

Chapter IV

VOTING

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INTRODUCTORY NOTE

This chapter contains material from the *Official Records* relating to the practice of the Council under Article 27 of the Charter. The arrangement of the material in this chapter follows the pattern of the corresponding chapter in the earlier volumes of the *Repertoire*.

Part I deals with evidence relating to the distinction between procedural and non-procedural matters. No material requiring treatment in part II relating to the practice of the Council in voting upon the question whether a matter is procedural within the meaning of Article 27, paragraph 2, has been found for the period under review. Part III is concerned with the abstention or absence of a Council member in relation to the requirements of Article 27, paragraph 3.

Material relating to voting in connexion with the election of Judges under Article 10 of the Statute of the International Court of Justice is included in chapter VI, part I, section D, whereas material concerning the voting procedure employed by the Council in connexion with application for admission to membership in the United Nations may be found in chapter VII, parts I and V.

As noted in preceding volumes of the *Repertoire*, most of the occasions on which the Council has voted, afford no indication of the attitude of the Council regarding the procedural or non-procedural character of the matter voted upon. Where a decision has been arrived at by a unanimous vote, or with all permanent members voting in favour of the proposal, no indication of the view of the Council as to the procedural or non-procedural nature

of the matter can be obtained from the vote. Nor can any indication be obtained from proceedings in which a proposal, having been put to the vote, has failed to obtain nine votes in its favour.

Part I, section A, comprises those instances (Cases 1-4) wherein the adoption of a proposal, obtained through nine or more votes, with one or more permanent members casting a negative vote, indicated the procedural character of the decision. Cases in this section have been grouped under headings derived from the subject matter dealt with in the decisions; the headings do not constitute general propositions as to the procedural character of future proposals which might be deemed to fall under them.

Part I, section B, includes only two instances where the rejection of a proposal, having obtained nine or more votes with one or more permanent members casting a negative vote, indicated the non-procedural character of the decision. During the period under review, there has been no discussion in the Security Council of the procedural or non-procedural character of the decisions to be taken. The entries (Cases 5 and 6) in this section are therefore restricted to a reference whereby the draft resolution or proposal and the vote thereon may be identified in the record of decisions in other parts of this Supplement.

Part III, section B, lists those occasions (Cases 7-13) on which permanent members have abstained voluntarily considering that no affirmative decision could have been taken had they voted against the proposal.

Part I

PROCEDURAL AND NON-PROCEDURAL MATTERS

A. CASES IN WHICH THE VOTE INDICATED THE PROCEDURAL CHARACTER OF THE MATTER

1. Inclusion of items in the agenda

On three occasions, items have been included in the agenda by a vote of the Council, notwithstanding the negative vote of a permanent member.

CASE 1

At the 1273rd meeting on 2 February 1966—Situation in Viet-Nam.¹

CASE 2

At the 1388th meeting on 26 January 1968—Complaint by the United States (Pueblo incident).²

¹ 1273rd meeting, para. 27.

² 1388th meeting (PV), pp. 19-20.

CASE 3

At the 1441st meeting on 21 August 1968—Situation in Czechoslovakia.³

**2. Order of items on the agenda

**3. Deferment of consideration of items on the agenda

**4. Removal of an item from the list of matters of which the Security Council is seized

**5. Rulings of the President of the Security Council

**6. Suspension of a meeting

³ 1441st meeting (PV), pp. 58-60. For procedural discussion concerning inclusion of the item in the agenda, see chapter II, pp. 15-16.

7. Adjournment of a meeting

On the following occasion, a proposal that the Security Council should adjourn under rule 33, paragraph 2, was adopted by a vote of the Council, notwithstanding the negative vote of a permanent member.

CASE 4

At the 1358th meeting on 13 June 1967—Situation in the Middle East.⁴

****8. Invitation to participate in the proceedings**

****9. Conduct of business**

****10. Convocation of an emergency special session of the General Assembly**

B. CASES IN WHICH THE VOTE INDICATED THE NON-PROCEDURAL CHARACTER OF THE MATTER

1. In connexion with matters considered by the Security Council under its responsibility for the maintenance of international peace and security

⁴ 1358th meeting (PV), p. 172.

CASE 5

Decision of 4 November 1966 (1519th meeting): Rejection of draft resolution submitted by Argentina, Japan, Netherlands, New Zealand, Nigeria and Uganda in connexion with the Palestine Question.⁵

CASE 6

Decision of 22 August (1443rd meeting): Rejection of draft resolution submitted by Brazil, Canada, Denmark, France, Paraguay, Senegal, the United Kingdom and the United States in connexion with Situation in Czechoslovakia.⁶

****2. In connexion with other matters considered by the Security Council**

**** (a) IN CONNEXION WITH ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS**

**** (b) IN CONNEXION WITH APPOINTMENT OF THE SECRETARY-GENERAL**

⁵ S/7575/Rev.1, *OR, 21st yr., Suppl. for Oct.-Dec. 1966*, p. 69; 1319th meeting, p. 51. For vote on the draft resolution see chapter VIII, part II, p. 128.

⁶ S/8761, 1442nd meeting (PV), p. 17; 1443rd meeting (PV), pp. 163-165. For vote on the draft resolution, see chapter VIII, part II, p. 172.

