## ARTICLE 18

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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 the 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. No new headings have been inserted since the issues relevant to the application of Article 18 that were raised during the period under review are covered by those already established.

I. GENERAL SURVEY

2. A review of the voting which took place in the General Assembly during the fourteenth to eighteenth regular sessions inclusive, the twentieth session, the third and fourth special sessions and the fourth emergency special session reveals a pattern similar to that which was described in previous studies of Article 18 in the Repertory and its Supplements Nos. 1 and 2. During the period under review, the vast majority of the General Assembly's decisions continued to be made by the affirmative vote of more than two thirds of the Members. A considerable number of these decisions were adopted unanimously or on a no-objection basis.

3. During the fourteenth session, for example, 123 resolutions were adopted. Fifty-three of these were adopted unanimously or without objection; sixty-nine received more than a two-thirds majority of the votes cast and only one was approved by a simple majority. No specific reference was made to the provisions of Article 18 in connexion with the voting and, in seven instances, proposals—which for the purpose of this survey include amendments and parts of a draft resolution put to the vote separately—were not adopted, having failed to obtain the required two-thirds majority.

4. During the fifteenth session, the General Assembly adopted 145 resolutions. Eighty were adopted unanimously or without objection, sixty-three received more than a two-thirds majority of the votes and two were approved by a simple majority. The records of the plenary meeting show that reference to Article 18 was made in connexion with the voting under one agenda item and that ten proposals were not adopted, having failed to obtain the required two-thirds majority.

5. At the sixteenth session, the General Assembly adopted 125 resolutions. Seventy-one were adopted unanimously or without objection, fifty-three obtained more than two thirds of the votes cast and only one was approved by a simple majority. Reference to Article 18 was made in connexion with three agenda items, and in thirteen cases proposals were not adopted for lack of a two-thirds majority.

6. At the seventeenth session, the General Assembly adopted 124 resolutions. Of these, seventy were adopted unanimously or without objection, fifty-four

1 For the nineteenth session, see para. 10 below.
2 G A resolutions 1351—1473 (XIV); among these, two contained two parts upon which separate votes were taken under one title.
3 See para. 46 (a) below.
received more than a two-thirds majority and none was approved by a simple majority. Under three agenda items the question of the application of Article 18 was raised before the vote and, in six instances, proposals were not adopted, having failed to obtain a two-thirds majority.

7. At the eighteenth session, the General Assembly adopted 113 resolutions. Of these, sixty-six were adopted unanimously or without objection, forty-seven received more than a two-thirds majority and none was approved by a simple majority. The records show no instance of a proposal having failed of adoption for lack of a two-thirds majority.

8. At the twentieth session, the General Assembly adopted 125 resolutions. Of these, sixty-two were adopted unanimously or without objection, sixty-one obtained more than a two-thirds majority and two were approved by a simple majority. Reference to Article 18 was made under five agenda items, and two proposals were not adopted, having failed to obtain a two-thirds majority.

9. At the third special session, the General Assembly adopted two resolutions, one without objection and the other without any negative vote. At the fourth special session, nine resolutions were adopted. Except for one, which dealt with the admission of a new Member and was adopted by acclamation, all the resolutions adopted at that session were voted upon and obtained a two-thirds majority.

10. At the nineteenth session, in view of the special circumstances, the General Assembly did not adopt any decision by means of a vote. However, it adopted fourteen resolutions and a number of decisions on a no-objection basis. Similarly, the General Assembly elected its President by acclamation and it elected members of the Security Council and of the Economic and Social Council after unofficial consultations had been held by the President and without the usual balloting procedure.

11. For the sake of clarity, statistical data on the adoption or rejection of resolutions during the period under review are shown in the table below.

12. In a majority of the cases, the application or interpretation of the provisions of Article 18 gave rise to little discussion. References to Article 18—or to rules 84, 85 and 87 of the rules of procedure—which reproduce that Article—were mainly in the form of statements by the President. In several cases, however, a debate developed as to the majority required for the adoption of some resolutions. Details on these cases are given below.

