

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 that of the corresponding chapter in earlier volumes of the *Repertoire*.

Part I presents 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. Chapter VII, parts I and V, contains material on the voting procedure employed by the Council in connexion with applications for admission to membership in the United Nations.

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 an instance (case 1) 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. The headings in this section have been derived from the subject matter dealt with in the decision and does not constitute a general proposition as to the procedural character of future proposals which might be deemed to fall under the same heading.

Part I, section B, includes six instances (cases 2-7) 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 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 8-35) on which permanent members have abstained voluntarily considering that no affirmative decision could have been taken had they voted against the proposal.

Part III, section C, contains one case (case 36) where a permanent member did not participate in a vote.

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
- **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
 - **7. Adjournment of a meeting
- **8. Invitation to participate in the proceedings

9. Conduct of business

CASE 1

At the 1554th meeting on 10 October 1970 in connexion with the application by Fiji for admission to membership in the United Nations, the Council decided to suspend rule 59 of the Security Council's provisional rules of procedure, notwithstanding the negative vote of a permanent member.¹

**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

CASE 2

Decision of 17 March 1970 (1534th meeting):

¹ 1554th meeting, para. 62.

Rejection of draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia in connexion with the situation in Southern Rhodesia.²

CASE 3

Decision of 10 November 1970 (1556th meeting): Rejection of draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia in connexion with the situation in Southern Rhodesia.³

CASE 4

Decision of 4 December 1971 (1606th meeting): Rejection of draft resolution submitted by the United States in connexion with the situation in the India/Pakistan subcontinent.⁴

CASE 5

Decision of 5 December 1971 (1607th meeting): Rejection of draft resolution submitted by Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra

² 1534th meeting, para. 207. For vote on the draft resolution, see chapter VIII, part II, p. 130.

³ 1556th meeting, para. 212. For vote on the draft resolution, see chapter VIII, part II, p. 133.

⁴ 1606th meeting, para. 371. For vote on the draft resolution, see chapter VIII, part II, p. 158.

Leone, and Somalia in connexion with the situation in the India/Pakistan subcontinent.⁵

CASE 6

Decision of 13 December 1971 (1613th meeting): Rejection of draft resolution submitted by the United States in connexion with the situation in the India/Pakistan subcontinent.⁶

CASE 7

Decision of 30 December 1971 (1623rd meeting): Rejection of draft resolution submitted by Burundi, Sierra Leone, Somalia and Syria in connexion with the situation in Southern Rhodesia.⁷

****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 1607th meeting, para. 240. For vote on the draft resolution, see chapter VIII, part II, p. 158.

⁶ 1613th meeting, para. 231. For vote on the draft resolution, see chapter VIII, part II, p. 162.

⁷ 1623rd meeting, para. 272. For vote on the draft resolution, see chapter VIII, part II, p. 136.

****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 THE MIDDLE EAST

CASE 8

Decision of 1 April 1969 (1473rd meeting): Draft resolution submitted by Pakistan, Senegal and Zambia, as amended.⁸

SITUATION IN SOUTHERN RHODESIA

CASE 9

Decision of 24 June 1969 (1481st meeting): Draft

⁸ 1473rd meeting, para. 92. For vote on the draft resolution, see chapter VIII, part II, p. 110.

resolution submitted by Algeria, Nepal, Pakistan, Senegal and Zambia.⁹

SITUATION IN THE MIDDLE EAST

CASE 10

Decision of 3 July 1969 (1485th meeting): Draft resolution submitted by Pakistan, Senegal and Zambia (vote on paragraph 5).¹⁰

COMPLAINT BY ZAMBIA

CASE 11

Decision of 28 July 1969 (1491st meeting): Draft resolution submitted by Algeria, Nepal, Pakistan and Senegal.¹¹

SITUATION IN NAMIBIA

CASE 12

Decision of 12 August 1969 (1497th meeting): Draft resolution submitted by Algeria, Colombia, Pakistan, Paraguay, Senegal and Zambia.¹²

SITUATION IN THE MIDDLE EAST

CASE 13

Decisions of 15 September 1969 (1512th meeting):

- (i) Draft resolution submitted by Pakistan (vote on paragraph 4).¹³
- (ii) Draft resolution submitted by Pakistan (vote on draft resolution as a whole).¹⁴

COMPLAINT BY SENEGAL

CASE 14

Decision of 9 December 1969 (1520th meeting): Draft resolution submitted by Algeria, Nepal, Pakistan and Zambia, as amended.¹⁵

COMPLAINT BY GUINEA

CASE 15

Decision of 22 December 1969 (1526th meeting): Draft resolution submitted by Algeria, Nepal, Pakistan, Senegal and Zambia.¹⁶

SITUATION IN NAMIBIA

CASE 16

Decision of 30 January 1970 (1529th meeting): Draft resolution submitted by Burundi, Finland, Nepal, Sierra Leone and Zambia, as amended.¹⁷

⁹ 1481st meeting, para. 78. For vote on the draft resolution, see chapter VIII, part II, p. 128.