****Part II**

PROCEEDINGS OF THE SECURITY COUNCIL REGARDING VOTING UPON THE QUESTION WHETHER THE MATTER WAS PROCEDURAL WITHIN THE MEANING OF ARTICLE 27, PARAGRAPH 2, OF THE CHARTER

****A. PROCEEDINGS ON OCCASIONS WHEN THE SECURITY COUNCIL VOTED ON "THE PRELIMINARY QUESTION"**

****B. CONSIDERATION OF PROCEDURES INVOLVED IN VOTING ON "THE PRELIMINARY QUESTION"**

****1. Consideration of the order in which the matter itself, and the question whether the matter is procedural, should be voted upon**

****2. Consideration whether the decision that the matter is procedural is itself a procedural decision**

****3. Consideration of the use of rule 30 of the provisional rules of procedure of the Security Council in determining whether a matter is procedural**

Part III

ABSTENTION AND ABSENCE IN RELATION TO ARTICLE 27, PARAGRAPH 3, OF THE CHARTER

****A. OBLIGATORY ABSTENTION**

****1. Cases in which members have abstained in accordance with the proviso of Article 27, paragraph 3**

****2. Consideration of abstention in accordance with the proviso of Article 27, paragraph 3**

B. VOLUNTARY ABSTENTION IN RELATION TO ARTICLE 27, PARAGRAPH 3

1. Certain cases in which permanent members have abstained otherwise than in accordance with the proviso of Article 27, paragraph 3

SITUATION IN SOUTHERN RHODESIA

CASE 7

Decision of 9 April 1966 (1277th meeting): Draft resolution submitted by the United Kingdom.⁷

CASE 8

Decisions of 16 December 1966 (1340th meeting):

- (i) First Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution.⁸
- (ii) Second Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution.⁹
- (iii) Fourth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution.¹⁰
- (iv) Fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution (vote on new operative paragraph 6).¹¹
- (v) Fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution (vote on operative paragraph 7).¹²
- (vi) Fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution (vote on operative paragraph 8).¹³
- (vii) Sixth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution (vote on operative paragraph 1).¹⁴
- (viii) Sixth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution (vote on operative paragraph 2).¹⁵

⁷ 1277th meeting, para. 179. For vote on the draft resolution, see chapter VIII, part II, p. 114.

⁸ 1340th meeting (PV), pp. 56-60. For vote on the first Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

⁹ 1340th meeting (PV), pp. 57-60. For vote on the second Mali-Nigeria-Uganda amendment to the draft resolution, see chapter VIII, part II, p. 119.

¹⁰ 1340th meeting (PV), p. 62. For vote on the fourth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

¹¹ 1340th meeting (PV), pp. 63-66. For vote on new operative paragraph 6 in the fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

¹² 1340th meeting (PV), p. 66. For vote on operative paragraph 7 in the fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

¹³ 1340th meeting (PV), p. 67. For vote on operative paragraph 8 in the fifth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

¹⁴ 1340th meeting (PV), pp. 67-68. For vote on operative paragraph 1 in the sixth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

¹⁵ 1340th meeting (PV), p. 68. For vote on operative paragraph 2 in the sixth Mali-Nigeria-Uganda amendment to the United Kingdom draft resolution, see chapter VIII, part II, p. 119.

- (ix) The United Kingdom draft resolution as amended.¹⁶

CASE 9

Decision of 29 May 1968 (1428th meeting): Draft resolution submitted by the President of the Council (vote on operative paragraph 15).¹⁷

COMPLAINT BY THE DEMOCRATIC REPUBLIC OF THE CONGO

CASE 10

Decision of 14 October 1966 (1306th meeting): Draft resolution submitted by Jordan, Mali, Nigeria and Uganda.¹⁸

SITUATION IN THE MIDDLE EAST

CASE 11

Decision of 21 May 1968 (1426th meeting): Draft resolution submitted by Pakistan and Senegal as amended.¹⁹

CASE 12

Decision of 27 September 1968 (1454th meeting): Draft resolution submitted by Pakistan and Senegal as amended.²⁰

QUESTION OF SAFEGUARDS TO NON-NUCLEAR-WEAPON STATES PARTIES TO THE NON-PROLIFERATION TREATY

CASE 13

Decision of 19 June 1968 (1433rd meeting): Draft resolution submitted by the USSR, the United Kingdom and the United States.²¹

¹⁶ 1340th meeting (PV), pp. 76-80. For vote on the draft resolution, see chapter VIII, part II, p. 119.

¹⁷ 1428th meeting (PV), pp. 26-27. For vote on the draft resolution, see chapter VIII, part II, p. 122.

¹⁸ 1306th meeting, para. 255. For vote on the draft resolution, see chapter VIII, part II, p. 132.

¹⁹ 1426th meeting (PV), pp. 26-27. For vote on the draft resolution, see chapter VIII, part II, p. 157.

²⁰ 1454th meeting (PV), pp. 103-105. For vote on the draft resolution, see chapter VIII, part II, p. 162.

²¹ 1433rd meeting (PV), p. 46. For vote on the draft resolution, see chapter VIII, part II, p. 171.