

**Repertory of Practice of United Nations Organs
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Volume II

ARTICLE 18

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ARTICLE 18

TEXT OF ARTICLE 18

1. Each member of the General Assembly shall have one vote.
2. Decisions of the General Assembly on important questions shall be made by a two thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of members of the Economic and social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 (c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.
3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

INTRODUCTORY NOTE

1. The main headings which appeared in the previous *Supplement* have been maintained for this study. A new sub-heading has been inserted to cover the issue relevant to the application of Article 18 that were raised during the period under review, namely, the “Question of the application of Article 18 (2) for decisions with *amendment implications*”.

I. GENERAL SURVEY

2. The present study covers the resumption of the fiftieth to the fifty-fourth session (its resumption included 1 February to 5 September 2000), the nineteenth to the twenty-second special sessions, and the tenth emergency session, which were held between 19 September 1995 and 5 September 2000. The review of the voting which took place in the General Assembly during the period covered by this *Supplement* reveals a pattern similar to that described in the *Supplements Nos. 7 and 8 of the Repertory*. During this period, the majority of the Assembly’s decisions have been adopted without a vote. The rest of the decisions were mainly adopted with a two-thirds majority vote and the simple majority vote represents an exception. However, it can be noted that the roll-cast vote procedure has not been used since the forty-eighth Session. Except for situations mentioned in paragraphs 7, 9 and 17, no reference was made to Article 18 in the parliamentary discussions.
3. During its fiftieth session, the General Assembly adopted 326 resolutions under 246 different numbers (50/1 to 50/246). Of these, 256 were adopted without a vote and 69

received more than a two-thirds majority of the members present and voting.¹ During the same period, the Assembly also adopted 120 decisions other than elections and appointments under 106 different names (50/401 to 50/506). Except two decisions which were adopted by more than a two-thirds majority² and one decision adopted by a simple majority vote,³ all the other decisions were adopted without a vote.

4. During its fifty-first session, the General Assembly adopted 321 resolutions under 243 different numbers (51/1 to 51/243). Of these, 245 were adopted without a vote and 75 received more than a two-thirds majority.⁴ During the same period, the Assembly also adopted 92 decisions other than elections and appointments under 88 different names (51/401 to 51/488). Except three decisions which were adopted by more than a two-thirds majority⁵, all the other decisions were adopted without a vote.
5. During the tenth emergency session, held from 24 April 1997 to 9 February 1999,⁶ the General Assembly adopted 6 resolutions (ES-10/1 to ES-10/6). Except one resolution which was adopted without vote,⁷ all the other resolutions received more than a two-thirds majority.
6. During its nineteenth special session held from 23 to 28 June 1997, the General Assembly adopted two resolutions (S-19/1 and S-19/20) and two decisions other than elections and appointments (S-19/21 and S-19/22), all without a vote.
7. During its fifty-second session, the General Assembly adopted 316 resolutions under 252 different numbers (52/1 to 52/252). Of these, 247 were adopted without a vote and 67 received more than a two-thirds majority.⁸ Reference to Article 18 was made in connection with item 59 of the Agenda, "Question of equitable representation on and increase in the membership of Security Council and related matters"⁹. During the same period, the Assembly also adopted 115 decisions other than elections and appointments under 102 different names (52/401 to 52/502). Except three decisions

¹ Only one General Assembly resolution was adopted with a simple majority, 50/172 on Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral process.

² General Assembly decisions 50/418 and 50/420.

³ General Assembly decisions 50/412.

⁴ Only one General Assembly resolution was adopted with a simple majority, 51/103 on Human rights and unilateral coercive measures.

⁵ General Assembly decisions 51/414, 51/415 and 51/427.

⁶ Meetings of the tenth emergency special session on "occupied East Jerusalem and the rest of the occupied Palestinian territory": 24 to 25 April 1997, 15 July 1997, 13 November 1997, 17 March 1998 and 5 to 9 February 1999.

