting) state.¹² Since then, relations between the two have generally improved, which is in both of their interests, since “China is Taiwan's largest trading partner, and Taiwan is China's seventh-largest.”¹³ However, in recent weeks there has been renewed tension due to US arms sales to Taiwan.¹⁴ The US is not among the countries that recognize Taiwan as a state, but it does have close, unofficial relations with Taiwan and is the main source of its military equipment.¹⁵

In addition to Cold War tensions between the US and Soviet Union, the post-World War II era was characterized by the disintegration of European empires. As erstwhile great powers such as Britain and France lost the ability to maintain their empires, independence movements spread throughout the world, culminating either through negotiation or wars of independence in the emergence of many new states. In Africa, the movement started in 1957 with Ghana's independence from the UK and ended in 1990 with Namibia's independence from South Africa. Asian, Middle Eastern, and Caribbean states such as Malaysia (1957), Kuwait (1963) and the Bahamas (1973) were also admitted to the UN. By 1963, the UN's original membership of 51 had grown to 113. By 1975, there were 147 UN member states. By 1980, UN membership had tripled, and the majority of members were newly-independent, developing countries.¹⁶ Once these countries began to work together as the Group of 77 (G-77), they had a profound effect on the passage and content of GA resolutions, as well as the funding of UN programs.¹⁷

During this time, the UN did not just admit states when they became independent. It also played an important role in calling for and facilitating their independence.¹⁸ For example, GA Resolution 1514 (1960) condemned colonialism, advocated self-determination, and discussed methods by which decolonization could be achieved.¹⁹ In addition, the Trusteeship Council helped colonized peoples gain independence by offering a kind of mentorship with a UN member state. The Security Council handled most of the administrative issues and all of the implementation of the program, but the GA also played a role from time to time, usually when Security Council members had no interest in the entity in question.²⁰ In 1994, Palau, the last remaining Trusteeship participant, was admitted to membership, and the Council was suspended indefinitely.²¹

¹¹ Keith Bradsher, “Taiwan Elects a Leader Who Seeks Closer China Ties,” *New York Times*, March 22, 2008, available at <http://www.nytimes.com/2008/03/22/world/asia/22cnd-taiwan.html>

¹² Keith Bradsher, “Taiwan Takes Step Forward at U.N. Health Agency,” *New York Times*, April 29, 2009, available at <http://www.nytimes.com/2009/04/30/world/asia/30taiwan.html?ref=taiwan>

¹³ US Department of State, “Background Note: Taiwan,” 7 July 2011, available at <http://www.state.gov/r/pa/ei/bgn/35855.htm>

¹⁴ Andrew Jacobs, “Taiwan Arms Sale Draws Angry, but Familiar, Reaction From China,” *New York Times*, 22 September 2011.

¹⁵ US Department of State, “Background Note: Taiwan.”

¹⁶ United Nations, “Growth in UN Membership.”

¹⁷ Karen A. Mingst and Margaret P. Karns, *The United Nations in the 21st Century*, 3rd edition (Boulder: Westview, 2007), 3-5.

¹⁸ Craig N. Murphy and Enrico Augelli, “International Institutions, Decolonization, and Development,” *International Political Science Review* 14:1, 1993: 71-19.

¹⁹ Mingst and Karns, “*The United Nations in the 21st Century*,” p. 4.

²⁰ Huntington Gilchrist, “Trusteeship and the Colonial System,” *Proceedings of the Academy of Political Science* 22:2, January 1947: 95-103.

²¹ “Trusteeship Program of the UN,” available from <http://www.un.org/en/mainbodies/trusteeship/>

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The most recent burst of UN membership occurred in the early 1990s, with the disintegration of the Soviet Union and the emergence of newly independent states such as Latvia, Lithuania, Armenia, Bosnia and Herzegovina, Georgia, Kyrgyzstan, Slovenia, Uzbekistan, and Tajikistan.

