

Dual Distribution

Third session

THE PROBLEM OF VOTING IN THE SECURITY COUNCIL*

Report of the ad hoc Political Committee

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1. The General Assembly, at its 158th meeting on 15 November 1948, decided to refer to the ad hoc Political Committee the following item, previously referred to the First Committee, entitled "The problem of voting in the Security Council":

(a) Report of the Interim Committee of the General Assembly (A/578);

(b) Convocation of a General Conference under Article 109 of the Charter in order to study the question of the veto in the Security Council: item proposed by Argentina (A/586).

2. The ad hoc Political Committee considered this item at its 17th to 25th meetings inclusive.

3. In the course of the discussion, various draft resolutions and amendments were introduced which are briefly summarized as follows:

(a) The representatives of China, France, the United Kingdom, and the United States of America introduced jointly a draft resolution (A/AC.24/20). In this resolution it was proposed: (i) to make recommendations to the members of the Security Council concerning decisions to be deemed procedural; (ii) to make recommendations to the permanent members of the Council concerning decisions in respect of which they might forbear to exercise the veto, and concerning means of avoiding impairment of the usefulness and prestige of the Security Council through excessive use of the veto; and (iii) to make recommendations to Members of the United Nations concerning conditions of voting to be included in agreements conferring functions on the Security Council.

(b) The representative of Argentina introduced a draft resolution (A/AC.24/31) proposing that a General Conference of the United Nations should be convened to discuss and decide concerning the revision of the Charter.

(c) The representative of Australia submitted an amendment (A/AC.24/33)

* See Item 17 (A/660)

GENERAL ASSEMBLY

GENERAL ASSEMBLY

to the joint draft resolution proposing that the permanent members of the Security Council should be requested to forbear from exercising the power of veto, except in cases arising under Chapter VII of the Charter.

(d) The representative of the Union of Soviet Socialist Republics submitted a draft resolution (A/AC.24/34) proposing that the General Assembly should: (i) stress the importance of efforts by all Member States to strengthen the authority of the United Nations in accordance with the principles of the Charter; (ii) call upon the United Nations to widen international co-operation and avoid unnecessary regulation and formalism in the activity of its organs; and (iii) express confidence that, in view of the importance of the principle of unanimity of the permanent members of the Security Council, the latter would take account of its past experience to apply the method of consultation and seek to improve the possibility of adopting concerted decisions.

4. The general debate was concluded at the 24th meeting and, at its 25th meeting, the Committee began to consider the draft resolutions and amendments.

5. The amendment submitted by the representative of Australia (A/AC.24/33) to the joint draft resolution was rejected, at the 25th meeting, by 22 votes to 9, with 10 abstentions.

6. The joint draft resolution (A/AC.24/20) was adopted by 33 votes to 6, with 4 abstentions.

7. The draft resolution submitted by the representative of Argentina (A/AC.24/31) was rejected by a roll-call vote of 22 votes in favour, 12 against and 10 abstentions.

8. Oral amendments offered by the representatives of Ecuador and Belgium to the draft resolution submitted by the representative of the Union of Soviet Socialist Republics were not accepted by the latter and were withdrawn by the proposers. The draft resolution (A/AC.24/34) was then rejected by 23 votes to 6, with 9 abstentions.

9. The ad hoc Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

THE PROBLEM OF VOTING IN THE SECURITY COUNCIL

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the report of its Interim Committee on the problem of voting in the Security Council, and

EXERCISING the authority conferred upon it by Article 10 of the Charter to discuss any question within the scope of the Charter or relating to the functions of any organ of the United Nations and to

/make recommendations

make recommendations to the Members of the United Nations and to the Security Council thereon,

1. RECOMMENDS to the members of the Security Council that, without prejudice to any other decisions which the Security Council may deem procedural, the decisions set forth in the attached Annex be deemed procedural and that the members of the Security Council conduct their business accordingly;

2. RECOMMENDS to the permanent members of the Security Council that they seek agreement among themselves upon what possible decisions by the Security Council they might forbear to exercise their veto, when seven affirmative votes have already been cast in the Council, giving favourable consideration to the list of such decisions contained in conclusion 2, part IV of the report of the Interim Committee;

3. RECOMMENDS to the permanent members of the Security Council, in order to avoid impairment of the usefulness and prestige of the Council through excessive use of the veto:

(a) To consult together wherever feasible upon important decisions to be taken by the Security Council;

(b) To consult together wherever feasible before a vote is taken if their unanimity is essential to effective action by the Security Council;

(c) If there is not unanimity, to exercise the veto only when they consider the question of vital importance, taking into account the interest of the United Nations as a whole, and to state upon what ground they consider this condition to be present;

4. RECOMMENDS to the Members of the United Nations that in agreements conferring functions on the Security Council such conditions of voting within that body be provided as would to the greatest extent feasible exclude the application of the rule of unanimity of the permanent members.