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### Statistical Data on Adoption or Rejection of Resolutions

<table>
<thead>
<tr>
<th>Session Type</th>
<th>Resolutions adopted</th>
<th>Resolutions not adopted</th>
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<tbody>
<tr>
<td></td>
<td>Unanimously or without objection</td>
<td>By a two-thirds majority</td>
</tr>
<tr>
<td>Regular sessions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fourteenth session</td>
<td>53</td>
<td>69</td>
</tr>
<tr>
<td>Fifteenth session</td>
<td>80</td>
<td>63</td>
</tr>
<tr>
<td>Sixteenth session</td>
<td>71</td>
<td>53</td>
</tr>
<tr>
<td>Seventeenth session</td>
<td>70</td>
<td>54</td>
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<tr>
<td>Eighteenth session</td>
<td>66</td>
<td>47</td>
</tr>
<tr>
<td>Nineteenth session</td>
<td>14</td>
<td>—</td>
</tr>
<tr>
<td>Twentieth session</td>
<td>62</td>
<td>61</td>
</tr>
<tr>
<td>Special sessions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third special session</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Fourth special session</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Emergency special sessions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fourth emergency special session</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

Total 418 358 6 782 7 11 18
II. ANALYTICAL SUMMARY OF PRACTICE

A. Practice relating to Article 18 (1)

13. Although no question was raised as to the applicability of Article 18 (1), the period under review was marked by two developments regarding voting rights in connexion with the merger of Member States.

14. As noted in the previous study, the two votes exercised by Egypt and Syria became one as a result of the establishment of a single State, the United Arab Republic. During the period under review, the two original Members resumed their former status as separate Member States, with two separate votes.

15. Another change in the number of votes occurred when two Members, Tanganyika and Zanzibar, merged into a single State, the United Republic of Tanganyika and Zanzibar, with only one vote.

16. In order to allow new Member States to exercise their voting rights as early in the session as possible, the General Assembly continued to deal with the admission of new Members immediately following the election of the President and before the adoption of the agenda.

**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)**

17. As indicated in the table appearing in paragraph 11 above, 782 resolutions were adopted during the period under review. In connexion with only twelve agenda items was reference made to the application of Article 18 to the voting and only six resolutions were adopted by a simple-majority vote. It appears, therefore, that the General Assembly continued the practice of referring 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.

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

18. In a number of cases, the General Assembly engaged in a debate to determine whether a specific draft resolution required a two-thirds majority for its adoption. Details on such discussions, classified by subject-matter in the order in which they occurred, are given below.


19. At the sixteenth session, the General Assembly voted on a draft resolution submitted by the Special Political Committee relating to the report of the United Nations Scientific Committee on the Effects of Atomic Radiation. The result of the vote was 37 in favour, 20 against and 27 abstentions. The President declared that the draft resolution, having failed to obtain the required two-thirds majority, had not been adopted. The President's ruling was challenged on the ground that the draft resolution was of a non-political nature. Speaking in support of the President's ruling, one representative requested a vote on the applicability of the two-thirds rule.

20. The General Assembly decided, by 48 votes to 27, with 26 abstentions, that the two-thirds majority rule should apply to the vote on the draft resolution.

ii. **Question of the representation of China**

21. At the sixteenth session, the General Assembly was seized of a draft resolution submitted by the Union of Soviet Socialist Republics on the question of the restoration of the lawful rights of the People's Republic of China in the United Nations.

22. Subsequently, the delegations of Australia, Colombia, Italy, Japan and the United States of America submitted a draft resolution by which the General Assembly would decide "in accordance with Article 18 of the Charter of the United Nations, that any proposal to change the representation of China is an important question". The sponsors of this draft resolution and a number of other delegations stressed the great importance of the question, which had already been in previous years the subject of extensive debate, and insisted that any decision relating to it required a two-thirds majority. Other delegations felt, on the contrary, that the General Assembly was merely dealing with a question of credentials and that, therefore, the two-thirds rule was not applicable.

23. A motion for priority on the five-Power draft resolution was adopted by 61 votes to 21, with 20 abstentions, and the draft resolution itself was adopted by 61 votes to 34, with 7 abstentions. The draft resolution submitted by the USSR and an amendment thereto proposed by Cambodia, Ceylon and Indonesia failed to obtain a simple majority.
24. A somewhat similar situation arose at the twentieth session. Eleven delegations submitted a draft resolution\(^{28}\) whereby the General Assembly would reaffirm the decision it had taken at its sixteenth session, namely, that any proposal to change the representation of China was an important question.\(^{29}\) In addition to the arguments described in paragraph 22 above, the delegations supporting the draft resolution stressed the fact that a precedent had been established at the sixteenth session and that in adopting the new proposal the General Assembly would merely confirm its previous decision.

It was argued, on the other hand, that a decision taken by the General Assembly at a given session was in no way binding at a subsequent session, j

25. The General Assembly was also seized of a twelve-Power draft resolution\(^{30}\) by which the General Assembly would decide to restore the lawful rights of the People’s Republic of China and to expel the representatives of Chiang Kai-shek.

