

# ARTICLE 21

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Notes

## ARTICLE 21

### TEXT OF ARTICLE 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

### INTRODUCTORY NOTE

1. During the period under review, the General Assembly amended its rules of procedure on several occasions. Those amendments are dealt with in section II, A, 2 of the present study.
2. As in previous studies of Article 21 in the *Repertory* and its four *Supplements*, some significant features noted in the implementation of the rules of procedure are analysed in section II, B.

### I. GENERAL SURVEY

3. At its twenty-fifth session, in 1970, the General Assembly established the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly.<sup>1</sup>

4. At its twenty-sixth session the General Assembly, having considered the report of the Special Committee, decided:<sup>2</sup>

(a) To amend rule 60<sup>3</sup> of the rules of procedure to reflect the practice of the General Assembly and its committees regarding the records and sound recordings of meetings;

(b) To amend rules 69 and 110<sup>4</sup> to authorize the presiding officer to declare a meeting open and permit the debate to proceed when at least one-third of the members of the General Assembly or one-quarter of the members of a committee are present;

(c) To amend rules 74 and 115<sup>5</sup> to permit no more than two representatives to speak in favour, and two against, a proposal to limit the time to be allowed to each speaker or the number of times each representative may speak on any question;

(d) To amend rule 100 to include in it more detailed provisions relating to the organization of work of the Main Committees, and to renumber it rule 101<sup>6</sup> (former rule 101 became rule 100<sup>7</sup>);

(e) To amend rule 105<sup>8</sup> to provide that:

(i) Each Main Committee shall elect a Chairman, two Vice-Chairmen and a Rapporteur;

(ii) Each other committee shall elect a Chairman, one or more Vice-Chairmen and a Rapporteur;

(iii) Elections shall be held by secret ballot unless the committee decides otherwise in an election where only one candidate is standing;

(iv) The nomination of each candidate shall be limited to one speaker, after which the committee shall immediately proceed to the election;

and to adopt consequential amendments to rules 39 and 107;<sup>9</sup>

(f) To insert a new rule 112,<sup>10</sup> relating to congratulations to the officers of Main Committees, and to renumber accordingly the existing rules 112 to 164.<sup>11</sup>

5. At the same session the General Assembly also approved the conclusions of the Special Committee and decided that they should be annexed to the rules of procedure.<sup>12</sup> In one of the recommendations, the Secretary-General was requested to undertake a comparative study of the versions of the rules of procedure in the various official languages in order to

ensure their concordance; this request was complied with and the relevant editing changes were incorporated in the rules.

6. At the same session, the General Assembly decided<sup>13</sup> to increase the membership of the Advisory Committee on Administrative and Budgetary Questions from 12 to 13 and adopted a consequential amendment to rule 157.<sup>14</sup>

7. Also at the same session, the General Assembly decided<sup>15</sup> to amend Article 61 of the Charter to increase from 27 to 54 the number of members of the Economic and Social Council. The General Assembly also decided that, upon the entry into force of the amendment to the Charter, the word "nine" in rule 147<sup>16</sup> would be replaced by the word "eighteen". The amendment to the Charter entered into force on 24 September 1973.

8. At its twenty-seventh session, the General Assembly decided<sup>17</sup> to increase the membership of the Committee on Contributions from 12 to 13 and adopted a consequential amendment to rule 160.<sup>18</sup>

9. At its twenty-eighth session, the General Assembly decided:<sup>19</sup>

(a) To include Chinese among the working languages of the General Assembly, its committees and its subcommittees;

(b) To include Arabic among the official and the working languages of the General Assembly and its Main Committees;

and, consequently, replaced rules 51 to 59 by new rules 51 to 57.

10. At its thirty-first session the General Assembly decided to increase the membership of the Committee on Contributions from 13 to 18<sup>20</sup> and adopted a consequential amendment to rule 158.<sup>21</sup>

11. At its thirty-second session the General Assembly decided to increase the membership of the Advisory Committee on Administrative and Budgetary Questions from 13 to 16 and adopted a consequential amendment to rule 155.<sup>22</sup> The General Assembly also adopted an amendment to rule 156 regarding the duration of the terms of office of the members of the Advisory Committee and an amendment to rule 157 to take into account the biennial presentation of the budget.

12. At its thirty-third session the General Assembly adopted an amendment to rule 159<sup>23</sup> regarding the duration of the terms of office of the members of the Committee on Contributions.

13. At the same session the General Assembly decided<sup>24</sup> to increase the number of Vice-Presidents of the Assembly from 17 to 21 and adopted consequential amendments to rules 31 and 38. In an annex to the resolution, which replaced the

annex to resolution 1990 (XVIII), the General Assembly approved the pattern according to which the President of the Assembly, the 21 Vice-Presidents of the Assembly and the 7 Chairmen of the Main Committees should be elected.

## II. ANALYTICAL SUMMARY OF PRACTICE

### A. Adoption and amendment of the rules of procedure

#### \*\*1. QUESTION OF THE RELATIONSHIP OF THE RULES TO THE FUNCTIONS AND POWERS OF THE GENERAL ASSEMBLY UNDER THE CHARTER

##### 2. METHOD AND PROCEDURES EMPLOYED IN ADOPTING AND AMENDING THE RULES

14. In all the cases in which it amended its rules of procedure during the period under review, the General Assembly, before taking action on any matter, referred it to a committee for preliminary consideration and report in accordance with rule 163 of the rules of procedure, which provides that the rules may be amended by a decision of the General Assembly, taken by a majority of the members present and voting, after a committee has reported on the proposed amendment.