ANNEX

Decisions deemed procedural

Decision to postpone consideration of or voting on a recommendation of a State for membership until the next occasion for the consideration of applications.

Submission to the General Assembly of any questions relating to the maintenance of international peace and security.

Request to the General Assembly that the General Assembly make a recommendation on a dispute or situation in respect of which the Security

Council is exercising the functions assigned to it in the Charter.

Consent to notification by the Secretary-General to the General Assembly or Members of the United Nations of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council.

Consent to notification by the Secretary-General to the General Assembly or to Members of the United Nations of any matters relative to the maintenance of international peace and security with which the Security Council ceases to deal.

Request to the Secretary-General for the convocation of a special session of the General Assembly.

Approval of credentials of representatives of members of the Security Council.

Approval of annual reports to the General Assembly.

Submission and approval of special reports to the General Assembly.

Organization of the Security Council in such manner as to enable it to function continuously.

Arrangement of the holding of periodic meetings.

Holding of meetings at places other than the seat of the United Nations.

Establishment of such subsidiary organs as the Security Council deems necessary for the performance of its functions.

Steps incidental to the establishment of a subsidiary organ: appointment of members, terms of reference, interpretation of terms of reference, reference of questions for study, approval of rules of procedure. However, the approval of the terms of reference of such subsidiary organs should require the unanimity of the permanent members if the subsidiary organ were given authority to take steps which, if taken by the Security Council, would be subject to the "veto", or if the conferring of such authority would constitute a non-procedural decision.

Adoption of rules of procedure:

Decisions to adopt rules of procedure and decisions in application of the provisional rules of procedure, not contained elsewhere in the list:

- (1) Overruling of ruling of the President on a point of order (rule 30).
- (2) Order of principal motions and draft resolutions (rule 32).
- (3) To suspend the meeting; to adjourn the meeting; to adjourn the meeting to a certain day or hour; to postpone discussion of the question to a certain day or indefinitely (rule 33).
- (4) Order in which amendments to motions or draft resolutions are to be voted upon (rule 36).

- (5) Request to members of the Secretariat or to other persons for information or for other assistance (rule 39).
- (6) Publication of documents in any language other than the official languages (rule 47).
- (7) To hold a meeting in private (rule 48)
- (8) To determine what records shall be kept of a private meeting (rule 51).
- (9) To approve important corrections to the records (rule 52).
- (10) To grant access to the records of private meetings to authorized representatives of other Members of the United Nations (rule 56).
- (11) To determine which records and documents shall be made available to other Members of the United Nations, which shall be made public, and which shall remain confidential (rule 57).

Adoption of method of selecting the President.

Participation without vote of Members of the United Nations not members of the Security Council in the discussion of any question brought before the Security Council whenever the Security Council considers that the interests of those Members are specially affected.

Invitation to a Member of the United Nations which is not a member of the Security Council or to any State which is not a Member of the United Nations to participate without vote in the discussion relating to a dispute to which it is a party.

Enunciation of conditions for such participation of a State which is not a Member of the United Nations.

Decision whether a State not a Member of the United Nations has accepted the conditions deemed just by the Security Council for participation under Article 32 of the Charter.

Approval of credentials of representatives of States invited under Articles 31 and 32 of the Charter and rule 39 of the provisional rules of procedure.

Decision to remind members of their obligations under the Charter.

Establishment of procedures for the hearing of disputes or situations.

Request for information on the progress or the results of resort to peaceful means of settlement.

Deletion of a question from the list of questions of which the Security Council is seized.

Decision to consider and discuss a dispute or a situation brought before the Security Council (adoption of the agenda).

Decision whether a State not a Member of the United Nations has accepted, for the purposes of the dispute which it desires to bring to the attention of
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the Security Council, the obligations of pacific settlement provided in the Charter.

Invitation to a Member of the United Nations not a member of the Security Council to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Approval of rules of procedure and organization of the Military Staff Committee.

Request for assistance from the Economic and Social Council.

Decision to avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the Trusteeship System relating to political, economic, social and educational matters in the strategic areas.

Decision to dispense, on grounds of security, with the assistance of the Trusteeship Council.

Request of the Security Council for the appointment of a joint conference for the purpose of choosing one name for each vacant seat in the International Court of Justice.

Fixation of a period within which those members of the International Court of Justice who have already been elected shall proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

Fixation of the date of the election to fill vacancies in the International Court of Justice.
