

ARTICLE 20

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TEXT OF ARTICLE 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

INTRODUCTORY NOTE

1. During the period under review, the General Assembly held seven regular annual sessions, two special sessions and one emergency special session. For the first time a special session was convened at the request of the General Assembly. This is discussed in section II, B, 1a.

I. GENERAL SURVEY

2. In accordance with the provisions of Article 20 of the Charter and of rules 1 and 3 of the rules of procedure of the General Assembly,¹ the Assembly held its fourteenth to twentieth regular sessions inclusive, from 1959 to 1965, at the Headquarters of the United Nations in New York.

3. The fourteenth, seventeenth, eighteenth and twentieth sessions were completed before the end of the year in which they began. The fifteenth session was adjourned in December 1960 and reconvened in March 1961. The sixteenth session was adjourned in December 1961 until mid-January 1962; it was adjourned again in February and reconvened in

June. The opening date of the nineteenth session was postponed twice: first from 15 September 1964 to 10 November, and later to 1 December; the session was adjourned on 18 February 1965 and declared closed at a meeting held on 1 September.

4. In addition to the regular annual sessions, the General Assembly held two special sessions, in 1961 and 1963, respectively. The Assembly also held an emergency special session in 1960 pursuant to its resolution 377 A (V) entitled "Uniting for peace".

5. The following table shows the opening and closing dates and the approximate length of the sessions held during the period under review:

	<i>Opening date</i>	<i>Closing date</i>	<i>Approximate duration</i>
<i>Regular sessions</i>			
Fourteenth session	15 September 1959	12 December 1959	13 weeks
Fifteenth session	20 September 1960	20 December 1960	13 weeks
resumed	7 March 1961	21 April 1961	6 1/2 weeks
Sixteenth session	19 September 1961	20 December 1961	13 weeks
resumed	15 January 1962	23 February 1962	6 weeks
resumed	7 June 1962	28 June 1962	3 weeks
Seventeenth session	18 September 1962	20 December 1962	13 1/2 weeks
Eighteenth session	17 September 1963	17 December 1963	13 weeks
Nineteenth session	1 December 1964	30 December 1964	4 weeks
resumed	18 January 1965	18 February 1965	4 1/2 weeks
resumed	1 September 1965	1 September 1965	1 day
Twentieth session	21 September 1965	21 December 1965	13 weeks
<i>Special sessions</i>			
Third special session	21 August 1961	25 August 1961	5 days
Fourth special session	14 May 1963	27 June 1963	6 weeks
<i>Emergency special session</i>			
Fourth emergency special session	17 September 1960	19 September 1960	3 days

¹ United Nations publication, Sales No.: 68. I. 7.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Regular annual sessions

1. DATE OF MEETING

6. There was no amendment to rule 1 of the rules of procedure of the General Assembly, which provides that the Assembly "shall meet every year in regular session commencing on the third Tuesday in September".

a. Postponement of opening date

BY CONSULTATION OF MEMBERS AT THE INITIATIVE OF A GROUP OF MEMBERS

7. The opening date of the nineteenth session was postponed twice by consultation of Members at the initiative of a group of Members.

8. On 21 April 1964, twenty Member States requested that the nineteenth session, which was to be held on 15 September 1964, be postponed "to some suitable date in November".² After the necessary consultations by the Secretary-General, a majority of Members agreed to the postponement of the opening date to 10 November.

9. On 23 October, however, forty-one Member States requested another postponement of the opening date, stating that such a postponement "would serve the best interests of the Organization and ensure a more constructive contribution by Member States to the work of the General Assembly".³ The majority of Members agreed to the second request and the session began on 1 December, as suggested by the sponsors of the proposal.

b. Change in opening date

10. Although the opening date of the nineteenth session was postponed twice, there was no discussion of a constitutional character, nor was there any proposal for amending rule 1 of the rules of procedure.

11. In that connexion, it may be of interest to note that the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly, established by the Assembly during its seventeenth session,⁴ was seized of several proposals aimed at changing the opening date of regular sessions. Those proposals were mainly prompted by a desire to avoid the holding of resumed sessions after the year-end holidays. Two suggestions in particular were considered by the Committee, one to bring forward the opening date of regular sessions to the beginning of September and the other to hold the sessions from March to June. Those suggestions, however, were not found acceptable and the Committee, therefore, did not include them in its recommendations to the General Assembly.⁵

² G A (XIX), Annexes, No. 2, A/5708.