15. At the twenty-fifth session a Member State requested the inclusion in the agenda of an additional item entitled "Rationalization of the procedures and organization of the General Assembly".<sup>25</sup> On the recommendation of the General Committee,<sup>26</sup> the General Assembly decided<sup>27</sup> to include the item in its agenda and to consider it directly in plenary meeting. A number of Member States submitted a draft resolution<sup>28</sup> whereby the General Assembly would request its President to establish during its current session a Special Committee on the Rationalization of the Procedures and Organization of the General Assembly, consisting of 31 Member States, on the basis of equitable geographical distribution, to study ways and means of improving the procedures and organization of the Assembly in accordance with the provisions of the Charter of the United Nations, including the allocation of agenda items, the organization of work, documentation, rules of procedure and related questions, methods and practices, and to submit a report to the Assembly at its twenty-sixth session. The General Assembly adopted that draft resolution by 88 votes to none, with 12 abstentions.<sup>29</sup>

16. At the twenty-sixth session, on the recommendation of the General Committee,<sup>30</sup> the General Assembly decided<sup>31</sup> to consider the item as a whole directly in plenary meeting and to refer the section of the report of the Special Committee dealing with documentation (section XI) to the Fifth Committee and the part relating to amendments of the rules of procedure (section XII, annex I) to the Sixth Committee.

17. In its report,<sup>32</sup> the Special Committee recommended the following amendments to the rules of procedure:

"1. Replace rule 39 by the following text:

" 'If a Vice-President of the General Assembly finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation as his substitute. The Chairman of a Main Committee shall, in case of absence, designate one of the Vice-Chairmen of the Committee as his substitute. A Vice-Chairman shall not have the right to vote if he is of the same delegation as another member of the Committee.'

"2. Replace rule 60<sup>3</sup> by the following text:

" '*Records of meetings and sound recordings*

" '(a) Verbatim records of the meetings of the General Assembly and of the Political and Security Committee (First Committee) shall be drawn up by the Secretariat and submitted to those organs after approval by the

presiding officer. The General Assembly shall decide upon the form of the records of the meetings of the other Main Committees and, if any, of the subsidiary organs and of special meetings and conferences. No organ of the General Assembly shall have both verbatim and summary records.

" '(b) Sound recordings of the meetings of the General Assembly and of the Main Committees shall be made by the Secretariat. Such recordings shall also be made of the proceedings of subsidiary organs and special meetings and conferences when they so decide.'

"3. Replace rule 69<sup>33</sup> by the following text:

" 'The President may declare a meeting open and permit the debate to proceed when one-third of the members of the General Assembly are present. The presence of a majority of the members shall be required for any decision to be taken.'

"4. Replace rule 74<sup>34</sup> by the following text:

" 'The General Assembly may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.'

"5. Replace rule 100<sup>7</sup> by the following text, to be inserted after rule 101:<sup>6</sup>

" '*Organization of work*

" '(a) All the Main Committees shall, during the first week of the session, hold the elections provided for in rule 105.<sup>8</sup>

" '(b) Each Main Committee, taking into account the closing date for the session fixed by the General Assembly on the recommendation of the General Committee, shall adopt its own priorities and meet as may be necessary to complete the consideration of the items referred to it. It shall at the beginning of the session adopt a programme of work indicating, if possible, a target date for the conclusion of its work, the approximate dates of consideration of items and the number of meetings to be allocated to each item.' "

The existing rule 101 was to become rule 100.

"6. Replace rule 105<sup>8</sup> by the following text:

" 'Each Main Committee shall elect a Chairman, two Vice-Chairmen and a Rapporteur. In the case of other committees, each shall elect a Chairman, one or more Vice-Chairmen and a Rapporteur. These officers shall be elected on the basis of equitable geographical distribution, experience and personal competence. The elections shall be held by secret ballot unless the committee decides otherwise in an election where only one candidate is standing. The nomination of each candidate shall be limited to one speaker, after which the committee shall proceed to the election immediately.'

"7. Replace rule 107<sup>9</sup> by the following text:

" 'If the Chairman finds it necessary to be absent during a meeting or any part thereof, he shall designate one of the Vice-Chairmen to take his place. A Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman. If any officer of the committee is unable to

perform his functions, a new officer shall be elected for the unexpired term.'

"8. Replace rule 110<sup>35</sup> by the following text:

" 'The Chairman may declare a meeting open and permit the debate to proceed when one-quarter of the members of the committee are present. The presence of a majority of the members shall be required for any decision to be taken.'

"9. Insert the following rule<sup>36</sup> after rule 111 and renumber the existing rules 112 to 164<sup>37</sup> accordingly:

" 'Congratulations to the officers of a Main Committee shall be expressed only by the Chairman of the previous session—or, in his absence, by a member of his delegation—after all the officers of that Committee have been elected.'

"10. Replace rule 115<sup>38</sup> by the following text:

" 'The Committee may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When debate is limited and a representative has spoken his allotted time, the Chairman shall call him to order without delay.' "

18. In its report,<sup>39</sup> the Sixth Committee recommended that the General Assembly should adopt the amendments to rules 39, 60, 74, 100, 105, 107 and 115 proposed by the Special Committee and should approve the insertion of a new rule after rule 111; it also recommended that the text proposed by the Special Committee for rule 69 should be modified by inserting the words "at least" between the words "to proceed when" and "one-third" and that the text proposed by the Special Committee for rule 110 be modified by inserting the words "at least" between the words "to proceed when" and "one-quarter".

19. When the General Assembly considered the report of the Sixth Committee, a number of countries submitted an amendment<sup>40</sup> to replace the words "shall be expressed only" by "shall not be expressed except" in the proposed new text of rules 69 and 110.