⁷ General Assembly resolution, emergency special session 10/1 on Credentials of representatives to the tenth emergency special session of the General Assembly.

⁸ Only two General Assembly resolutions were adopted with a simple majority, 52/119 on Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral process and 52/120 on Human rights and unilateral coercive measures.

⁹ See paragraph 17 below.

which were adopted by more than a two-thirds majority,¹⁰ all these decisions were adopted without a vote.

8. During its twentieth special session held from 8 to 10 June 1998, the General Assembly adopted nine resolutions (S-20/1 to S-20/4 E) and four decisions other than elections and appointments (S-20/21 and S-204), all without a vote.
9. During its fifty-third session, the General Assembly adopted 322 resolutions under 243 different numbers (53/1 to 53/243). Of these, 261 were adopted without a vote and 59 received more than a two-thirds majority.¹¹ Reference to Article 18 was made in connection with item 59 of the agenda, "Question of equitable representation on and increase in the membership of Security Council and related matters".¹² During the same period, the Assembly also adopted 107 decisions other than elections and appointments under 96 different names (53/401 to 53/496). Except two decisions which were adopted by more than a two-thirds majority,¹³ and one decision adopted by a simple majority vote,¹⁴ all the other decisions were adopted without a vote.
10. During its twenty-first special session held from 30 June to 2 July 1999, the General Assembly adopted two resolutions (S-21/1 and S-21/2) and three decisions other than elections and appointments (S-21/21 to S-21/23), all without a vote.
11. During its twenty-second special session held from 27 to 28 September 1999, the General Assembly adopted two resolutions (S-22/1 and S-22/2) and four decisions other than elections and appointments (S-22/21 to S-22/24), all without a vote.
12. During its fifty-fourth session, the General Assembly adopted 361 resolutions under 283 different numbers (54/1 to 54/283). Of these, 292 were adopted without a vote and 67 received more than a two-thirds majority.¹⁵ During the same period, the Assembly also adopted 111 decisions other than elections and appointments under 102 different names (54/401 to 54/502). Except one decision which was adopted by simple majority,¹⁶ all the other decisions were adopted without a vote.
13. With regard to elections and appointments to subsidiary organs of the General Assembly, following the decision 34/401 on the rationalization of the procedures and organization of the Assembly, the General Assembly dispensed itself with the formal balloting procedure when the number of candidates corresponded to the number of seats to be filled.

¹⁰ General Assembly decisions 52/414, 52/415 and 52/490.

¹¹ Only two General Assembly resolutions were adopted with a simple majority, 53/77 H on Regional disarmament and 53/158 on Human rights in the Islamic Republic of Iran.

¹² See paragraph 17 below.

¹³ General Assembly decisions 53/422 and 53/424.

¹⁴ General Assembly decision 53/417.

¹⁵ Only two General Assembly resolutions were adopted with a simple majority, 54/177 on Human rights situation in the Islamic Republic of Iran, and 54/168 on Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral process.

¹⁶ General Assembly decision 54/421

14. The General Assembly has continued to hold elections to the Security Council and the Economic and Social Council as specified by paragraph 2 of Article 18. The Assembly has not held elections to the Trusteeship Council since its twentieth session.

15. For the sake of clarity, statistical data on the adoption of resolutions and decisions during the period under review are shown in the following table:

	<i>Resolutions adopted</i>			<i>Resolutions not adopted</i>			<i>Decisions adopted</i>				
	<i>Without a vote</i>	<i>By a 2/3 majority</i>	<i>By a simple majority</i>	<i>Total</i>	<i>Failing 2/3 majority</i>	<i>Failing simple majority</i>	<i>Total</i>	<i>Without a vote</i>	<i>By a 2/3 majority</i>	<i>By a simple majority</i>	<i>Total</i>
<i>Regular sessions</i>											
Fiftieth	256	69	1	326	-	-	-	117	2	1	120
Fifty-first	245	75	1	321	-	-	-	89	3	-	92
Fifty-second	247	67	2	316	-	-	-	112	3	-	115
Fifty-third	261	59	2	322	-	-	-	104	2	1	107
Fifty-fourth	292	67	2	361	-	-	-	110		1	111
<i>Special sessions</i>											
Nineteenth.....	2	-	-	2	-	-	-	2	-	-	2
Twentieth.....	9	-	-	9	-	-	-	4	-	-	4
Twenty-first	2	-	-	2	-	-	-	3	-	-	3
Twenty-second	2	-	-	2	-	-	-	4	-	-	4
<i>Emergency sessions</i>											
Tenth	-	5	1	6	-	-	-	-	-	-	-
TOTALS	1316	342	9	1667	-	-	-	545	10	3	558