³ *Ibid.*, A/5773.

⁴ G A (XVII), Plen., 1162nd mtg., para. 115.

⁵ G A (XVIII), Annexes, a.i. 25, A/5423, para. 66.

2. ADJOURNMENT AND RESUMPTION OF SESSION

12. At the fifteenth session, on 15 December 1960, the General Assembly, on the recommendation of the General Committee,⁶ decided to recess the session on 20 December instead of 17 December⁷ and to resume it on 7 March 1961.⁸

13. At the sixteenth session, on 19 December 1961, the General Assembly, on the recommendation of the General Committee,⁹ decided to adjourn the session on 20 December 1961 and to resume it on 15 January 1962.¹⁰ On 23 February 1962, before the end of the resumed session, the General Assembly decided to reconvene in the first week on June to consider exclusively the question of Ruanda-Urundi.¹¹

14. At the nineteenth session, the General Assembly recessed from 30 December 1964 to 18 January 1965. On 18 February, the Assembly decided to adjourn and to reconvene on 1 September.¹²

3. PLACE OF MEETING

15. All the sessions held during the period under review met at the Headquarters of the United Nations in accordance with rule 3 of the rules of procedure.

4. DURATION OF SESSION

16. In its report to the General Assembly submitted in 1963, the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly suggested that the normal duration of the regular session should not exceed thirteen weeks.¹³ That suggestion was endorsed by the General Assembly when it approved the recommendations submitted by the *Ad Hoc* Committee.¹⁴ As shown in the table appearing in paragraph 5 above, that duration had not been exceeded since the submission of that report to the General Assembly at its eighteenth session.

Closing date of session

17. At the seventeenth, eighteenth and twentieth sessions, the dates for the closing of the session recommended by the Secretary-General and the General Committee and approved by the General Assembly were strictly observed. The seventeenth and eighteenth sessions ended even before the target date: one day and three days earlier, respectively.

18. At the fourteenth session, the General Committee's recommendation¹⁵ that the session should

⁶ G A (XV), Annexes, a.i. 8, A/4634, para. 7.

⁷ G A (XV/1), Plen., 948th mtg., para. 118.

⁸ *Ibid.*, para. 167.

⁹ G A (XVI), Annexes, a.i. 8, A/5053, para. 3.

¹⁰ G A (XVI), Plen., 1083rd mtg., para. 66.

¹¹ G A resolution 1743 (XVI), para. 7.

¹² G A (XIX), Plen., 1330th mtg., para. 333.

¹³ G A (XVIII), Annexes, a.i. 25, A/5423, para. 22.

¹⁴ G A resolution 1898 (XVIII) See also United Nations publication, Sales No.: 68. I. 7, annex IV.

¹⁵ G A (XIV), Annexes, a.i. 8, A/4214, para. 15.

end on 5 December 1959 was approved by the General Assembly on 22 September.¹⁶ Later in the session, however, when it became apparent that the General Assembly could not complete its work within the time-limit prescribed, the General Committee, on the suggestion of the President, decided¹⁷ by 17 votes to none, with 3 abstentions, to recommend that the closing date should be postponed to 12 December. The recommendation was endorsed without objection by the General Assembly.¹⁸ The session closed on the scheduled date.

19. A similar procedure was followed at the fifteenth session. The date originally recommended by the General Committee¹⁹ and approved by the General Assembly²⁰ was 17 December 1960. However, because a considerable number of items had not been disposed of, the General Committee met on 10 December and decided to recommend that the session should be recessed on 20 December.²¹ The Assembly endorsed that recommendation.²² During the debate, it was emphasized both in the General Committee²³ and in the plenary meeting²⁴ that, by recommending that change of date, the General Committee was *ipso facto* recommending to the Assembly a reversal of its previous decision to fix 17 December as the closing date of the session. In the course of the resumed session, on the recommendation of the General Committee,²⁵ the Assembly decided, on 23 March 1961,²⁶ that the closing date for the session would be 21 April. The session closed at 6.05 a.m. on 22 April.

