

## **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 basically 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, non-participation 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 the applications for admission to membership in the United Nations.

As noted in preceding volumes of the *Repertoire*, most votes in the Council do not indicate whether the Council considers the matter voted upon as procedural or non-procedural: this uncertainty exists when a proposal is adopted by a unanimous vote, when all permanent members vote in favour of the proposal, or when the proposal fails to obtain the necessary nine votes in its favour.

Part I, section A,<sup>1</sup> comprises two instances wherein the vote indicated the procedural character of the decision: the proposal obtained nine or more votes and was adopted despite the negative vote of one or more permanent members.

Part I, section B,<sup>2</sup> lists instances where the vote revealed the non-procedural nature of the decision: the proposal obtained nine or more votes in favour, but was rejected owing to the negative vote of one or more permanent members.

In part III, section A, there have been no cases in which members have abstained in accordance with the proviso of Article 27, paragraph 3. However, on one occasion (case 1) the question of abstention in accordance with the proviso of Article 27, paragraph 3 of the Charter was discussed.

Part III, section B,<sup>3</sup> lists those occasions on which permanent members have abstained voluntarily or not participated in the vote. Had they voted against the proposal, no affirmative decision could have been taken.

<sup>1</sup> The headings in part I, section A, 1 and 7 derive from the subject matter and do not predetermine the procedural character of future proposals, even if they seem to belong under the same heading.

<sup>2</sup> See below the tabulation in part I, section B.

<sup>3</sup> See below the tabulation in part III, section B.

### 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

At the 1658th meeting on 10 August 1972 (para. 21) in connexion with the application by the People's Republic of Bangladesh for admission to membership in the United Nations, the agenda was adopted by the Council, notwithstanding the negative vote of a permanent member.

#### \*\*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

At the 1659th meeting on 24 August 1972 (para. 188) in connexion with the application by the People's Republic of Bangladesh for admission to membership in the United Nations, a motion to adjourn was adopted by the Council, notwithstanding the negative vote of 2 permanent members.

**\*\*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**

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Decisions (draft resolutions, etc.)</i>	<i>Submitted by</i>	<i>Vote</i>	<i>Permanent Members casting negative vote</i>
Consideration of Questions relating to Africa	1639, 4 Feb. 1972	S/10606	3-Power	9-1-5	1
Situation in the Middle East	1662, 10 Sept. 1972	Paragraph 2, subparagraph (a) of amendment S/10786 to S/10784	4-Power	9-6-0	2
"	1662, 10 Sept. 1972	S/10784	3-Power	13-1-1	1
"	1735, 26 July 1973	S/10974	8-Power	13-1-0	1
Situation in Southern Rhodesia	1666, 29 Sept. 1972	Operative para. 1 of S/10805/Rev.1		10-1-4	1
"	"	Operative para. 5 of S/10805/Rev.1		10-1-4	1
"	"	S/10805/Rev.1 as a whole	3-Power	10-1-4	
"	1716, 22 May 1973	S/10928	7-Power	11-2-2	2
Consideration of Measures for the Maintenance and Strengthening of International Peace and Security in Latin America	1704, 21 March 1973	S/10931/Rev.1	8-Power	13-1-1	1
Situation in Cyprus	1788, 31 July 1974	S/11400 as amended		12-2-0	1
Relationship between the United Nations and South Africa	1808, 30 Oct. 1974	S/11543	4-Power	10-3-2	3

**2. In connexion with other matters considered by the Security Council****(a) IN CONNEXION WITH THE ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS**

Application by the People's Republic of Bangladesh for admission to membership in the United Nations	1660, 25 Aug. 1973	S/10771	4-Power	11-1-3	1
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**\*\* (b) IN CONNEXION WITH THE APPOINTMENT OF THE SECRETARY-GENERAL****\*\*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, NON-PARTICIPATION 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**

**CASE 1**

At the 1801st meeting on 24 October 1974, in connexion with the question of the Relationship between the United Nations and South Africa, the representative of Madagascar, speaking in reference to the applicability of Article 27 of the Charter stated:

When Member States were asked to express their views concerning possible amendments to the Charter, my delegation was among those that felt that it was necessary to clarify the scope of Article 27 with a view to applying its provisions in relation to Chapter VII of the Charter. In strictly legal terms, it may be difficult to decide to what extent a State other than the State directly concerned may be regarded as a party to a dispute. But if we look at it in political terms—and in what other terms can we look at the matter here in the Security Council—if one or more States have given diplomatic, political and military support to South Africa, and perhaps are prepared to go on doing so, could we not therefore conclude that they too bear responsibility for the reprehensible actions of the South African regime? In that case they become a party to the dispute and Article 27 of the Charter would be applicable to them.<sup>4</sup>

<sup>4</sup> 1801st meeting, intervention by Madagascar.

**B. VOLUNTARY ABSTENTION, NON-PARTICIPATION OR ABSENCE IN RELATION TO ARTICLE 27, PARAGRAPH 3**

**1. Certain cases in which permanent members have abstained or not participated otherwise than in accordance with the proviso of Article 27, paragraph 3**

Column (a) of the tabulation hereunder lists certain cases in which permanent members have abstained otherwise than in accordance with the proviso of Article 27, paragraph 3.

