

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. 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 the matter is procedural within the meaning of Article 27 (2) has been found for the period under review. Part III is concerned with the abstention or absence of a member in relation to the requirements of Article 27 (3).

Certain questions of procedure in connexion with voting are dealt with in chapter I, part VI. 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 include material on the voting procedure employed by the Council in connexion with applications for admission to membership in the United Nations.

As noted previously, the majority of occasions on which the Council has voted afford no indication as to 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 in such a case. Nor can any indication be obtained from the cases where

the proposal, having been put to the vote, has failed to obtain seven votes in its favour.

Part I, section A, comprises those instances wherein the adoption of a proposal, obtained through seven or more votes, with one or more permanent members casting a negative vote, indicated the procedural character of the decision. While 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, comprises those instances where the rejection of a proposal, while obtaining seven 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, comprises those occasions on which a permanent member has abstained voluntarily considering that no affirmative decision could have been taken had the permanent member 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

CASES 1-5

On the following occasions items have been included in the agenda by vote of the Security Council, notwithstanding the negative vote of a permanent member:

Case 1

At the 581st meeting on 25 June 1952—the question of a request for investigation of alleged bacterial warfare;¹

Case 2

At the 672nd meeting on 3 June 1954—a letter dated 29 May 1954 from the acting permanent representative

¹ 581st meeting: para. 36.

of Thailand to the United Nations addressed to the President of the Security Council;²

Case 3

At the 679th meeting on 10 September 1954—a letter dated 8 September 1954 from the representative of the United States of America to the President of the Security Council;³

Case 4

At the 690th meeting on 31 January 1955—a letter dated 28 January 1955 from the representative of New Zealand to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China;⁴

² 672nd meeting: para. 17.

³ 679th meeting: para. 25; 680th meeting: para. 4.

⁴ 690th meeting: para. 111; 691st meeting: para. 10.

Case 5

At the 690th meeting on 31 January 1955—a letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China.⁵

2. Order of items on the agenda*CASE 6*

On the following occasion a proposal relating to the order of items on the agenda was adopted by vote of the Security Council, notwithstanding the negative vote of a permanent member:

At the 584th meeting on 1 July 1952, in connexion with the order of discussion of the items of the agenda, when the Council adopted a United States proposal to discuss item 3, the question of a request for investigation of alleged bacterial warfare, before item 2, the question of admission of new Members.⁶

3. Deferment of consideration of items on the agenda*CASES 7-10*

On the following occasions the consideration of items on the agenda was deferred by vote of the Security Council, notwithstanding the negative vote of a permanent member:

Case 7

At the 591st meeting on 9 July 1952, in connexion with the question of the admission of new Members, when the Greek proposal to postpone consideration of this item until 2 September 1952 was adopted.⁷

Case 8

At the 628th meeting on 20 October 1953, in connexion with the question of the appointment of a governor of the Free Territory of Trieste, when the motion of the representative of Colombia to postpone the discussion of this question was adopted.⁸

Case 9

At the 641st meeting on 23 November 1953, in connexion with the question of the appointment of a governor of the Free Territory of Trieste, when the United States proposal to postpone the discussion of this item until another meeting, to be held between 8 and 15 December 1953, was adopted.⁹

Case 10

At the 647th meeting on 14 December 1953, in connexion with the question of the appointment of a governor of the Free Territory of Trieste, when the United

States proposal to postpone the discussion of this item "pending the outcome of the current efforts to find a solution" was adopted.¹⁰

****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***CASES 11-12*

On the following occasions rulings of the President were challenged and put to the vote, and either upheld or overruled, notwithstanding the negative vote of a permanent member:

Case 11

At the 581st meeting on 25 June 1952, the President (USSR) ruled that he would put to the vote first the USSR amendment to the President's proposal relating to the adoption of the agenda. The ruling was challenged. The President put the challenge to the vote and was overruled notwithstanding the negative vote of a permanent member.¹¹