In addition to participating in decisions about the admission of new members, the GA and Security Council together address changes in the status of existing member states. In 1990, for example, after the fall of the Berlin Wall and the union of East and West Germany, they approved a request to combine the two German seats in the name of the Federal Republic of Germany.²²

The disintegration of Yugoslavia beginning in the 1990s posed a host of problems related to UN membership. The Socialist Federal Republic of Yugoslavia was among the 51 original members of the UN. During the Cold War, its position in the center of Europe meant that it was courted by and received aid from both the US and Soviet Union. With the demise of the USSR, however, Yugoslavia's resources plummeted, and its internal conflicts grew. By 1992, Bosnia and Herzegovina, Croatia, and Slovenia had broken away from the Yugoslav federal system dominated by Serbia and had been accepted for membership in the UN.²³ Because of Serbia's harsh, military response to their actions, the Security Council declared that "the state formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist" and recommended that it reapply for membership.²⁴ Yugoslavia was not readmitted to the UN until 2000, when it joined with Montenegro under the name of the Federal Republic of Yugoslavia.²⁵ Later, in response to European pressure and in disregard of Montenegro's desire for independence, the state was renamed Serbia and Montenegro.²⁶

The union of Serbia and Montenegro was not expected to last long, and it did not. In 2006, Montenegro declared independence from Serbia and was admitted to the UN.²⁷ The states pushing for the union simply hoped to keep the breakup of Yugoslavia on ice for awhile, to keep other conflicts (especially the one between Serbia and its then-province, Kosovo) from escalating. According to the *New York Times*, "almost everyone contends ... that the constitutional sleight of hand was essential. 'It buys us some time,' one European diplomat said. 'We're simply not ready to start talking about the future status of Kosovo at this stage.'" ²⁸

²² United Nations, "Growth in UN Membership."

²³ Karen Ruth Adams, "Structural-Realist Theory: Systemic Sources and Consequences of Civil War and Intervention," in Jennifer Sterling-Folker, ed., *Making Sense of International Relations Theory* (Boulder: Lynne Rienner, 2005). See also Dusko Doder, "Yugoslavia: New War, Old Hatreds," *Foreign Policy*: 91, Summer 1993: 3-12.

²⁴ Security Council, Resolution S/RES/777 (1992), September 19, 1992, available at <http://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/UNMembers%20SRES777.pdf>

²⁵ United Nations Department of Public Information, "United Nations Member States." See also "A Different Yugoslavia, 8 Years Later, Takes its Seat at the UN," *New York Times*, November 2, 2000.

²⁶ Daniel Simpson, "Yugoslavia Is Again Reinvented, in Name and Structure," *New York Times*, February 5, 2003.

²⁷ Security Council Report, "Update Report No. 6: Montenegro's Admission to the UN," June 21, 2006, available at http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.1807447/k.D239/Update_Report_No_6_Montenegros_Admission_to_the_UN_21_June_2006.htm

²⁸ Daniel Simpson, "Nostalgia for Old Name Lingers in Uneasy Union," *New York Times*, March 9, 2003.

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Situations such as this have been termed “frozen conflicts.”²⁹ When Security Council members and other powerful states wish to maintain the status quo and do so by withholding diplomatic recognition and applying other types of pressure, there is not much states seeking UN membership (or trying to prevent others from obtaining membership) can do.

This kind of international intervention in the breakup and reconstitution of states has a number of detrimental effects. First, it alienates groups on both sides of the conflict. Because it is contrary to the goal of self-determination expressed in Article 1 of the UN Charter, it alienates groups seeking independence. Moreover, because it is contrary to the norm of non-interference expressed in Article 2 of the Charter, it alienates UN member states that have independence movements in their territories.³⁰ As a Serbian lawyer said about the union and renaming of Serbia and Montenegro, “I’m not sure what the European Union thinks it has achieved by sending Javier Solana [the European Union’s foreign policy chief] down here to invent new countries that don’t work. ... ‘Maybe we should just call the place ‘Solania’ and have done with it.’”³¹

