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Membership of the UN

I. Acquisition of membership

Membership in the UN means accepting all the rights and obligations set out in the Charter. The Charter distinguishes between original and admitted Members, but there is no difference between the rights and obligations of the two. Today there are one hundred and ninety-three Members.

The original Members are those States that fulfil a double condition: on the one hand, having participated in the San Francisco Conference or having previously signed the Declaration of the United Nations of 1 January 1942; and, on the other hand, having subscribed to and ratified the Charter.

The original Members of the UN were fifty-one, the fifty participants in the San Francisco Conference and Poland, which had signed the Declaration.

For the admission of new Members, the Charter lays down five conditions. Firstly, it must be a state, i.e. it must have the constituent elements of a state. Secondly,



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it must be a "peace-loving" state, a condition that currently has no concrete meaning since those declared "enemy states" during the Second World War have been admitted as UN Members, and the condition is therefore presumed of all states. Thirdly, to accept the obligations contained in the Charter by an express Declaration. Fourth, to be capable of fulfilling them. Fifthly, to be prepared to fulfil those obligations.

These conditions are exhaustive and sufficient according to the Advisory Opinion of one thousand nine hundred and forty-eight.

For admission to take place, there must be a recommendation of the Security Council and a decision of the General Assembly.

II. Suspension of the exercise of the rights and privileges inherent in membership

A Member may be suspended from the exercise of the rights and privileges of membership if a number of conditions are met: first, the Security Council has adopted a resolution imposing sanctions measures against the Member State; second, the Security Council has recommended to the General Assembly that the Member State be suspended; and third, the General Assembly adopts a resolution deciding on the suspension.

In the case of reinstatement of the Member State, a Security Council resolution is required.

Suspension halts the rights and privileges of membership, but not the obligations.

In practice there have been no cases.

III. Loss of membership

The loss of membership is regulated in Article 6 of the Charter. It requires an inescapable premise: a repeated violation of Article 2 of the Charter, i.e. of the principles of the UN.

The procedure begins with a Security Council resolution recommending to the General Assembly the loss of membership and continues, if necessary, with a resolution of the General Assembly deciding on the loss of membership.

The Charter does not provide for voluntary withdrawal, but neither does it contain a specific prohibition on such withdrawal.

In practice, there have been no such cases.



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