Case 12

At the 676th meeting on 25 June 1954, when the Council had on its provisional agenda communications dated 19 and 22 June 1954 from the Government of Guatemala, the President (United States) ruled that the Council was not engaged in a discussion within the meaning of Article 32 and rule 37 until the agenda had been adopted. The ruling was challenged and was put to the vote. The President's ruling was upheld notwithstanding the negative vote of a permanent member.¹²

6. Adjournment of a meeting*CASES 13-14*

On the following occasions, motions to adjourn were adopted by vote of the Security Council, notwithstanding the negative vote of a permanent member:

Case 13

At the 690th meeting on 31 January 1955, in connexion with the discussion of the item submitted by the representative of New Zealand concerning the question of hostilities in the area of certain islands off the coast of the mainland of China, when the motion by the representative of Belgium to adjourn the meeting was adopted.¹³

Case 14

At the 703rd meeting on 13 December 1955, in connexion with the question of admission of new Members, when the proposal by the representative of Turkey to adjourn and meet again the same afternoon was adopted.¹⁴

⁵ 690th meeting: para. 112; 691st meeting: para. 13.

⁶ 584th meeting: para. 68.

⁷ 591st meeting: para. 96.

⁸ 628th meeting: para. 133.

⁹ 641st meeting: para. 101.

¹⁰ 647th meeting: paras. 42-43.

¹¹ 581st meeting: para. 33.

¹² 676th meeting: para. 63.

¹³ 690th meeting: paras. 148-149.

¹⁴ 703rd meeting: provisional record, p. 28.

7. Invitation to participate in the proceedings

CASE 15

On the following occasion an invitation to participate in the proceedings was extended by vote of the Security Council, notwithstanding the negative vote of a permanent member:

At the 690th meeting on 31 January 1955, in connexion with the discussion of the item submitted by the representative of New Zealand¹⁵ concerning the question of hostilities in the area of certain islands off the coast of the mainland of China, when the Council adopted¹⁶ a formal motion made by the representative of New Zealand to invite a representative of the Central People's Government of the People's Republic of China to participate in the discussion of that item and to ask the Secretary-General to convey the invitation to that Government.¹⁷

8. Conduct of business

CASES 16-20

On the following occasions proposals with regard to the conduct of business were adopted by vote of the Security Council, notwithstanding the negative vote of a permanent member:

Case 16

At the 599th meeting on 12 September 1952, in connexion with the question of admission of new Members, when the Council decided, on the proposal of the United States, to consider Japan's application without reference to the Committee on Admission of new Members.¹⁸

Case 17

At the 599th meeting on 12 September 1952, in connexion with the question of admission of new Members, when the Council decided, on the proposal of France, to consider the applications of Laos, Cambodia and Viet-Nam without reference to the Committee on Admission of new Members.¹⁹

Case 18

At the 689th meeting on 31 January 1955, in connexion with the question of the representation of China, when the Council decided to give priority to the motion of the representative of the United States over that of the representative of the USSR.²⁰

Case 19

At the 689th meeting on 31 January 1955, in connexion with the question of the representation of China, when the Council decided, on the motion of the United States, not to consider any proposals to exclude the

representative of the Government of the Republic of China, or to seat representatives of the Central People's Government of the People's Republic of China.²¹

Case 20

At the 703rd meeting on 13 December 1955, in connexion with the question of admission of new Members, when the Council decided, on the proposal of Iran, to give priority to the draft resolution submitted by the representatives of Brazil and New Zealand.²²

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 21

Decision of 3 July 1952 (587th meeting): *Rejection of draft resolution submitted by the representative of the United States in connexion with the question of a request for investigation of alleged bacterial warfare.*²³

CASE 22

Decision of 9 July 1952 (590th meeting): *Rejection of draft resolution submitted by the representative of the United States in connexion with the question of a request for investigation of alleged bacterial warfare.*²⁴