Second, international intervention to stem the emergence of states often creates a build-up of pressure that erupts into war. For example, far from keeping the Serbia-Kosovo conflict on ice, international unwillingness to deal with the conflict provided an excuse for Serbia to crack down on the province, sparking the rise of the Kosovo Liberation Army and an armed struggle for control of the territory. In 1999, this conflict culminated in ethnic cleansing and a North Atlantic Treaty Organization (NATO) bombing campaign against Serbia.³²

Third, international intervention often results in the development of treaties and agreements that are disregarded when international interests change. After 11 weeks of NATO bombing, Serbia agreed to withdraw its forces from Kosovo. According to the peace agreement and Security Council Resolution 1244 (1999), Kosovo would be administered by the UN until its final status could be decided by the Security Council.³³ Nevertheless, in February 2008, with the support of the US and many European states and despite the opposition of Russia and China, Kosovo declared its independence.³⁴ It was immediately recognized by the US, UK, France, and Germany. As of February 2011, it had been recognized by 72 of the (then) 192 UN member states.³⁵

²⁹ Radio Free Europe/Radio Liberty. “UN: GUAM Brings Frozen Conflicts to World Stage.” September 27, 2006. Available at <http://www.rferl.org/content/article/1071669.html> “United Nations petitioned by Pridnestrovie, two other unrecognized countries,” *Tiraspol Times* [Pridnestrovie, also known as Transnistria, Moldova], November 30, 2006. Note: the latter story is no longer accessible because Moldova forced newspapers supporting Transnistria’s independence to close. “Journalistic Freedom: *Tiraspol Times* Staff Weighing Options After Moldovan Gag Law,” June 16, 2008, available at <http://www.netnewspublisher.com/journalistic-freedom-tiraspol-times-staff-weighing-options-after-moldovan-gag-law/>

³⁰ “Charter of the United Nations,” Articles 1 and 2.

³¹ Simpson, “Nostalgia for Old Name Lingers in Uneasy Union.”

³² Adams, “Structural-Realist Theory.” Stephen Zunes, “Kosovo and the Politics of Recognition,” *Foreign Policy in Focus*, February 21, 2008, available at <http://www.fpif.org/fpiftxt/5006>

³³ “Text of the G-8 peace plan taken to Belgrade by the EU and Russian envoys, and agreed to on June 3 by the Serbian Parliament and President Milosevic,” June 3, 1999, available at <http://jurist.law.pitt.edu/peace.htm#plan>. United Nations Security Council, Resolution S/RES/1244, June 10, 1999, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement>

³⁴ Dan Bilefsky, “Kosovo Declares Its Independence From Serbia,” *New York Times*, February 18, 2008, available at <http://www.nytimes.com/2008/02/18/world/europe/18kosovo.html?fta=y>

³⁵ Martin Waehlich and Behar Xharra, “Three Years After Independence, Kosovo Struggles For Recognition,” Radio Free Europe/Radio Liberty, 17 February 2011, available at http://www.rferl.org/content/commentary_kosovo_third_anniversary/2312109.html

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Finally, variable and highly politicized criteria for recognition of new states creates tension throughout the international system. For example, after the recognition of Kosovo by the US and European countries, Russia warned that it, too, could recognize new states. It also pointed out that Kosovo, which continues to be run by UN administrators and policed by NATO forces, is far less of a *de facto* (sovereign) state than South Ossetia and Abkhazia, which have been substantially independent from Georgia since the early 1990s. In August 2008, after Georgia launched military attacks to reverse the *de facto* independence of Georgia's provinces of South Ossetia and Abkhazia, Russia came to their support and recognized their independence.³⁶ As of September 2011, just five countries – Russia, Venezuela, Nicaragua, Nauru, and Tuvalu -- recognize them as independent states.³⁷

Previous Committee Work on this Topic

By recognizing Kosovo's independence despite Russian and Chinese opposition, the US and European countries failed to follow the plan laid out by the Security Council. In response, in October 2008, the GA supported Serbia's request to have the International Court of Justice review the legality of Kosovo's declaration of independence. According to the *New York Times*,