¹⁰ 1485th meeting, para. 194. For vote on the draft resolution, see chapter VIII, part II, p. 111.

¹¹ 1491st meeting, para. 26. For vote on the draft resolution, see chapter VIII, part II, p. 137.

¹² 1497th meeting, para. 22. For vote on the draft resolution, see chapter VIII, part II, p. 101.

¹³ 1512th meeting, para. 136. For vote on the draft resolution (paragraph 4), see chapter VIII, part II, p. 114.

¹⁴ 1512th meeting, para. 137. For vote on the draft resolution, see chapter VIII, part II, p. 114.

¹⁵ 1520th meeting, para. 56. For vote on the draft resolution, see chapter VIII, part II, p. 141.

¹⁶ 1526th meeting, para. 48. For vote on the draft resolution, see chapter VIII, part II, p. 146.

¹⁷ 1529th meeting, para. 184. For vote on the draft resolution, see chapter VIII, part II, p. 103.

SITUATION IN SOUTHERN RHODESIA

CASE 17

Decisions of 17 March 1970 (1534th meeting):

- (i) Draft resolution submitted by the United Kingdom.¹⁸
- (ii) Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia (vote on paragraph 8).¹⁹
- (iii) Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia (vote on paragraph 9).²⁰
- (iv) Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia (vote on the draft resolution as a whole).²¹

SITUATION IN THE MIDDLE EAST

CASE 18

Decisions of 12 May 1970 (1537th meeting):

- (i) Sub-amendment submitted by the Union of Soviet Socialist Republics to the draft resolution submitted by Spain.²²
- (ii) United States amendment to the draft resolution submitted by Spain.²³

CASE 19

Decision of 19 May 1970 (1542nd meeting): Draft resolution submitted by Zambia.²⁴

QUESTION OF RACE CONFLICT IN SOUTH AFRICA

CASE 20

Decision of 23 July 1970 (1549th meeting): Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia, as amended.²⁵

SITUATION IN NAMIBIA

CASE 21

Decisions of 29 July 1970 (1550th meeting):

- (i) Draft resolution submitted by Burundi, Finland, Nepal, Sierra Leone and Zambia.²⁶
- (ii) Draft resolution submitted by Finland.²⁷

SITUATION IN THE MIDDLE EAST

CASE 22

Decision of 5 September 1970 (1551st meeting): Draft resolution submitted by Spain.²⁸

¹⁸ 1534th meeting, para. 185. For vote on the draft resolution, see chapter VIII, part II, p. 130.

¹⁹ 1534th meeting, para. 205. For vote on the draft resolution (paragraph 8), see chapter VIII, part II, p. 130.

²⁰ 1534th meeting, para. 206. For vote on the draft resolution (paragraph 9), see chapter VIII, part II, p. 130.

²¹ 1534th meeting, para. 207. For vote on the draft resolution, see chapter VIII, part II, p. 130.

²² 1537th meeting, para. 129. For vote on the sub-amendment, see chapter VIII, part II, p. 116.

²³ 1537th meeting, para. 130. For vote on the amendment, see chapter VIII, part II, p. 116.

²⁴ 1542nd meeting, para. 57. For vote on the draft resolution, see chapter VIII, part II, p. 117.

²⁵ 1549th meeting, para. 29. For vote on the draft resolution, see chapter VIII, part II, p. 153.

²⁶ 1550th meeting, para. 155. For vote on the draft resolution, see chapter VIII, part II, p. 104.

²⁷ 1550th meeting, para. 106. For vote on the draft resolution, see chapter VIII, part II, p. 105.

²⁸ 1551st meeting, para. 93. For vote on the draft resolution, see chapter VIII, part II, p. 118.

SITUATION IN SOUTHERN RHODESIA

CASE 23

Decision of 10 November 1970 (1556th meeting): Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia.²⁹

COMPLAINT BY GUINEA

CASE 24

Decision of 22-23 November 1970 (1558th meeting): Oral amendment by the United States to the draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia.³⁰

CASE 25

Decision of 8 December 1970 (1563rd meeting): Draft resolution submitted by Burundi, Nepal, Sierra Leone, Syria and Zambia.³¹

COMPLAINT BY SENEGAL

CASE 26

Decision of 15 July 1971 (1572nd meeting): Draft resolution submitted by Burundi, Japan, Sierra Leone, Somalia and Syria.³²

SITUATION IN THE MIDDLE EAST

CASE 27

Decisions of 25 September 1971 (1582nd meeting):

- (i) Syrian amendment to the draft resolution submitted by Somalia.³³
- (ii) Draft resolution submitted by Somalia (vote on paragraph 5).³⁴

SITUATION IN NAMIBIA

CASE 28

Decision of 20 October 1971 (1598th meeting): Draft resolution submitted by Burundi, Sierra Leone, Somalia and the Syrian Arab Republic, as amended.³⁵

COMPLAINT BY SENEGAL

CASE 29

Decision of 24 November 1971 (1601st meeting): Draft resolution submitted by Burundi, Sierra Leone and Somalia, as amended.³⁶

SITUATION IN THE INDIA/PAKISTAN SUBCONTINENT

CASE 30

Decision of 4 December 1971 (1606th meeting): Draft resolution submitted by the United States.³⁷

²⁹ 1556th meeting, para. 212. For vote on the draft resolution, see chapter VIII, part II, p. 133.