CASE 23

Decision of 22 January 1954 (656th meeting): *Rejection of draft resolution submitted by the representatives of France, the United Kingdom and the United States in connexion with the Palestine question.*²⁵

CASE 24

Decision of 29 March 1954 (664th meeting): *Rejection of draft resolution submitted by the representative of New Zealand in connexion with the Palestine question.*²⁶

CASE 25

Decision of 18 June 1954 (674th meeting): *Rejection of draft resolution submitted by the representative of Thailand in connexion with letter dated 29 May 1954 from the acting permanent representative of Thailand.*²⁷

CASE 26

Decision of 20 June 1954 (675th meeting): *Rejection of draft resolution submitted by the representatives of Brazil and Colombia in connexion with the question of Guatemala.*²⁸

¹⁵ S/3354, O.R., 10th year, Suppl. for Jan.-March 1955, p. 27.

¹⁶ 690th meeting: para. 143.

¹⁷ For the proceedings in connexion with this question, see chapter III, Case 21.

¹⁸ 599th meeting: para. 185. See chapter VII, Case 3.

¹⁹ 599th meeting: para. 187. See chapter VII, Case 3.

²⁰ 689th meeting: para. 25. See chapter I, Case 5.

²¹ 689th meeting: para. 26. See chapter I, Case 5.

²² 703rd meeting: provisional record, p. 28. See chapter I, Case 18.

²³ 587th meeting: para. 16. See chapter VIII, p. 17.

²⁴ 590th meeting: para. 17. See chapter VIII, p. 17.

²⁵ 656th meeting: para. 135. See chapter VIII, pp. 26-30.

²⁶ 664th meeting: para. 69. See chapter VIII, pp. 30-32.

²⁷ 674th meeting: para. 71. See chapter VIII, pp. 43-44.

²⁸ 675th meeting: para. 195. See chapter VIII, p. 48.

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

a. In connexion with admission of new Members to the United Nations

CASE 27

Decision of 6 February 1952 (573rd meeting): *The draft resolution submitted by the representative of France to recommend Italy for membership was not adopted.*²⁹

CASE 28

Decision of 16 September 1952 (600th meeting): *The draft resolution submitted by the representative of Pakistan to recommend Libya for membership was not adopted.*³⁰

CASE 29

Decision of 18 September 1952 (602nd meeting): *The draft resolution submitted by the representative of the United States to recommend Japan for membership was not adopted.*³¹

CASE 30

Decision of 19 September 1952 (603rd meeting): *The draft resolution submitted by the representative of France to recommend Viet-Nam for membership was not adopted.*³²

CASE 31

Decision of 19 September 1952 (603rd meeting): *The draft resolution submitted by the representative of France to recommend Laos for membership was not adopted.*³³

CASE 32

Decision of 19 September 1952 (603rd meeting): *The draft resolution submitted by the representative of France to recommend Cambodia for membership was not adopted.*³⁴

CASES 33-48

At the 701st meeting on 10 December 1955, the agenda of the Security Council included, among other items, a request from the General Assembly that the Council "consider, in the light of the general opinion in favour of the widest possible membership of the United Nations, the pending applications for membership of all those eighteen countries about which no problem of unification arises".³⁵

The representatives of Brazil and New Zealand, in connexion with the above request of the General Assembly, submitted a joint draft resolution³⁶ which provided that the Council, having considered separately the applications for membership of eighteen countries enumerated, recommended to the General Assembly the admission of those countries. The President, speaking as the representative of New Zealand, stated that the joint draft resolution would be voted on in parts, with

separate votes on each of the countries listed, prior to the vote on the paragraph containing the list as a whole and on the draft resolution as a whole.