The court, based in The Hague, is often called upon to mediate border disputes and the like, but requests from the United Nations for legal rulings are rare. The case of Kosovo's independence will be particularly difficult. While international law recognizes certain formal steps toward independence by former colonies in places like Africa or Latin America, there are no similar guidelines for secession in more established regions like Europe.³⁸

Kosovo has not yet applied for UN membership. If it did, it would face "the certainty of a veto by Russia and China. Both countries have their own 'autonomous regions' composed of national minorities – a number of which have dreams of formal independence – and thus fear the precedent such international recognition could establish."³⁹ Russia's autonomous regions include Chechnya. China's include Tibet.

In addition, Kosovo would face questions about its ability to carry out its obligations under the Charter. According to international law, states exist and are responsible under international law when they meet four criteria of *de facto* statehood. These criteria, expressed in the 1933 Montevideo Convention on the Rights and Duties of States, are permanent population; a defined territory; government; and the capacity to enter into relations with other states.⁴⁰ Because Kosovo's government is still largely dependent on military support from the EU and NATO, it does not meet these conditions.⁴¹

³⁶ Helene Cooper, C.J. Chivers, and Clifford J. Levy, "U.S. Watched as a Squabble Turned Into a Showdown," *New York Times*, August 17, 2008, available at <http://www.nytimes.com/2008/08/18/washington/18diplo.html>. See also Dan Bilefsky, "Kosovo's New Constitution Takes Effect," *New York Times*, June 16, 2008, <http://www.nytimes.com/2008/06/16/world/europe/16kosovo.html>.

³⁷ Ilya Khrennikov, "Russia Forges Ties With Tuvalu after Abkhaz, Ossetia Recognition," Bloomberg, 25 September 2011, available at <http://www.bloomberg.com/news/2011-09-25/russia-forges-ties-with-tuvalu-after-abkhaz-ossetia-recognition.html>

³⁸ Neil MacFarquhar, "Serbia Wins Bid to Review Independence of Kosovo," *New York Times*, October 8, 2008, available at <http://www.nytimes.com/2008/10/09/world/europe/09nations.html>

³⁹ Zunes, "Kosovo and the Politics of Recognition."

⁴⁰ "Montevideo Convention on the Rights and Duties of States," December 26, 1933, available at http://www.cfr.org/publication/15897/montevideo_convention_on_the_rights_and_duties_of_states.html

⁴¹ "Kosovo," *New York Times*, <http://topics.nytimes.com/top/news/international/countriesandterritories/serbia/kosovo/index.html?scp=1-spot&sq=kosovo&st=cse>

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Among the contemporary entities that are *de facto* states but have not been admitted to the UN are Taiwan, Abkhazia, South Ossetia, Pridnestrovie, and Somaliland. Other entities seeking international recognition include Western Sahara, Chechnya, the Kurds, and the Basques.⁴²

In 2008, the European Parliament held a conference on the importance of involving *de facto* states in the international community.⁴³

On 23 September 2011, Mahmoud Abbas, the President of the Palestinian Authority, submitted Palestine's application to become a full voting member of the UN. Shortly thereafter, Secretary Ban Ki-moon forwarded the application to the Security Council, which sent it to a sub-committee for review.⁴⁴ It is standard practice for a subcommittee to review a UN membership application before the full Council considers it. A subcommittee also reviewed South Sudan's application earlier this year. However, it is expected that the committee will take far longer than the three days it took to review South Sudan's application. South Sudan's application was less contentious because Sudan, from which it was seceding, had agreed to recognize South Sudan's independence and end the war between them.⁴⁵