II. ANALYTICAL SUMMARY OF PRACTICE

**A. Practice relating to Article 18 (1)

**B. Practice relating to both paragraphs 2 and 3 of Article 18

C. Practice relating to Article 18 (2)

1. QUESTION OF THE APPLICATION OF THE TERM “IMPORTANT” TO PROPOSALS WITHOUT REFERENCE TO THE QUESTIONS ENUMERATED IN ARTICLE 18 (2).

16. As indicated in the table in paragraph 15 above, the General Assembly has adopted 1667 resolutions during the period under review. It should be noted that only nine resolutions were adopted by a simple majority vote. In *Supplements Nos. 1 to 6*, reference has been made to the practice by which General Assembly referred to Article 18 only in those cases where there was a divergence of views as to the

majority required for the adoption of a resolution or when a two-thirds majority did not seem to be assured beforehand.¹⁷ During the period under consideration, no situation arose in which the continuation or change of this practice could be tested.¹⁸

***a. Considerations involved in determining whether the adoption of a proposal requires a two-third majority*

***b. Cases in which the two-third majority rule has been applied without reference to the “importance” question*

****2. PRACTICE RELATING TO QUESTIONS SPECIALLY ENUMERATED IN ARTICLE 18 (2).**

3. QUESTION OF THE APPLICATION OF ARTICLE 18 (2) FOR DECISIONS WITH “AMENDMENT IMPLICATIONS”

17. At its fifty-second and fifty-third sessions, in connection with the item entitled “Question of equitable representation on and increase in the membership of the Security Council and related matters”, during the parliamentary discussions a debate occurred on the possibility to adopt decisions with “amendments implications” on the basis of Article 18. The question was about decisions which are not formal amendments to the Charter but which are dealing with the Security Council reform. The question at stake was whether this kind of decisions with “amendment implications” could be adopted by the General Assembly by a two-thirds majority of members present and voting as stated in Article 18 (2), or whether they had to be adopted by a two-thirds majority of members of the United-Nations as stated in Article 108¹⁹. The debate was closed with the adoption by consensus of the resolution 53/30 which states that “the General Assembly [...] *determines* not to adopt any resolution or decision on the question of equitable representation on and increase in the membership of the Security Council and related matter, without the affirmative vote of at least two-thirds of the Members of General Assembly”.

****D. Practice relating to Article 18 (3)**

¹⁷ See *Repertory of Practice of United Nations Organs, Supplement No. 1*, vol. I, under Article 18, para. 17 to 30; *Supplement No. 2*, vol. I, under Article 18, para. 9 to 29; *Supplement No. 3*, vol. I, under Article 18, para. 17 to 44; *Supplement No. 4*, vol. I, under Article 18, para. 13 to 53; *Supplement No. 5*, vol. II, under Article 18, para. 20 to 56; *Supplement No. 6*, vol. II, under Article 18, para. 20 to 31.

¹⁸ The same situation was represented in *Repertory, Supplement No. 7*, vol. II, under Article 18, para. 14 and *Supplement No. 8*, vol. II, under Article 18, para. 15.

¹⁹ A/52/PV.62, A/52/PV.63, A/52/PV.65, A/52/PV.91, A/53/PV.63, A/53/PV.64, A/53/PV.65 and A/53/PV.66.