20. At the sixteenth session, the decision taken by the General Assembly,²⁷ on the recommendation of the General Committee,²⁸ to close the session on 20 December 1961 was superseded as a consequence of the Assembly's decision — again on the recommendation of the General Committee²⁹ — to adjourn the session to 15 January 1962.³⁰ In the course of the resumed session, the Assembly, on the recommendation of the General Committee,³¹ decided that 23 February would be the closing date of the session “without prejudice to any decision of the General Assembly on the recommendation of the Fourth Committee concerning the reconvening of the session to consider the question of Ruanda-Urundi”.³² A further decision on the closing date was subse-

quently taken by the General Assembly³³ on the recommendation of the General Committee³⁴ and session ended on 28 June, the date agreed upon by the General Assembly.

21. At the nineteenth session, which began on 1 December 1964,³⁵ the Secretary-General suggested to the General Committee³⁶ that the closing date for the session should be 5 March 1965. Owing to the special circumstances which prevailed at the nineteenth session, the General Committee was never constituted. No date was set for the end of the session, which officially closed on 1 September 1965.³⁷

22. It should be noted that whenever the General Assembly decided to adjourn a session, thereby superseding its previous decision on the date of closure, the decision on the new closing date was taken in the course of the resumed session.³⁸

B. Special sessions

1. PROCEDURE FOR SUMMONING

23. Article 20 of the Charter provides that special sessions “shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations”. Two special sessions, the third and the fourth were held during that period under review. An emergency special session was also held during that period.³⁹

a. By the General Assembly

24. The first case of the summoning of a special session by the General Assembly occurred at the seventeenth session. On 19 December 1962 the Assembly decided to re-establish the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations and requested the Working Group “to meet as soon as possible in 1963 and to submit its report with the least possible delay and in any case not later than 31 March 1963”.⁴⁰ On the basis of that decision, the General Assembly adopted a draft resolution on 20 December 1962 the operative paragraphs of which read as follows:

“The General Assembly,

“ . . .

“1. *Decides* to convene a special session of the General Assembly prior to 30 June 1963 for the purpose of considering, in the light of the report of the Working Group of twenty-one members established under resolution 1854 B (XVII), the financial situation of the Organization;

“2. *Requests* the Secretary-General to fix the date for convening the special session, in consultation with the President of the General Assembly

¹⁶ G A (XIV), Plen., 803rd mtg., para. 234.

¹⁷ G A (XIV), Annexes, a.i. 8, A/4315, para. 2.

¹⁸ G A (XIV), Plen., 846th mtg., para. 3.

¹⁹ G A (XV), Annexes, a.i. 8, A/4520, para. 20.

²⁰ G A (XV/1), Plen., 881st mtg., para. 2.

²¹ G A (XV), Annexes, a.i. 8, A/4634, para. 7.

²² G A (XV/1), Plen., 948th mtg., para. 118. See also para. 12 above.

²³ G A (XV), Gen. Com., 132nd mtg., paras. 35 and 36.

²⁴ G A (XV/1), Plen., 948th mtg., para. 116.

²⁵ G A (XV), Annexes, a.i. 8, A/4714, para. 6.

²⁶ G A (XV/2), Plen., 966th mtg., para. 2.

²⁷ G A (XVI), Plen., 1014th mtg., para. 30.

²⁸ G A (XVI), Annexes, a.i. 8, A/4882, para. 21.

²⁹ G A (XVI), Annexes, a.i. 8, A/5053, para. 3.

³⁰ G A (XVI), Plen., 1083rd mtg., para. 66. See also para. 13 above.

³¹ G A (XVI), Annexes, a.i. 8, A/5091, para. 2.

³² G A (XVI), Plen., 1104th mtg., paras. 1 and 2.

³³ *Ibid.*, 1116th mtg., para. 105.

³⁴ G A (XVI), Annexes, a.i. 8, A/5139, para. 2.

³⁵ See paras. 8 and 9 above.

³⁶ G A (XIX), Annexes, No. 2, A/BUR/160, para. 4.

³⁷ G A (XIX), Plen., 1331st mtg., para. 102.

³⁸ See paras. 19 and 20 above.

³⁹ See paras. 31–35 below.