20. The General Assembly adopted the amendment recommended by the Sixth Committee to rules 69 and 110 by 83 votes to 2.<sup>41</sup> The Assembly also adopted the amendment submitted by a number of countries to rules 69 and 110 by 81 votes to none.<sup>42</sup> It then adopted the draft resolution submitted by the Special Committee as amended.<sup>43</sup>

21. At the twenty-sixth session, a number of Member States requested the inclusion in the agenda of an additional item entitled "Amendment to rule 156 of the rules of procedure of the General Assembly".<sup>44</sup> On the recommendation of the General Committee,<sup>45</sup> the General Assembly decided<sup>46</sup> to include the item in the agenda and to allocate it to the Fifth Committee. In its report the Fifth Committee recommended<sup>47</sup> that the General Assembly should decide to increase the membership of the Advisory Committee on Administrative and Budgetary Questions from 12 to 13 members and to amend accordingly rule 156<sup>44</sup> of its rules of procedure. The General Assembly adopted the draft resolution without objection.<sup>48</sup>

22. At the twenty-sixth session, when the Second Committee considered the report of the Economic and Social Council, a number of Member States submitted a draft resolution<sup>49</sup> whereby the General Assembly would decide to amend Article 61 of the Charter of the United Nations in order to increase the membership of the Economic and Social Council from 27 to 54 and would decide that the additional seats should be apportioned in accordance with the existing geographical distribution of seats in the Council. The General Assembly would further decide that, as of the date of the entry into force of the amendment to Article 61 of the

Charter, rule 146<sup>16</sup> of its rules of procedure would be amended accordingly. Several amendments<sup>50</sup> were submitted to the draft resolution. The Second Committee adopted, by a roll-call vote of 78 to 13, with 22 abstentions, an amendment<sup>51</sup> whereby the members of the Council would be elected according to the following pattern:

- (a) 14 members from African States;
- (b) 11 members from Asian States;
- (c) 10 members from Latin American States;
- (d) 13 members from Western European and other States;
- (e) 6 members from socialist States of Eastern Europe.

The Second Committee then adopted the draft resolution as amended by a roll-call vote of 93 to 4, with 17 abstentions.<sup>52</sup> The General Assembly adopted the draft resolution recommended by the Second Committee by a roll-call vote of 105 to 2, with 15 abstentions.<sup>53</sup> The amendment to the Charter entered into force on 24 September 1973.

23. At the twenty-seventh session a number of Member States requested the inclusion in the agenda of an additional item entitled "Amendment to rule 160 of the rules of procedure of the General Assembly".<sup>54</sup> On the recommendation of the General Committee,<sup>55</sup> the General Assembly decided<sup>56</sup> to include the item in the agenda and to allocate it to the Fifth Committee. In its report the Fifth Committee recommended<sup>57</sup> that the General Assembly should decide to increase the membership of the Committee on Contributions from 12 to 13 and to amend accordingly rule 160<sup>18</sup> of its rules of procedure. The Assembly adopted the draft resolution without objection.<sup>58</sup>

24. At the twenty-eighth session China requested the inclusion in the agenda of an additional item entitled "Inclusion of Chinese among the working languages of the General Assembly and the Security Council".<sup>59</sup> At the same session a number of Member States requested the inclusion in the agenda of an additional item entitled "Inclusion of Arabic among the official and working languages of the General Assembly, its committees and sub-committees".<sup>60</sup>

25. On the recommendation of the General Committee,<sup>61</sup> the General Assembly decided<sup>62</sup> to include those items in the agenda and to allocate them to the Fifth Committee.

26. After the Fifth Committee had considered the items, the President of the General Assembly, by letters dated 2 November<sup>63</sup> and 14 December 1973,<sup>64</sup> transmitted to the Chairman of the Sixth Committee two letters from the Chairman of the Fifth Committee, to which the draft resolutions recommended by the Fifth Committee were annexed. In the first draft resolution, the General Assembly would decide to include Chinese among the working languages of the General Assembly and to amend accordingly the relevant provisions of the rules of procedure of the Assembly. In the second draft resolution, the Assembly would decide to include Arabic among the official and working languages of the General Assembly and its Main Committees and to amend accordingly the relevant provisions of the rules of procedure of the Assembly. In both letters the Chairman of the Fifth Committee stated that, according to the recommendations of the Assembly regarding the methods and procedures for dealing with legal and drafting questions,<sup>65</sup> he was transmitting the draft resolution for any further action which the Sixth Committee might find appropriate. In its report, the Sixth Committee recommended<sup>66</sup> the adoption of a draft resolution whereby the General Assembly would amend rules 51 to 59<sup>67</sup> of its rules of procedure. The General Assembly adopted without objection the draft resolutions recommended by the Fifth Committee<sup>68</sup> and the Sixth Committee.<sup>69</sup>

27. At the thirty-first session a number of Member States submitted a draft resolution<sup>70</sup> in connexion with the consider-

ation by the Fifth Committee of the item entitled "Scale of assessments for the apportionment of the expenses of the United Nations". An amendment to it,<sup>71</sup> whereby the General Assembly would decide to expand the membership of the Committee on Contributions, was adopted by a recorded vote of 50 to 36, with 33 abstentions.<sup>72</sup> The draft resolution, as amended, was adopted by 74 votes to none, with 47 abstentions.<sup>73</sup> The Fifth Committee also adopted a consequential amendment to rule 158 of the rules of procedure without objection.<sup>74</sup>

28. The General Assembly adopted the draft resolution recommending the enlargement of the Committee on Contributions by a recorded vote of 122 to none, with 4 abstentions.<sup>75</sup> The draft resolution recommending the consequential amendment was adopted by the Assembly without objection.<sup>76</sup>

29. At the thirty-second session, a number of Member States submitted a draft resolution<sup>77</sup> in connexion with the consideration by the Fifth Committee of the item entitled "Proposed programme budget for the biennium 1978-1979". The draft resolution provided that the General Assembly would decide to increase the membership of the Advisory Committee on Administrative and Budgetary Questions from 13 to 16 members and to adopt a consequential amendment to rule 155 of the rules of procedure. It also recommended that the General Assembly should decide:

(a) To adopt an amendment to rule 156 whereby the members of the Advisory Committee would serve for a period of three years corresponding to "three calendar years" rather than "three financial years, as defined in the Financial Regulations of the United Nations";

(b) To amend rule 157 to take into account the biennial presentation of the budget.

