

Repertory of Practice of United Nations Organs
Supplements No. 10 (2000-2009)

(Advance version, to be issued in volume III of Supplement No.10 (forthcoming)
of the *Repertory of Practice of United Nations Organs*)

VOLUME III

ARTICLE 27

TEXT OF ARTICLE 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

NOTE

1. Most votes in the Council provide no indication whether the Council considered the matter voted upon as procedural or non-procedural.¹ This is particularly the case when a proposal is adopted by a unanimous vote; when all permanent members vote in favour of a proposal; or when a proposal fails to obtain the necessary nine votes in its favour. However, in instances where a proposal obtains nine or more votes, with one or more permanent members casting a negative vote, and if the proposal is adopted, it indicates that the matter considered by the Council is procedural. Otherwise, it is non-procedural.²

¹ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part II, "Procedural and non-procedural matters".

² *Ibid.*

2. During the period under review, there were two instances in which the vote indicated the procedural character of the matter under consideration. In both instances, the proposals dealt with inclusion of items in the agenda and, obtaining nine or more votes, with one or more permanent members casting a negative vote, were adopted.³

3. There were fourteen instances in which the vote indicated the non-procedural character of the matter under consideration. The non-procedural matters that the Council voted upon included matters considered by the Council under its responsibility for the maintenance of international peace and security.⁴

4. In the past, the Security Council has found it necessary to decide, by vote, the question whether or not the matter under consideration was procedural within the meaning of Article 27 (2).⁵ This question has come to be termed, after the language used in the San Francisco Statement on Voting Procedure, “the preliminary question”. During the period under review, there was no instance where the Council voted on the “preliminary question”.⁶

5. In accordance with Article 27 (3) of the Charter, a party to a dispute under the scrutiny of the Council shall abstain from voting in decisions under Chapter VI of the Charter. While such abstention is called an obligatory abstention, abstention other than the proviso in Article 27 (3) is categorized as a voluntary abstention. During the period under review, there was no instance of obligatory abstention,⁷ while the practice of voluntary abstention remained unchanged.⁸

³ See S.PV/5237 and S.PV/5526.

⁴ See draft resolutions contained in S/2001/270, S/2001/1199, S/2002/712, S/2002/1385, S/2003/891, S/2003/980, S/2004/240, S/2004/313, S/2004/783, S/2006/508, S/2006/878, S/2007/14 (as orally revised), S/2008/447, S/2009/310.

⁵ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part III “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”.

⁶ *Ibid.*

⁷ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part IV, A. “Obligatory abstention”.

⁸ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part IV, “B. Voluntary abstention, non-participation or absence in relation to Article 27, paragraph 3”, Table 1.

6. During the period under review, in addition to voting, decisions of the Council were also taken: 1) without a vote,⁹ 2) in the form of statements by the President on behalf of the Council as agreed upon by the members of the Council during consultations,¹⁰ and 3) in letters from or notes by the President of the Council.¹¹

7. For detailed information regarding the Council's practice on voting, as described in paragraphs 1 to 5 above, see chapter IV of the fourteenth and fifteenth supplements and part II, section VIII of the sixteenth supplement of the *Repertoire to the Practice of the Security Council*:

http://www.un.org/en/sc/repertoire/2000-2003/00-03_4.pdf#page=4 (during 2000-2003);

http://www.un.org/en/sc/repertoire/2004-2007/04-07_04.pdf#page=4 (during 2004-2007);

http://www.un.org/en/sc/repertoire/2008-2009/Part%20II/08-09_Part%20II.pdf#page=89 (during 2008-2009).

⁹ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part V, A. "Cases in which the Security Council adopted resolutions and decisions by consensus or without a vote".

¹⁰ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part V, B. "Cases in which Security Council decisions were announced in presidential statements issued after being agreed upon by the members of the Council at consultations".

¹¹ See, for instance, fourteenth supplement to the *Repertoire of the Practice of the Security Council* (2000-2003), chapter IV, part V, C. "Cases in which Security Council decisions were recorded in notes by the President of the Security Council" and D. "Cases in which Security Council decisions were recorded in letters from the President of the Security Council".