A delay in Security Council consideration is expected for four reasons. First, although 124 UN members have extended diplomatic recognition to Palestine,⁴⁶ legal scholars disagree about whether Palestine meets the definition of a *de facto* state.⁴⁷ Even President Abbas agrees that Israel has ultimate military control over Palestinian territories. He is simply trying to use UN membership as a device to obtain statehood indirectly, by encouraging the international community to pressure Israel to recognize and treat Palestine as a sovereign state.⁴⁸ Second, the United States has indicated that it would veto Palestine's application if it came to a vote, in part because of US support for Israel and in part because the sticky issue of who would control which territory remains up in the air. Third, Security Council members are concerned about unrest in Israel and the Middle East if the application is vetoed. Fourth, within hours of the application being submitted, the "Quartet" of the US, Russia, France, UK, and UN Secretariat obtained informal agreement from both Israel and the Palestinian authority to resume peace talks within three months and arrive at an agreement by the end of 2012.⁴⁹

⁴² "United Nations petitioned by Pridnestrovie, two other unrecognized countries," *Tiraspol Times*. Unrepresented Nations and Peoples Organization (UNPO), "Nations and People," May 13, 2008. Available at <http://www.unpo.org/content/view/7783/240/>. Zunes, "Kosovo and the Politics of Recognition."

⁴³ Unrepresented Nations and Peoples Organization, "The Missing Delegates: Opening the World Order to *de facto* States," May 13, 2008, available at <http://www.unpo.org/content/view/8133/81/>

⁴⁴ "The Palestinian Bid for Statehood (United Nations, 2011 General Assembly)," *New York Times*, 23 September 2011, available at http://topics.nytimes.com/topics/reference/timestopics/organizations/p/palestinian_authority/index.html?scp=1-spot&sq=palestine&st=cse

⁴⁵ "Security Council recommends South Sudan for UN membership," UN News Centre, 23 July 2011, available at <http://www.un.org/apps/news/story.asp?NewsID=39026&Cr=south+sudan&Cr1>

⁴⁶ "Three-quarters of world recognizes Palestine," Ma'an News Agency, 28 August 2011, available at <http://www.maannews.net/eng/ViewDetails.aspx?ID=416575>

⁴⁷ International Crisis Group, "Curb Your Enthusiasm," Middle East Report 112, 12 September 2011, page 12, footnote 81, available at <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/112%20Curb%20Your%20Enthusiasm%20-%20Israel%20and%20Palestine%20after%20the%20UN.pdf>

⁴⁸ Khaled Abu Toameh, "Abbas: UN statehood bid is not a unilateral act," Jerusalem Post, 23 July 2011, available at <http://www.jpost.com/MiddleEast/Article.aspx?id=230634>

⁴⁹ "The Palestinian Bid for Statehood."

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During the High-Level Meetings of the General Assembly in mid-September, an overwhelming majority of UN member states expressed support for both Palestinian membership in the UN and the creation of a Palestinian state in the areas currently controlled by the Palestinian authority, as well as some yet-to-be-defined areas currently controlled occupied by the Israeli government and Israeli settlers. In response, US President Obama and Israeli President Netanyahu said that the conflict between Israel and the Palestinians must be resolved before any Palestinian state is recognized by the UN. In his remarks to the General Assembly Plenary, French President Nicolas Sarkozy suggested a middle road in which the UN membership application could be tabled for a year while Israel and Palestine work out their differences once and for all so that a new Palestinian state could join the UN. In the meantime, President Sarkozy proposed a GA resolution that would upgrade Palestine's UN observer status from that of an "entity" to that of a "non-member state," like the Vatican.⁵⁰ As of 27 September, no resolution to that effect has been submitted to the GA.

Shortly after the Quartet obtained agreement on new Israeli-Palestinian talks, Israel moved forward on plans to build new Israeli homes in East Jerusalem, which the Palestinians believe should be part of their state. One of the Palestinian conditions for participation in talks is a halt on Israeli settlements in disputed territories.⁵¹

Conclusion

At present, the UN includes most but not all *de facto* states in the international system. The absence of entities such as Taiwan, Somaliland, and Pridnestrovie, which are clearly sovereign, raises questions about whether the UN should modify its admissions process to make it less political. In addition, the recognition by many UN member states of Kosovo and Palestine, two entities that do not have *de facto* sovereignty, raises questions about member state compliance with Security Council resolutions and other international agreements.