30. After accepting two amendments<sup>78</sup> that did not change the substance of the original proposal, the Fifth Committee adopted the draft resolution, as amended, without objection.<sup>79</sup> The General Assembly adopted it in the same manner.<sup>80</sup>

31. At the thirty-third session the Fifth Committee considered an amendment to rule 159 of the rules of procedure, recommended by the Committee on Contributions, whereby the members of that Committee would serve for a period of three years corresponding to "three calendar years" rather than "three financial years, as defined in the Financial Regulations of the United Nations". The Fifth Committee adopted that recommendation without a vote.<sup>81</sup> The General Assembly adopted it in the same manner.<sup>82</sup>

32. At the same session a number of Member States submitted a draft resolution in connexion with the consideration by the Special Political Committee of the item entitled "Question of the composition of the relevant organs of the United Nations". The draft resolution provided that the General Assembly would decide to increase to 21 the number of Vice-Presidents of the Assembly and amend accordingly rules 31 and 38 of its rules of procedure and to replace the provisions of the annex to resolution 1990 (XVIII) which dealt with the election of the Vice-Presidents and the Chairmen of the Main Committees by the following text:

"2. The twenty-one Vice-Presidents of the General Assembly shall be elected according to the following pattern, subject to paragraph 3 below:

"(a) Six representatives from African States;

"(b) Five representatives from Asian States;

"(c) One representative from Eastern European States;

"(d) Three representatives from Latin American States;

"(e) Two representatives from Western European or other States;

"(f) Five representatives from the permanent members of the Security Council.

"3. The election of the President of the General Assembly will, however, have the effect of reducing by one the number of vice-presidencies allocated to the region from which the President is elected.

"4. The seven Chairmen of the Main Committees shall be elected according to the following pattern:

"(a) One representative from African States;

"(b) One representative from Asian States;

"(c) One representative from Eastern European States;

"(d) One representative from Latin American States;

"(e) One representative from Western European or other States;

"(f) The sixth chairmanship shall rotate between representatives of States mentioned in subparagraph (a) twice every three years, and in subparagraph (b) once every three years;

"(g) The seventh chairmanship shall rotate every alternate year among representatives of States mentioned in subparagraphs (d) and (e) above."<sup>83</sup>

33. At a subsequent meeting, an amendment and a sub-amendment were submitted. The amendment provided for:

(a) The deletion of operative paragraph 3;

(b) In paragraph 4 of the annex:

(i) The replacement of subparagraph (a) by the following:

"Two representatives from African States;"

(ii) The deletion of subparagraph (f) and the renumbering of the following subparagraph accordingly;

(iii) The amendment of the new subparagraph (f) to read: "The seventh chairmanship shall rotate every alternate year among representatives of States mentioned in subparagraphs (b) and (d) above."<sup>84</sup>

The subamendment to (iii) above read as follows:

"The seventh chairmanship shall rotate twice every four years among representatives of States mentioned in subparagraph (b) and once every four years among representatives of States in subparagraphs (d) and (e) respectively."<sup>85</sup>

34. At the same meeting, the Special Political Committee rejected the subamendment by a roll-call vote of 68 to 22, with 30 abstentions.<sup>86</sup> After the withdrawal of paragraph (a) of the amendment, paragraph (b) of the amendment was adopted by 86 votes to 27, with 2 abstentions.<sup>87</sup> The draft resolution, as amended, was adopted by 83 votes to 29, with 2 abstentions.<sup>88</sup>

35. In the plenary, a proposal to suspend the meeting for consultations was rejected by 80 votes to 30, with 15 abstentions.<sup>89</sup> Another proposal, to postpone consideration of the item in order to hold consultations on the possibility of achieving a consensus, was adopted by a recorded vote of 73 to 38, with 16 abstentions.<sup>90</sup> At a subsequent meeting, inasmuch as no consensus had been reached on an alternative proposal, the draft resolution recommended by the Special Political Committee was adopted by a recorded vote of 105 to 29, with 3 abstentions.<sup>91</sup>

## B. Some significant features of the rules

### 1. ORGANIZATION OF SPECIAL SESSIONS

#### a. Establishment of ad hoc committees

36. At the sixth special session, in 1974,<sup>92</sup> and at the ninth special session, in 1978,<sup>93</sup> the General Assembly decided to

establish *ad hoc* committees of the whole, referred to as the *Ad Hoc* Committee of the Sixth Special Session and the *Ad Hoc* Committee of the Ninth Special Session.

37. At the seventh special session, in 1975, the General Assembly, on the recommendation of the Economic and Social Council,<sup>94</sup> decided to establish an *Ad Hoc* Committee of the Seventh Special Session.<sup>95</sup>

38. At the tenth special session, in 1978, the General Assembly, on the recommendation of the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament,<sup>96</sup> decided to establish an *Ad Hoc* Committee of the Tenth Special Session.<sup>97</sup>

#### b. Chairmanship of the *ad hoc* committees

39. At the sixth special session, the Chairman of the *Ad Hoc* Committee was accorded, for the duration of that session, full rights of membership in the General Committee, including the right to vote.<sup>98</sup>

40. At the seventh,<sup>99</sup> the ninth<sup>100</sup> and the tenth special sessions,<sup>101</sup> the same rights were accorded to the Chairmen of the *Ad Hoc* Committee.

41. At the sixth special session<sup>102</sup> and the seventh special session,<sup>103</sup> the Chairman of the *Ad Hoc* Committee was elected by the Committee; at the ninth<sup>104</sup> and tenth special sessions,<sup>105</sup> the Chairman of the *Ad Hoc* Committee was elected by the General Assembly.

#### c. Vice-chairmanship of the *ad hoc* committees

42. At the sixth,<sup>106</sup> the seventh<sup>107</sup> and the ninth special sessions,<sup>108</sup> the *Ad Hoc* Committee elected three vice-chairmen, while at the tenth special session<sup>109</sup> it elected eight vice-chairmen.