26. However, contrary to what had occurred at the sixteenth session, the draft resolution relating to the question of the two-thirds majority was submitted first. Consequently, there was no motion for priority on putting it to a vote and it was adopted\(^{31}\) by 56 votes to 49, with 11 abstentions. The twelve-Power draft resolution received 47 votes in favour, 47 votes against and 20 abstentions.

iii. Permanent sovereignty over natural resources

27. During the seventeenth session, as the General Assembly was considering a number of draft resolutions submitted by the Second Committee, the representative of the United States said that the draft resolution\(^{32}\) on permanent sovereignty over natural resources related to one of the most important matters ever to come before the General Assembly and moved that the Assembly should decide “pursuant to Article 18, paragraph 3, of the Charter, and rule 87 of the rules of procedure, that this resolution constitutes an important question, the adoption of which will require a two-thirds majority of the members present and voting”\(^{33}\). Replying to a request for clarification, the President stated that it was for the Assembly to decide by a simple majority vote whether the question required a two-thirds vote or a simple majority. Before putting the motion to the vote, the President made the following additional statement:

“I agree … that it would be absurd to hold that additional categories of questions may be added, as important questions, to those mentioned in Article 18, paragraph 2, by a simple majority vote, and that the question as to whether a simple question is important or not should be determined by a two-thirds majority. It is obvious that that also will be determined by a simple majority.

29. The motion to apply the two-thirds rule was adopted\(^{38}\) by 42 votes to 26, with 32 abstentions. After the deletion of certain words which did not obtain a simple majority, the draft resolution as amended was adopted\(^{39}\) without a dissenting vote.

v. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

30. At the twentieth session, during the consideration of the item entitled “Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples”, the General Assembly took a separate vote on operative paragraph 3 of a draft resolution of the Fourth Committee relating to the situation in a number of Non-Self-Governing Territories, whereby the Assembly would have considered “that the existence or establishment of military bases constitutes an obstacle to the freedom and independence of these Territories”\(^{40}\). The President announced the result as follows: “There are 48 votes in favour, 33 against and 24 abstentions. As it did not obtain the required two-thirds majority, paragraph 3 is not adopted.”\(^{41}\)

\(^{28}\) G A (XX), Annexes, a.i. 102, A/L.468 and Add.1.

\(^{29}\) G A resolution 1668 (XVI).

\(^{30}\) G A (XX), Annexes, a.i. 102, A/L.469.

\(^{31}\) G A (XX), Plen., 1300th mtg., para. 57; G A resolution 2025 (XX).

\(^{32}\) G A (XVII), Annexes, a.i. 12, 34, 35, 36, 37, 39 and 84, A/5344 and Add.1, para. 146, draft resolution VI (A/L/412).

\(^{33}\) G A (XVII), Plen., 1193rd mtg., para. 76.

\(^{34}\) Ibid., paras. 144 and 145.

\(^{35}\) G A (XVII), Plen., 1194th mtg., para. 8.

\(^{36}\) G A (XVII), Annexes, a.i. 38, A/5354, para. 14.

\(^{37}\) See para. 42 below.

\(^{38}\) G A (XVII), Plen., 1197th mtg., para. 95.

\(^{39}\) Ibid., para. 99.

\(^{40}\) G A (XX), Annexes, a.i. 23, A/6160, para. 50, draft resolution V.

\(^{41}\) G A (XX), Plen., 1398th mtg., para. 117.
36. During the twentieth session, immediately after the Rapporteur of the Fourth Committee had presented his Committee’s report on the question of South West Africa,⁴⁶ the representative of Liberia formally proposed⁴⁷ that the simple-majority rule should apply to the draft resolutions on that item.

37. Several representatives observed that the question of South West Africa was an important question which involved matters of international peace and security. One representative drew attention in particular to annex III of the rules of procedure which reproduced the operative part of a resolution⁴⁸ adopted by the General Assembly concerning the Territory of South West Africa. It was pointed out that special rule F contained in that annex provided that: “Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations.”⁴⁹

38. Before the Assembly proceeded to vote on the draft resolution submitted by the Fourth Committee, the representative of Liberia withdrew her motion for the simple-majority rule.