Column (b) of the tabulation hereunder lists certain cases in which permanent members have not participated in the vote.

There have been no cases of absence of permanent members for the period under review.

For details of voting, see relevant sections of Chapter VIII, Part II.

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Decisions (draft resolutions, etc.)</i>	<i>Submitted by</i>	<i>Vote</i>	<i>(a) Voluntary abstention</i>	<i>(b) Non- partici- pation</i>
Consideration of Questions relating to Africa	1638, 4 Feb. 1972	S/10376/Rev.2	Argentina	14-0-0	—	1
	1638, 4 Feb. 1972	S/10608/Rev.1	4-Power	13-0-2	2	—
	1639, 4 Feb. 1972	S/10609/Rev.1	5-Power	14-0-1	1	—
	1639, 4 Feb. 1972	S/10607/Rev.1	3-Power	9-0-6	3	—
Situation in Southern Rhodesia	1645, 28 Feb. 1972	S/10541/Rev.1 and Corr.1 Operative para. 1	3-Power	14-0-1	1	—
	1645, 28 Feb. 1972	S/10541/Rev.1 and Corr.1 as a whole		13-0-2	2	—
	1655, 28 July 1972	S/10747	3-Power	14-0-1	1	—
	1666, 29 Sept. 1972	S/10804/Rev.1	3-Power	13-0-2	2	—
	1716, 22 May 1973	S/10927	9-Power	12-0-3	3	—
Situation in Cyprus	1646, 15 June 1972	S/10699		14-0-1	1	—
	1683, 12 Dec. 1972	S/10847		14-0-1	1	—
	1727, 15 June 1973	S/10946		14-0-1	1	—
	1759, 14 Dec. 1973	S/11154		14-0-1	1	—
	1771, 29 May 1974	S/11301		14-0-1	1	—
	1788, 31 July 1974	S/11401 1st amndt. to S/11400	USSR	14-0-1	1	—
1789, 1 Aug. 1974	S/11402		12-0-2	1	1	

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Decisions (draft resolutions, etc.)</i>	<i>Submitted by</i>	<i>Vote</i>	<i>(a) Voluntary abstention</i>	<i>(b) Non- participation</i>
	1793, 15 Aug. 1974	S/11449/Rev.1	5-Power	14-0-0	—	1
	1794, 16 Aug. 1974	S/11450/Rev.2	France	11-0-3	1	1
	1810, 13 Dec. 1974	S/11573		14-0-0	—	1
Situation in the Middle East	1650, 26 June 1972	S/10722	3-Power	13-0-2	1	—
	1653, 21 July 1972	S/10742	5-Power	14-0-1	1	—
	1711, 21 April 1973	S/10916/Rev.1	France, U.K.	11-0-4	3	—
	1747, 21 Oct. 1973	S/11036	USSR, USA	14-0-0	—	1
	1748, 23 Oct. 1973	S/11039	USSR, USA	14-0-0	—	1
	1750, 25 Oct. 1973	Retaining in para. 3 of the draft S/11046/Rev.1 the words "except the permanent members of the Security Council"		13-0-1	1	1
	1750, 25 Oct. 1973	S/11046/Rev.1 as a whole	8-Power	14-0-0	—	1
	1752, 27 Oct. 1973	S/11054	Australia	14-0-0	—	1
	1760, 15 Dec. 1973	S/11156	10-Power	10-0-4	4	1
	1765, 8 April 1974	S/11253		*13-0-0	—	1
	1769, 24 April 1974	S/11275		*13-0-0	—	1
	1774, 31 May 1974	S/11305/Rev.1	USSR, USA	*13-0-0	—	1
	1799, 23 Oct. 1974	S/11542		*13-0-0	—	1
	1809, 29 Nov. 1974	S/11565	6-Power	*13-0-0	—	1
Situation in Namibia	1657, 1 Aug. 1972	S/10750 as orally modified	Argentina	14-0-0	—	1
	1682, 6 Dec. 1972	S/10846 as orally modified	Argentina	13-0-1	1	1
Complaint by Senegal	1669, 23 Oct. 1972	S/10813/Rev.1	3-Power	12-0-3	2	—
Complaint by Zambia	1691, 2 Feb. 1973	S/10875/Rev.1	6-Power	13-0-2	2	—
	1691, 2 Feb. 1973	S/10876/Rev.1	6-Power	14-0-1	1	—
	1694, 10 March 1973	S/10898/Rev.1	8-Power	13-0-2	2	—
Consideration of Measures for the Maintenance and Strengthening of International Peace and Security in Latin America	1704, 21 March 1973	S/10932/Rev.2	6-Power	12-0-3	3	—
Complaint by Iraq	1770, 28 May 1974	S/11299		14-0-0	—	1

\* Two members did not participate in the vote.

**\*\*2. Consideration of the practice of voluntary abstention, non-participation or absence of permanent members in relation to Article 27, paragraph 3**