## 2. ELECTIONS

43. At the twenty-sixth session<sup>110</sup> and at the twenty-ninth session,<sup>111</sup> the General Assembly approved a request made by Hungary and the German Democratic Republic, respectively, on behalf of the States listed in part D of the annex to General Assembly resolution 2152 (XXI), that Cuba be included, on that particular occasion and in that particular case, among the States listed in part D of the annex to the said resolution.

44. At the thirtieth session, the General Assembly adopted the President's suggestion that rule 92 of the rules of procedure, concerning secret ballot, should be dispensed with when the number of candidates endorsed by a particular regional group corresponded to the number of seats to be filled in that group. In conformity with that decision, the endorsed candidates for the Governing Council of the United Nations Environment Programme, the Industrial Development Board and the Board of Governors of the United Nations Special Fund were declared elected.<sup>112</sup>

45. At the thirty-first session, on the recommendation of the General Committee,<sup>113</sup> the General Assembly decided<sup>114</sup> to dispense, whenever it deemed it appropriate, with the time-consuming balloting procedure in the case of uncontested elections to subsidiary organs. In conformity with the decision, all the endorsed candidates for the Governing Council of the United Nations Environment Programme were declared elected.<sup>115</sup> In the case of the election to the Board of Governors of the United Nations Special Fund, the endorsed candidates of four of the regional groups were declared elected; two candidates of the Group of Western European and other States were also declared elected on the same basis and the General Assembly decided to authorize the Economic and Social Council to elect the additional member of that Group.<sup>116</sup>

46. At the thirty-second session, the same decision as described in paragraph 45 above was adopted by the General Assembly.<sup>117</sup> In conformity with that decision, the candidates of lists A and D for the Industrial Development Board, those of four regional groups for the Governing Council of the United Nations Environment Programme and those of two regional groups and the two only candidates from the other groups for the Board of Governors of the United Nations Special Fund were declared elected.<sup>118</sup> The Assembly decided to authorize the Economic and Social Council to elect the remaining members.<sup>119</sup> A similar procedure was followed at the thirty-third session.<sup>120</sup>

## 3. QUESTION OF PARTICIPATION

### a. Participation of non-member States

47. At the twenty-sixth session the Sixth Committee had before it a request by Switzerland to participate in the discussion of the item entitled "Review of the role of the International Court of Justice". The Chairman of the Sixth Committee stated that, pursuant to General Assembly resolution 2723 (XXV) of 15 December 1970, Switzerland had been invited to submit its views and suggestions concerning the role of the Court and that hence it seemed logical to allow Switzerland to express its views. The Sixth Committee then decided to invite Switzerland, when it so requested, to present its views and suggestions on the subject.<sup>121</sup> The same procedure was followed at the twenty-seventh<sup>122</sup> and twenty-ninth<sup>123</sup> sessions.

48. At the twenty-eighth session, during the discussion of the draft convention on the prevention and punishment of crimes against diplomatic agents and other internationally protected persons, the Sixth Committee decided to invite Switzerland to take part, without the right to vote, in the work of the Committee on the item, on the understanding that it could not submit formal proposals or amendments.<sup>124</sup>

49. At that same session<sup>125</sup> the Sixth Committee, in connexion with its consideration of the item entitled "Respect for human rights in armed conflicts", decided to invite the representative of Switzerland to take part in the debate on the item without the right to vote or introduce amendments, Switzerland being the convening and host country of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. The same procedure was followed at the twenty-ninth,<sup>126</sup> thirtieth,<sup>127</sup> thirty-first<sup>128</sup> and thirty-second<sup>129</sup> sessions.

50. At its thirtieth session<sup>130</sup> the General Assembly invited the Permanent Observers of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to participate in the debate on the special report of the Security Council relating to the consideration of their countries' application for membership in the United Nations.

51. At the twenty-fifth session, the First Committee, in connexion with its consideration of the item entitled "Question of Korea", had before it a draft resolution<sup>131</sup> whereby the General Assembly would decide to invite simultaneously and without condition a representative of the Democratic People's Republic of Korea and a representative of the Republic of Korea, as interested parties, to take part without the right to vote in the discussion of questions relating to Korea. The Committee also had before it a draft resolution<sup>132</sup> whereby the General Assembly would decide to invite a representative of the Republic of Korea to take part in the discussion of the Korean question without right of vote and would reaffirm its willingness to invite a representative of the Democratic People's Republic of Korea to take part in the discussion of the Korean question without right of vote, provided that that country first unequivocally accepted the competence and authority of the United Nations within the terms of the Charter to take action on the Korean question.

52. The First Committee rejected the first draft resolution by a roll-call vote of 54 to 40, with 25 abstentions.<sup>133</sup> It adopted the second draft resolution by a roll-call vote of 63 to 31, with 25 abstentions.<sup>134</sup>

53. At the twenty-eighth,<sup>135</sup> twenty-ninth<sup>136</sup> and thirtieth<sup>137</sup> sessions, the First Committee decided to invite the delegations of the Democratic People's Republic of Korea and the Republic of Korea to participate in the discussion on the question of Korea without the right of vote.

#### b. Participation of organizations

##### (i) Participation in debates

54. During the period under review seven more organizations were granted observer status by the General Assembly.

55. At the twenty-ninth session, the General Assembly requested the Secretary-General to invite the European Economic Community<sup>138</sup> and the Council for Mutual Economic Assistance<sup>139</sup> to participate in the sessions and work of the General Assembly in the capacity of observers. The draft resolutions were adopted without a vote.