At the 703rd meeting on 13 December 1955, the representative of China submitted an amendment to add the names of Korea and Viet-Nam to the list of applications for membership in the second paragraph of the joint draft resolution.³⁷

Case 33

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of the Republic of Korea in the joint draft resolution (Chinese amendment).*³⁸

Case 34

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of the Republic of Viet-Nam in the joint draft resolution (Chinese amendment).*³⁹

Case 35

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of the Mongolian People's Republic in the joint draft resolution.*⁴⁰

Case 36

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Jordan in the joint draft resolution.*⁴¹

Case 37

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Ireland in the joint draft resolution.*⁴²

Case 38

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Portugal in the joint draft resolution.*⁴³

Case 39

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Italy in the joint draft resolution.*⁴⁴

Case 40

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Austria in the joint draft resolution.*⁴⁵

Case 41

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Finland in the joint draft resolution.*⁴⁶

²⁹ 573rd meeting: para. 105.

³⁰ 600th meeting: para. 97.

³¹ 602nd meeting: para. 73.

³² 603rd meeting: para. 64.

³³ 603rd meeting: para. 65.

³⁴ 603rd meeting: para. 66.

³⁵ Resolution 357 (X).

³⁶ S/3502, 701st meeting: provisional record, p. 38.

³⁷ S/3506, 703rd meeting: provisional record, pp. 7-9.

³⁸ 704th meeting: provisional record, pp. 23-24.

³⁹ 704th meeting: provisional record, p. 24.

⁴⁰ 704th meeting: provisional record, pp. 24-25.

⁴¹ 704th meeting: provisional record, p. 25.

⁴² 704th meeting: provisional record, pp. 25-27.

⁴³ 704th meeting: provisional record, pp. 26-27.

⁴⁴ 704th meeting: provisional record, p. 28.

⁴⁵ 704th meeting: provisional record, p. 28.

⁴⁶ 704th meeting: provisional record, p. 29.

Case 42

Decision of 13 December 1955 (701th meeting): *Rejection of the inclusion of the name of Ceylon in the joint draft resolution.*⁴⁷

Case 43

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Nepal in the joint draft resolution.*⁴⁸

Case 44

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Libya in the joint draft resolution.*⁴⁹

Case 45

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Cambodia in the joint draft resolution.*⁵⁰

Case 46

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Japan in the joint draft resolution.*⁵¹

Case 47

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Laos in the joint draft resolution.*⁵²

Case 48

Decision of 13 December 1955 (704th meeting): *Rejection of the inclusion of the name of Spain in the joint draft resolution.*⁵³

⁴⁷ 704th meeting: provisional record, pp. 29-30.

⁴⁸ 704th meeting: provisional record, p. 30.

⁴⁹ 704th meeting: provisional record, p. 30.

⁵⁰ 704th meeting: provisional record, p. 31.

⁵¹ 704th meeting: provisional record, p. 31.

⁵² 704th meeting: provisional record, p. 31.

⁵³ 704th meeting: provisional record, pp. 31-32.

CASE 49

At the 705th meeting on 14 December 1955, in connexion with the question of Admission of new Members, the representative of the USSR submitted to the Council for consideration a draft resolution⁵⁴ recommending the admission of sixteen States to the United Nations. The representative of the United States proposed⁵⁵ to include the application of Japan as an amendment to the USSR draft resolution.

Decision: *The amendment submitted by the representative of the United States was not adopted. There were 10 votes in favour and 1 against (the vote against being that of a permanent member).*⁵⁶

CASE 50

At the 706th meeting on 15 December 1955, in connexion with the question of Admission of new Members, the representative of the United States proposed to adopt the draft resolution⁵⁷ recommending the admission of Japan to the United Nations which had been submitted at the 705th meeting on the previous day.

Decision: *The draft resolution to recommend the admission of Japan was not adopted. There were 10 votes in favour and 1 against (the vote against being that of a permanent member).*⁵⁸

b. In connexion with appointment of the Secretary-General

CASE 51

Decision of 13 March 1953 (613th meeting): *Rejection of proposal by the representative of Denmark concerning the recommendation for the appointment of the Secretary-General.*⁵⁹

⁵⁴ S/3508.