vi. Question of South West Africa

36. During the twentieth session, immediately after the Rapporteur of the Fourth Committee had...
the agenda of the next session of the Second Committee of the General Assembly in view of the fact that a draft resolution on this item was distributed to the Second Committee on 1 December 1961, but could not be considered because of lack of time. A representative requested a separate vote on the words “of the Second Committee”, expressing the view that the choice of the committee to be entrusted with the consideration of the item was the prerogative of the General Assembly at its next session. Before putting these words to the vote, the President made the following statement: “Since the next General Assembly should have absolute power to decide to which Committees the items on its agenda should be referred, this is in my view an important question calling for a two-thirds majority.” The words “of the Second Committee” failed of adoption, having received 47 votes in favour, 25 against and 24 abstentions.

ii. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

43. At the seventeenth session, a separate vote was taken on the preambular paragraph of a draft resolution by which the General Assembly would have considered fixing “an appropriate time-limit for the full implementation of the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples”. The vote was 55 votes in favour, 40 against and 12 abstentions. The President announced that the paragraph had not been adopted since it had not obtained a two-thirds majority. Asked for an explanation of his ruling, the President that the item as a whole, and certainly the draft resolution, was an important question within the meaning of Article 18. The President’s ruling was not challenged.

c. Cases in which the two-thirds majority rule has been applied without reference to the “importance” of the question

44. Statements to which no objection was raised were made by the President on the application of the two-thirds majority rule, without express reference to the “importance” of the question, in connexion with the following items:

i. Question of French nuclear tests in the Sahara;

ii. Question of Algeria;

iii. The situation in the Republic of the Congo;

iv. Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa;


vi. Complaint by the Revolutionary Government of Cuba regarding the various plans of aggression and acts of intervention being executed by the Government of the United States of America against the Republic of Cuba, constituting a manifest violation of its territorial integrity, sovereignty and independence, and a clear threat to international peace and security;

vii. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

viii. Question of Oman;

ix. The situation in Angola.

2. Practice relating to questions specifically enumerated in Article 18 (2)

45. At the fourteenth session, the General Assembly was seized of two draft resolutions, submitted by the USSR and Tunisia, respectively, regarding the election of two members of the Trusteeship Council and the composition of the Council. The draft resolutions were not adopted for lack of a two-thirds majority.

D. Practice relating to Article 18 (3)

Questions which the General Assembly has determined may be decided by a majority vote of the Members present and voting

Cases in which the General Assembly adopted resolutions by a majority vote

46. During the period under review, resolutions under the following titles were adopted by a simple majority in the General Assembly:

(a) Question of the representation of China in the United Nations;

(b) Representation of China in the United Nations;

(c) Question of the Mwami;

(d) Question of Tibet.

61 G A (XIV), Plen., 840th mtg., paras. 104 and 105.
62 G A (XVII), Plen., 1195th mtg., para. 60.
63 G A (XVII), Plen., 1196th mtg., paras. 146, 165, 196 and 217.
64 G A (XV/2), Plen., 1066th mtg., paras. 363 and 365.
65 G A (XVI), Plen., 1086th mtg., paras. 43 and 44.
66 G A (XIV), Annexes, a.i. 17, A/L. 274.
67 G A (XVI), Plen., 1102nd mtg., para. 158.
68 G A (XVI), Plen., 1084th mtg., paras. 103, 139 and 140; G A (XVI), Plen., 1086th mtg., paras. 43 and 44.
69 G A (XVI), Plen., 1095th mtg., paras. 363 and 365.
70 G A (XVI), Plen., 1066th mtg., paras. 146, 165, 196 and 217.
71 G A (XVI), Plen., 1087th mtg., paras. 4; G A (XVII), Plen., 1191st mtg., paras. 63—66 See also paras. 39—41 above.
72 G A (XVI), Plen., 1102nd mtg., para. 158.
73 G A (XV, Plen., 1102nd mtg., para. 158.
74 G A (XIV), Annexes, a.i. 17, A/L. 274.
75 G A (XIV), Plen., 1087th mtg., paras. 273 and 274.
76 G A (XVII), Plen., 1191st mtg., paras. 63—66 See also paras. 39—41 above.
77 G A (XVII), Plen., 1102nd mtg., para. 158. See also paras. 21—26 above.
78 G A (XVI), Plen., 1087th mtg., paras. 4; G A (XVII), Plen., 1191st mtg., paras. 63—66 See also paras. 39—41 above.
79 G A (XVII), Plen., 1102nd mtg., para. 158.
80 G A (XVII), Plen., 1102nd mtg., para. 158.
81 G A (XIV), Annexes, a.i. 17, A/L. 274.
82 G A (XIV), Plen., 1087th mtg., paras. 273 and 274.
83 G A (XVII), Plen., 1191st mtg., paras. 63—66 See also paras. 39—41 above.
84 G A (XVII), Plen., 1102nd mtg., para. 158.