56. At the same session, the General Assembly invited the Palestine Liberation Organization, the representative of the Palestine people, to participate in the deliberations of the General Assembly on the question of Palestine in plenary meetings. The General Assembly adopted that draft resolution by a roll-call vote of 105 to 4, with 20 abstentions.<sup>140</sup>

57. Also at the same session, the General Assembly invited the Palestine Liberation Organization to participate in the sessions and international conferences convened under the auspices of the Assembly in the capacity of observer. Furthermore, the General Assembly considered that the Palestine Liberation Organization was entitled to participate as an observer in the sessions and the work of all international conferences convened under the auspices of other organs of the United Nations. The resolution was adopted by a recorded vote of 95 to 17, with 19 abstentions.<sup>141</sup> In accordance with that resolution, the Palestine Liberation Organization participated in the consideration of the following items in plenary meetings:

(a) Question of Palestine (twenty-ninth to thirty-third sessions);

(b) The situation in the Middle East (thirtieth to thirty-third sessions);

(c) Policies of *apartheid* of the Government of South Africa (thirty-first and thirty-second sessions);

(d) Question of Namibia (thirty-second session);

(e) Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East (thirty-second session);

(f) Financing of the United Nations Interim Force in Lebanon (eighth special session);

(g) Thirty years of the Universal Declaration of Human Rights; international co-operation for the promotion and observance of civil, political, economic, social and cultural rights (thirty-third session).

58. At its thirtieth session the General Assembly decided to invite the Islamic Conference<sup>142</sup> to participate in the sessions and the work of the General Assembly and its subsidiary organs in the capacity of observer.<sup>143</sup>

59. At its thirty-first session the General Assembly decided to invite the Commonwealth Secretariat to participate in the

sessions and the work of the General Assembly and its subsidiary organs in the capacity of observer.<sup>144</sup>

60. At the same session the Fourth Committee, in the course of its consideration of the question of Namibia, had before it a draft resolution<sup>145</sup> whereby the South West Africa People's Organization would be invited to participate, in the capacity of observer, in the sessions and the work of the General Assembly and all the international conferences convened under the auspices of the Assembly, and whereby the Assembly would consider it entitled to participate, as an observer, in the sessions and work of all international conferences convened under the auspices of other organs of the United Nations. The draft resolution was adopted by a recorded vote of 114 to none, with 13 abstentions.<sup>146</sup> The General Assembly adopted that resolution by a recorded vote of 113 to none, with 13 abstentions.<sup>147</sup> In accordance with that resolution, the South West Africa People's Organization participated in the consideration in plenary meetings of the item entitled "Question of Namibia" at the thirty-second session, the eighth special session and the thirty-third session.

61. At the thirty-third session, the General Assembly decided to invite the Agency for Cultural and Technical Co-operation to participate in the sessions and the work of the General Assembly and its subsidiary organs in the capacity of observer.<sup>148</sup>

62. In addition to the above-mentioned organizations, the Organization of African Unity, which had been granted observer status at the twentieth session,<sup>149</sup> participated in plenary meetings in the consideration of the item entitled "Policies of *apartheid* of the Government of South Africa" at the thirty-first session.

63. Furthermore, a number of organizations which had been granted observer status by the General Assembly participated in the work of several Main Committees

64. It should also be noted that, at the twenty-ninth session, during the consideration of the item entitled "Co-operation between the United Nations and the Organization of African Unity", the General Assembly adopted the following provisions regarding the invitation of the national liberation movements recognized by the Organization of African Unity:

"The General Assembly,

" . . .

"6. *Decides* to invite as observers, on a regular basis and in accordance with earlier practice, representatives of the national liberation movements recognized by the Organization of African Unity to participate in the relevant work of the Main Committees of the General Assembly and its subsidiary organs concerned, as well as in conferences, seminars and other meetings held under the auspices of the United Nations which relate to their countries, and requests the Secretary-General, in consultation with the Organization of African Unity, to ensure that the necessary arrangements are made for their effective participation, including the requisite financial provisions;

"7. *Recommends* to the other United Nations organs concerned, in consultation with the Organization of African Unity, to ensure that the necessary arrangements are made to facilitate the effective participation of these national liberation movements in their relevant proceedings."

The resolution was adopted without a vote.<sup>150</sup> In accordance with the above-mentioned decision, the African National Congress of South Africa and the Pan Africanist Congress of Azania participated in plenary meetings in the consideration of the item entitled "Policies of *apartheid* of the Government of South Africa" from the thirtieth to the thirty-third session.

(ii) *Statements in reply*

65. At the thirty-first session the question was raised whether observers could participate in the general debate. In this connexion, the President of the General Assembly made the following ruling:

"It is my duty to inform the Assembly that the question has been raised whether observers could participate in the general debate. I have held consultations with those concerned and, as a result of those consultations, the understanding has been reached that, in order to avoid creating a precedent that could give rise to certain problems and could prolong the general debate beyond the period allotted to it, the matter will not be pursued.

"I am greatly obliged to those who have helped me to arrive at this understanding for their co-operation.

"I must make it quite clear, however, that if any speaker in the course of the general debate should make any remarks which call for a reply from an observer, I shall call on that observer in the plenary Assembly so that he may reply."<sup>151</sup>

66. At the thirty-second session, the President of the General Assembly, on the basis of resolution 3237 (XXIX) and the aforementioned ruling, called on the observer of the Palestine Liberation Organization to make a statement in reply during the general debate.<sup>152</sup> Two representatives spoke on points of order.<sup>153</sup> The President decided, however, that since the two representatives were only expressing their reservations and not appealing the ruling, the observer of the Palestine Liberation Organization could make his statement.<sup>154</sup>

67. By a letter dated 18 October 1977 addressed to the President of the General Assembly,<sup>155</sup> the Permanent Representative of Belgium, on behalf of the States members of the European Communities, expressed the opposition of those States to having an observer granted the same rights as those enjoyed by Member States.

68. At the thirty-third session, the President of the General Assembly called on the observer of the Palestine Liberation Organization to make a statement in reply.<sup>156</sup> A representative, on a point of order, expressed his reservation.<sup>157</sup> However, the President adhered to his decision<sup>158</sup> to call on the Palestine Liberation Organization.