⁵⁵ 705th meeting: provisional record, pp. 4-7.

⁵⁶ 705th meeting: provisional record, p. 12.

⁵⁷ S/3510.

⁵⁸ 706th meeting: provisional record, p. 50.

⁵⁹ 613th meeting: p. 1.

Part II

****PROCEEDINGS OF THE SECURITY COUNCIL REGARDING VOTING UPON THE QUESTION WHETHER THE MATTER WAS PROCEDURAL WITHIN THE MEANING OF ARTICLE 27 (2) OF THE CHARTER**

Part III

ABSTENTION AND ABSENCE IN RELATION TO ARTICLE 27 (3) OF THE CHARTER

A. OBLIGATORY ABSTENTION

1. Cases in which members have abstained in accordance with the proviso of Article 27 (3)

CASE 52

At the 611th meeting on 23 December 1952, in connexion with the India-Pakistan question, when a joint draft resolution⁶⁰ submitted by the representatives of the United Kingdom and the United States was put

⁶⁰ S/2883, O.R., 7th year, Suppl. for Oct.-Dec. 1952, p. 66.

to the vote, the representative of Pakistan did not participate in the vote.⁶¹

****2. Consideration of abstention in accordance with the proviso of Article 27 (3)**

B. VOLUNTARY ABSTENTION IN RELATION TO ARTICLE 27 (3)

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

⁶¹ 611th meeting: para. 111.

INDIA-PAKISTAN QUESTION

CASE 53

Decision of 23 December 1952 (611th meeting): *United Kingdom-United States joint draft resolution as amended by the Netherlands.*⁶²

PALESTINE QUESTION

CASE 54

Decision of 24 November 1953 (642nd meeting): *French-United Kingdom-United States joint draft resolution.*⁶³

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

CASE 55

Decision of 14 December 1955 (705th meeting): *Albania:— USSR draft resolution.*⁶⁴

CASE 56

Decision of 14 December 1955 (705th meeting): *Hungary:— USSR draft resolution.*⁶⁵

⁶² 611th meeting: para. 111. See chapter VIII, pp. 10-14.
⁶³ 642nd meeting: para. 128. See chapter VIII, pp. 19-24.
⁶⁴ 705th meeting: provisional record, p. 12. See chapter VII, part I.F., p. 10.
⁶⁵ 705th meeting: provisional record, p. 13. See chapter VII, part I.F., p. 10.

CASE 57

Decision of 14 December 1955 (705th meeting): *Romania:— USSR draft resolution.*⁶⁶

CASE 58

Decision of 14 December 1955 (705th meeting): *Bulgaria:— USSR draft resolution.*⁶⁷

APPLICATION OF JAPAN TO BECOME A PARTY TO STATUTE OF INTERNATIONAL COURT OF JUSTICE

CASE 59

Decision of 3 December 1953 (645th meeting): *Proposal contained in the Report of the Chairman of the Committee of Experts.*⁶⁸

APPLICATION OF SAN MARINO TO BECOME A PARTY TO STATUTE OF INTERNATIONAL COURT OF JUSTICE.

CASE 60

Decision of 3 December 1953 (645th meeting): *Proposal contained in the Report of the Chairman of the Committee of Experts.*⁶⁹

****2. Consideration of the practice of voluntary abstention in relation to Article 27 (3)**

****C. ABSENCE OF A PERMANENT MEMBER IN RELATION TO ARTICLE 27 (3)**

⁶⁶ 705th meeting: provisional record, p. 14. See chapter VII, part I.F., p. 10.
⁶⁷ 705th meeting: provisional record, p. 14. See chapter VII, part I.F., p. 10.
⁶⁸ 645th meeting: paras. 10-11. See chapter VI, Case 3.
⁶⁹ 645th meeting: paras. 13-14. See chapter VI, Case 3.