³⁰ 1558th meeting, para. 100. For vote on the amendment, see chapter VIII, part II, p. 147.

³¹ 1563rd meeting, para. 155. For vote on the draft resolution, see chapter VIII, part II, p. 148.

³² 1572nd meeting, para. 85. For vote on the draft resolution, see chapter VIII, part II, p. 143.

³³ 1582nd meeting, para. 335. For vote on the draft resolution, see chapter VIII, part II, p. 120.

³⁴ 1582nd meeting, para. 338. For vote on the draft resolution (paragraph 5), see chapter VIII, part II, p. 120.

³⁵ 1598th meeting, para. 31. For vote on the draft resolution, see chapter VIII, part II, p. 107.

³⁶ 1601st meeting, para. 38. For vote on the draft resolution, see chapter VIII, part II, p. 144.

³⁷ 1606th meeting, para. 371. For vote on the draft resolution, see chapter VIII, part II, p. 158.

CASE 31

Decisions of 5 December 1971 (1607th meeting):

- (i) Draft resolution submitted by the Soviet Union.³⁸
- (ii) Draft resolution submitted by Argentina, Belgium, Burundi, Italy, Japan, Nicaragua, Sierra Leone and Somalia.³⁹

CASE 32

Decision of 6 December 1971 (1608th meeting): Draft resolution submitted by Argentina, Burundi, Japan, Nicaragua, Sierra Leone, and Somalia.⁴⁰

CASE 33

Decision of 13 December 1971 (1613th meeting): Draft resolution as revised, submitted by the United States.⁴¹

CASE 34

Decision of 21 December 1971 (1621st meeting): Draft resolution submitted by Argentina, Burundi, Japan, Nicaragua, Sierra Leone, and Somalia.⁴²

SITUATION IN SOUTHERN RHODESIA

CASE 35

Decisions of 30 December 1971 (1623rd meeting):

- (i) Draft resolution (second preambular paragraph) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴³
- (ii) Draft resolution (fifth preambular paragraph) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴⁴
- (iii) Draft resolution (paragraph 3) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴⁵
- (iv) Draft resolution (paragraph 4) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴⁶
- (v) Draft resolution (paragraph 5) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴⁷
- (vi) Draft resolution (as a whole) submitted by Burundi, Sierra Leone, Somalia and Syria.⁴⁸

³⁸ 1607th meeting, para. 217. For vote on the draft resolution, see chapter VIII, part II, p. 159.

³⁹ 1607th meeting, para. 240. For vote on the draft resolution, see chapter VIII, part II, p. 159.

⁴⁰ 1608th meeting, para. 322. For vote on the draft resolution, see chapter VIII, part II, p. 160.

⁴¹ 1613th meeting, para. 231. For vote on the draft resolution, see chapter VIII, part II, p. 162.

⁴² 1621st meeting, para. 14. For vote on the draft resolution, see chapter VIII, part II, p. 164.

⁴³ 1623rd meeting, para. 267. For vote on the 2nd preambular paragraph, see chapter VIII, part II, p. 136.

⁴⁴ 1623rd meeting, para. 268. For vote on fifth preambular paragraph, see chapter VIII, part II, p. 136.

⁴⁵ 1623rd meeting, para. 269. For vote on paragraph 3, see chapter VIII, part II, p. 136.

⁴⁶ 1623rd meeting, para. 270. For vote on paragraph 4, see chapter VIII, part II, p. 136.

⁴⁷ 1623rd meeting, para. 271. For vote on paragraph 5, see chapter VIII, part II, p. 136.

⁴⁸ 1623rd meeting, para. 272. For vote on the draft resolution as a whole, see chapter VIII, part II, p. 136.

****2. Consideration of the practice of voluntary abstention in relation to Article 27, paragraph 3**

C. ABSENCE OR NON-PARTICIPATION OF PERMANENT MEMBERS IN RELATION TO ARTICLE 27, PARAGRAPH 3

1. Certain cases in which permanent members have been absent or have not participated in the vote

CYPRUS QUESTION

CASE 36

**Decision of 13 December 1971 (1612th meeting):
Draft resolution adopted.⁴⁹**

⁴⁹ 1612th meeting, para. 6. One permanent member did not participate in the voting. For vote on the draft resolution, see chapter VIII, part II, p. 125.