## 4. RECORDS OF MEETINGS

69. At its twenty-sixth session the General Assembly approved the conclusions of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly.<sup>159</sup> In one of the conclusions, the Special Committee had recommended that rule 60 should be applied in accordance with the following observations:

(a) Summary records should continue to be provided for the General Committee and for all Main Committees other than the First Committee;

(b) The General Assembly, on the recommendation of the General Committee, should decide annually whether the option that had traditionally been approved for the Special Political Committee to have, on specific request, transcriptions of the debates of some of its meetings, or portions thereof, should be maintained;

(c) The provision of summary records to subsidiary organs should be reviewed periodically by the General Assembly in the light of the report of the Joint Inspection Unit on the use of minutes instead of summary records, and of the comments of the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions thereon;

(d) Sound recordings should be kept by the Secretariat in accordance with its practice.

## NOTES

- <sup>1</sup> G A resolution 2632 (XXV).
- <sup>2</sup> G A resolution 2837 (XXVI).
- <sup>3</sup> Rule 58 of the present rules of procedure (A/520/Rev.13).
- <sup>4</sup> Rules 67 and 108 of the present rules of procedure.
- <sup>5</sup> Rules 72 and 114 of the present rules of procedure.
- <sup>6</sup> Rule 99 of the present rules of procedure.
- <sup>7</sup> Rule 98 of the present rules of procedure.
- <sup>8</sup> Rule 103 of the present rules of procedure.
- <sup>9</sup> Rule 105 of the present rules of procedure.
- <sup>10</sup> Rule 110 of the present rules of procedure.
- <sup>11</sup> Rules 110 to 163 of the present rules of procedure.
- <sup>12</sup> A/520/Rev.13, annex V.
- <sup>13</sup> G A resolution 2798 (XXVI).
- <sup>14</sup> Rule 155 of the present rules of procedure.
- <sup>15</sup> G A resolution 2847 (XXVI).
- <sup>16</sup> Rule 145 of the present rules of procedure.
- <sup>17</sup> G A resolution 2913 (XXVII).
- <sup>18</sup> Rule 158 of the present rules of procedure.
- <sup>19</sup> G A resolutions 3189 (XXVIII) and 3190 (XXVIII).
- <sup>20</sup> G A resolution 31/95 A.
- <sup>21</sup> G A resolution 31/96.
- <sup>22</sup> G A resolution 32/103.
- <sup>23</sup> G A resolution 33/12.
- <sup>24</sup> G A resolution 33/138.
- <sup>25</sup> G A (25), Annexes, a.i. 92, A/7992.
- <sup>26</sup> G A (25), Annexes, a.i. 8, A/8100, para. 24.
- <sup>27</sup> G A (25), Plen., 1843rd mtg., paras. 108 and 125.
- <sup>28</sup> G A (25), Annexes, a.i. 92, A/L.601/Rev.2 and Rev.2/Add.1.
- <sup>29</sup> G A resolution 2632 (XXV).
- <sup>30</sup> G A (26), Annexes, a.i. 8, A/8500, paras. 19 and 22.
- <sup>31</sup> G A (26), Plen., 1939th mtg., paras. 180 and 198.
- <sup>32</sup> G A (26), Suppl. No. 26, para. 130.
- <sup>33</sup> Rule 67 of the present rules of procedure.
- <sup>34</sup> Rule 72 of the present rules of procedure.
- <sup>35</sup> Rule 108 of the present rules of procedure.
- <sup>36</sup> Rule 110 of the present rules of procedure.
- <sup>37</sup> Rules 111 to 163 of the present rules of procedure.
- <sup>38</sup> Rule 114 of the present rules of procedure.
- <sup>39</sup> G A (26), Annexes, a.i. 26, A/8572, para. 6.
- <sup>40</sup> *Ibid.*, A/L.660.
- <sup>41</sup> *Ibid.*, Annexes, a.i. 26: Action taken by the General Assembly.
- <sup>42</sup> *Ibid.*
- <sup>43</sup> G A resolution 2837 (XXVI).
- <sup>44</sup> G A (26), Annexes, a.i. 101, A/8495.
- <sup>45</sup> G A (26), Annexes, a.i. 8, A/8500/Add.4.
- <sup>46</sup> G A (26), Plen., 1999th mtg., para. 6.
- <sup>47</sup> G A (26), Annexes, a.i. 101, A/8571, para. 5.
- <sup>48</sup> G A resolution 2798 (XXVI).
- <sup>49</sup> G A (26), Annexes, a.i. 12, A/8578/Add.1, para. 14.
- <sup>50</sup> *Ibid.*, paras. 15-26.
- <sup>51</sup> *Ibid.*, para. 28(d).
- <sup>52</sup> *Ibid.*, para. 28(f).
- <sup>53</sup> G A resolution 2847 (XXVI).
- <sup>54</sup> G A (27), Annexes, a.i. 93, A/8795.
- <sup>55</sup> *Ibid.*, a.i. 8, A/8800/Rev.1/Add.2, paras. 2(a) and (b).
- <sup>56</sup> G A (27), Plen., 2070th mtg., para. 1.
- <sup>57</sup> G A (27), Annexes, a.i. 93, A/8861, para. 5.
- <sup>58</sup> G A resolution 2913 (XXVII).
- <sup>59</sup> G A (28), Annexes, a.i. 100, A/9091.
- <sup>60</sup> *Ibid.*, a.i. 104, A/9193.
- <sup>61</sup> *Ibid.*, a.i. 8, A/9200, para. 27; A/9200/Add.1, paras. 5(a) and (b).
- <sup>62</sup> G A (28), Plen., 2123rd mtg., para. 29; 2144th mtg., para. 474.
- <sup>63</sup> G A (28), Annexes, a.i. 100, A/9452, para. 2.
- <sup>64</sup> *Ibid.*, a.i. 104, A/9452/Add.1, para. 2.
- <sup>65</sup> G A resolution 684 (VII), reproduced in part in the rules of procedure of the General Assembly, annex II, part 1.
- <sup>66</sup> G A (28), Annexes, a.i. 100, A/9452/Add.1, para. 6.
- <sup>67</sup> Rules 51 to 57 of the present rules of procedure.
- <sup>68</sup> G A resolutions 3189 (XXVIII) and 3190 (XXVIII).
- <sup>69</sup> G A resolution 3191 (XXVIII).
- <sup>70</sup> G A (31), Annexes, a.i. 100, A/31/427, para. 23.
- <sup>71</sup> *Ibid.*, para. 28.
- <sup>72</sup> *Ibid.*, para. 37.
- <sup>73</sup> *Ibid.*, para. 39.
- <sup>74</sup> *Ibid.*, para. 66.
- <sup>75</sup> G A resolution 31/95 A.
- <sup>76</sup> G A resolution 31/96.