As you research your country's position on this issue, consider the following questions:

- When did your country become a state? When was it admitted to the UN? Was this a contentious process? Why or why not?
- Does your country have any would-be states within its borders? If so, what are its relations with these entities?
- Does your country recognize and/or support the membership of any would-be member states in other regions? Why or why not?
- What should the GA do about membership and recognition of the entities discussed in this paper?
- What can and should the GA do to rationalize the rules and processes of UN membership? Should its efforts focus on the admission of all *de facto* states or only states that are "peace loving"? What is the right balance between self-determination and non-intervention?

⁵⁰ "Drop bid for UN recognition, Obama and Sarkozy urge Palestinians; Abbas still pressing ahead," Associated Press, 21 September 2011, available at http://www.washingtonpost.com/world/middle-east/french-president-will-ask-palestinians-to-drop-un-membership-bid-abbas-remains-determined/2011/09/21/gIQAX8nZkK_story.html

⁵¹ Joel Greenberg and Joby Warrick, "Israel building plan for East Jerusalem draws fresh rebuke from U.S., others," *Washington Post*, 27 September 2011, available at http://www.washingtonpost.com/world/middle-east/israel-advances-east-jerusalem-building-plan/2011/09/27/gIQA0qq51K_story.html

Recommended Reading

“Charter of the United Nations.” Available at <http://www.un.org/aboutun/charter/>

Because this issue relates to the purposes and processes of the UN, it is vital to be familiar with the provisions of the Charter, especially those related to membership, amendments, self-determination, and non-interference in the domestic affairs of states.

International Crisis Group. “Curb Your Enthusiasm.” Middle East Report 112. 12 September 2011. Available at <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/112%20Curb%20Your%20Enthusiasm%20-%20Israel%20and%20Palestine%20after%20the%20UN.pdf>

This recent report by a well-respected international think tank summarizes the history of the Israeli-Palestinian conflict, as well as a range of views on Palestine’s application for UN admission.

Kulish, Nicholas. “A Diplomat Reflects on Taiwan’s Isolation.” *New York Times*. June 24, 2007. Available at <http://www.nytimes.com/2007/06/24/world/asia/24taiwan.html>

This article provides a good overview of the problems faced by *de facto* states like Taiwan that are not members of the UN.

Radio Free Europe/Radio Liberty. “UN: GUAM Brings Frozen Conflicts to World Stage.” September 27, 2006. Available at <http://www.rferl.org/content/article/1071669.html>

This article explains the idea of “frozen conflicts” and discusses the desire of states in the “GUAM” region of Georgia, Ukraine, Azerbaijan, and Moldova to regain control of *de facto* states within their borders. The article discusses their recent appeal to the GA. The site has links to related articles.

Security Council Report. “Admission of New UN Members: UN Documents.” September 22, 2011. Available at <http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.3133943/>

This Columbia University web site monitors Security Council actions and resolutions. This page provides links to recent Security Council and GA decisions related to UN membership.

Stratan, Andrei. “Republic of Moldova.” Statement to the UN General Assembly. 29 September 2008. Available at <http://www.un.org/ga/63/generaldebate/moldova.shtml>

In this speech to the GA, the Moldovan foreign minister discussed his country’s perspective on its conflict with the *de facto* state of Pridnestrovie (also known as Transnistria).

United Nations. “The Question of Palestine.” Website. Available at <http://domino.un.org/unispal.nsf/home.htm>

This website provides access to all of the UN’s documents on the situation in Palestine and the UN’s efforts to improve it. For additional background information and coverage of current events, see the *New York Times* site in footnote 43.

Unrepresented Nations and Peoples Organization (UNPO). “The Missing Delegates: Opening the World Order to *de facto* States.” May 13, 2008. Available at <http://www.unpo.org/content/view/8133/81/>

UNPO is an association of *de facto* states and other unrecognized groups that provides information on many such entities around the world. This article discusses the recent European Parliament conference on *de facto* states.