⁴⁰ G A resolution 1854 B (XVII), oper. para. 5.

at its seventeenth session, taking account of developments during the first half of 1963.”⁴¹

In compliance with operative paragraph 2 of the resolution, the Secretary-General informed the permanent representatives by a *note verbale* dated 1 March 1963 that the session — the fourth special session — would convene on 14 May.

b. *At the request of the Security Council*

25. No special session was convened at the request of the Security Council during the period covered by this *Supplement*.

c. *At the request of Members*

26. By a letter dated 7 August 1961 addressed to the Secretary-General, the permanent representatives of thirty-eight Member States requested the convening of the third special session of the General Assembly in the following terms:

“1. On the instructions of our respective Governments, we have the honour to request the convening of a special session of the General Assembly under rules 8 (a) and 9 (a) of the rules of procedure of the General Assembly, to consider the grave situation in Tunisia obtaining since 19 July 1961, in view of the failure of the Security Council to take appropriate action.

“2. In view of the gravity of the situation, we request that this special session be held as soon as possible after the concurrence of a majority of Member States. We trust that, in these circumstances, this would be in conformity with the wishes of Member States.”⁴²

By a letter addressed to the Secretary-General on the same day, the permanent missions of nine Member States associated themselves with the above-mentioned letter.⁴³

27. In accordance with rule 9 (a) of the rules of procedure, the Secretary-General communicated the request to all Member States and inquired whether they concurred in the summoning of the session.

28. In addition to the forty-seven Member States mentioned above, seven Members expressed their concurrence in the calling of the session.⁴⁴

29. After a majority of Members had concurred in the request, the Secretary-General, acting under rules 3, 8 (a) and 10 of the rules of procedure, informed the permanent representatives that the session would convene on 21 August.

30. The same procedure had been followed in 1960 when twenty-two Member States requested, on 14 March, the summoning of a special session to consider the question of French nuclear tests in the Sahara. On 15 March, the Secretary-General had reported⁴⁵ that thirty-six Members were in favour of calling the session, seven Members did not concur in the request and three Members had abstained.

⁴¹ G A resolution 1866 (XVII).

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⁴² G A (S-III), Annexes, a.i. 7, A/4831.

⁴³ *Ibid.*

⁴⁴ *Ibid.*, A/4847, para. 3.

⁴⁵ A/4369 (mimeographed).

As the majority required had not been obtained within the stipulated time-limit, no further action had been taken on the request for a special session.

2. EMERGENCY SPECIAL SESSIONS

31. One emergency special session — the fourth — was held during the period covered by this *Supplement*. At that session, which met from 17 to 19 September 1960, the General Assembly discussed the situation in the Republic of the Congo.

a. Procedure for summoning

32. A detailed analysis of the procedure for summoning an emergency special session appears in *Supplement No. 2*.⁴⁶ As in the case of the first three emergency special sessions, the fourth was convened at the request of the Security Council.

33. On 17 September 1960, the Security Council adopted a draft resolution submitted by the United States,⁴⁷ the main parts of which read as follows:

“The Security Council,

“... ”

“Taking into account that the lack of unanimity of its permanent members at the 906th meeting of the Security Council has prevented it from exercising its primary responsibility for the maintenance of international peace and security,

“Decides to call an emergency special session of the General Assembly, as provided in General Assembly resolution 377 A (V) of 3 November 1950, in order to make appropriate recommendations.”

The Secretary-General immediately notified the permanent representatives and the session convened at 8 p.m. on the same day.

b. Question of the legality of convening the emergency special session

34. The draft resolution mentioned in paragraph 33 above was adopted⁴⁸ after a draft resolution sponsored by Ceylon and Tunisia⁴⁹ had failed of adoption owing to the negative vote of one permanent member of the Council.

35. The question of the legality of convening the emergency special session was raised in the Security Council by one representative immediately before the adoption of the draft resolution submitted by the United States. He said that his delegation could not, in its vote, be guided by resolution 377 A (V), to which the draft resolution referred, since that resolution had been adopted in violation of the United Nations Charter which required unanimity in the Security Council in the matter of convening emergency special sessions. He added that his delegation would, therefore, regard the adoption of any such draft resolution as illegal, unless it was adopted unanimously by all the permanent members of the Security Council.⁵⁰

⁴⁶ See *Repertory Supplement No. 2*, vol. II, under Article 20, paras. 17–21.

⁴⁷ S C resolution 157 (1960).

⁴⁸ S C, 15th year, 906th mtg., para. 173.

⁴⁹ S C, 15th year, Suppl. for July–Sept., S/4523.

⁵⁰ S C, 15th year, 906th mtg., paras. 195 and 196.