- 77 G A (32), Annexes, a.i. 100, A/32/454, para. 2.  
 78 *Ibid.*, a.i. 100, A/32/454, paras. 5 and 6.  
 79 *Ibid.*, para. 7.  
 80 G A resolution 32/103.  
 81 G A (33), Annexes, a.i. 108, A/33/351, para. 28 (draft resolution II).  
 82 G A resolution 33/12.  
 83 G A (33), Annexes, a.i. 57, A/33/510, para. 5.  
 84 *Ibid.*, para. 6.  
 85 *Ibid.*, para. 10.  
 86 *Ibid.*, para. 11.  
 87 *Ibid.*, para. 12.  
 88 *Ibid.*, para. 13.  
 89 G A (33), Plen., 87th mtg., para. 269.  
 90 *Ibid.*, para. 271.  
 91 G A resolution 33/138.  
 92 G A (S-6), Suppl. No. 1, A/9559, p. 1.  
 93 G A (S-9), Suppl. No. 2, A/S-9/13, decision S-9/22.  
 94 G A (30), Suppl. No. 3 A, chap. 1, para. 5(b).  
 95 G A (S-7), Suppl. No. 1, p. 1.  
 96 G A (S-10), Plen., 1st mtg., para. 58.  
 97 G A decision S-10/21.  
 98 G A (S-6), Suppl. No. 1, p. 1.  
 99 G A (S-7), Suppl. No. 1, p. 1.  
 100 G A decision S-9/22.  
 101 G A decision S-10/21.  
 102 G A (S-6), Suppl. No. 1, p. 1.  
 103 G A (S-7), Plen., 1st mtg., para. 153.  
 104 G A decision S-9/15.  
 105 G A decision S-10/15.  
 106 G A (S-6), Suppl. No. 1, p. 1.  
 107 G A (S-7), Suppl. No. 1, p. 1.  
 108 G A decision S-9/22.  
 109 G A decision S-10/21.  
 110 G A (26), Plen., 2021st mtg., paras. 58 and 59.  
 111 G A (29), Plen., 2321st mtg.  
 112 G A (30), Plen., 2432nd mtg.  
 113 G A (31), a.i. 8, A/31/250, para. 16.  
 114 G A (31), Plen., 4th mtg., para. 9.  
 115 *Ibid.*, 101st mtg., para. 143.  
 116 *Ibid.*, paras. 150 and 151.  
 117 G A (32), Plen., 5th mtg., para. 9.  
 118 *Ibid.*, 103rd mtg., paras. 75, 87 and 104.  
 119 *Ibid.*, para. 105.  
 120 G A (33), Plen., 4th mtg., p. 37; *ibid.*, 85th mtg., paras. 175-178; *ibid.*, 91st mtg., para. 43.  
 121 G A (26), Annexes, a.i. 90, A/8568, para. 3.  
 122 G A (27), Annexes, a.i. 90, A/8967, paras. 3 and 4.  
 123 G A (29), Annexes, a.i. 93, A/9846, para. 3.  
 124 G A (28), Annexes, a.i. 90, A/9407, para. 4.  
 125 G A (28), Annexes, a.i. 96, A/9412, para. 5.  
 126 G A (29), Annexes, a.i. 92 and 12, A/9948, para. 9.  
 127 G A (30), Annexes, a.i. 114 and 70, A/10463, para. 8.  
 128 G A (31), Annexes, a.i. 111, A/31/295, para. 8.  
 129 G A (32), Annexes, a.i. 115, A/32/396, para. 5.  
 130 See also this *Supplement* under Article 9, paras. 9-12.  
 131 G A (25), Annexes, a.i. 98, A/8185, para. 9(a).  
 132 *Ibid.*, para. 9(b).  
 133 *Ibid.*, para. 10.  
 134 *Ibid.*, para. 11.  
 135 G A (28), Annexes, a.i. 41, A/9341, para. 4.  
 136 G A (29), Annexes, a.i. 104, A/9973, para. 5.  
 137 G A (30), Annexes, a.i. 119, A/10327, para. 5.  
 138 G A resolution 3208 (XXIX).  
 139 G A resolution 3209 (XXIX).  
 140 G A resolution 3210 (XXIX).  
 141 G A resolution 3237 (XXIX).  
 142 Subsequently referred to as the Organization of the Islamic Conference.  
 143 G A resolution 3369 (XXX).  
 144 G A resolution 31/3.  
 145 G A (31), Annexes, a.i. 85, A/31/437, para. 13.  
 146 *Ibid.*, para. 16(g).  
 147 G A resolution 31/152.  
 148 G A resolution 33/18.  
 149 G A resolution 2011 (XX).  
 150 G A resolution 3280 (XXIX).  
 151 G A (31), Plen., 9th mtg., paras. 152-154.  
 152 G A (32), Plen., 29th mtg., para. 272.  
 153 *Ibid.*, paras. 275-276 and 279.  
 154 *Ibid.*, paras. 280-281.  
 155 A/32/280 (mimeographed).  
 156 G A (33), Plen., 29th mtg., para. 314.  
 157 *Ibid.*  
 158 *Ibid.*, para. 321.  
 159 G A resolution 2837 (XXVI).