

ARTICLE 67

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TEXT OF ARTICLE 67

1. Each member of the Economic and Social Council shall have one vote.
2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

INTRODUCTORY NOTE

1. The Council did not vary the practice in giving effect to Article 67 as described in the Repertory. The General Survey indicates therefore only the frequency of application of the methods followed by the Council in reaching decisions.
2. No question has arisen regarding Article 67 to require treatment under the following headings: II,A. The meaning of the term "decision"; II,C. Methods of taking

decisions; II,E. Question of the validity of decisions of the Council raised in connexion with the representation of a Member State. New material has been included under the headings: II,B,2. Members present and voting and II,D. Question of the application of Article 67 to voting rules in the subsidiary bodies of the Council.

I. GENERAL SURVEY

A. Article 67 (1)

3. There is no material regarding the application of Article 67 (1) requiring treatment in this Supplement. 1/

B. Article 67 (2)

4. Rules 60 to 70 of the rules of procedure of the Economic and Social Council which provide for the implementation of the provision of Article 67 (2) have remained unchanged. As a further illustration of the practice of the Council in carrying out Article 67 (2), which states that all decisions of the Council shall be made by a majority of the members present and voting, and in particular rule 60 of its rules of procedure which specifies that members who abstain from voting are considered as not voting, it should be mentioned that of the 152 resolutions adopted by the Council during the period under review and for which the number of votes cast is recorded, seventy-nine were adopted unanimously, sixty-six by a majority of at least ten affirmative votes, and seven by a majority of less than ten affirmative votes. In connexion with the last-mentioned seven resolutions, no question regarding the interpretation of Article 67 (2) was raised.

5. With regard to the methods of voting, 146 resolutions were adopted in plenary meetings by show of hands, two by roll-call 2/ and four without a vote being taken.

6. Although rule 67 provides that all elections of individuals shall be by secret ballot, the Council deviated from this procedure at its nineteenth session at which it elected one 3/ and at its twenty-first session at which it elected all 4/ of its officers by acclamation.

1/ See in this Supplement, under Article 61, section II,C., Question of the representation of a Member State.

2/ With regard to the frequency of roll-call votes, it should be noted that some of the resolutions adopted by show of hands in plenary Council had been adopted by roll-call vote in committee. Thus at the twenty-second session, the Economic Committee submitted to the Council for adoption one draft resolution which had been adopted by the Committee on a roll-call vote. Similarly two paragraphs of a draft resolution presented by the Technical Assistance Committee had been adopted on roll-call votes.

3/ E S C (XIX), 835th mtg., para. 9; election of Second Vice-President.

4/ E S C (XXI), 900th mtg., paras. 4, 8 and 12; election of President, First Vice-President and Second Vice-President, respectively.

7. The Council has continued to make decisions in procedural or administrative matters without a vote. The four resolutions which have been adopted in this manner 5/ have been resolutions noting reports. 6/

8. The procedure 7/ laid down in rules 3 and 4 of the rules of procedure for consultation with the members of the Council regarding the changing of the date of a regular session or the convening of special sessions was not applied. The changes in the opening dates of the twentieth and twenty-second sessions were decided at a previous session in plenary meeting, by tacit consent in the first instance 8/ and by a show of hands in the second. 9/

9. There has been no change in rule 26 of the rules of procedure of the Council which provides that the Council's rules on voting apply to its committees. There has been no change in the rules of procedure on voting of the functional commissions and regional economic commissions which are similar to those of the Council with the exception mentioned in the Repertory under Article 67, paragraphs 40-43. The rules of procedure of the Commission on International Commodity Trade, approved 10/ by the Council during the period under review, contain provisions on voting which are similar to those of the functional commissions.

II. ANALYTICAL SUMMARY OF PRACTICE

** A. The meaning of the term "decision"

B. Majority required

** 1. Number of affirmative votes required to take a decision

2. Members present and voting

10. The provision of Article 67 (2) according to which decisions should be made by "a majority of the members present and voting" was indirectly touched upon during the period under review, in connexion with the adoption of a resolution by the Co-ordination Committee during the twentieth session of the Council. At the 138th meeting of the Committee, the Chairman stated that a member of the Committee had informed him, before leaving the meeting, of the way in which he wished his vote cast. The Chairman proposed to count the member's vote unless an objection was raised. A member of the Committee objected that, if the vote of the absent member did not affect the Committee's decision it would be unnecessary to record it since he could explain

5/ This procedure has been followed even in cases where members announced that they would abstain in the vote or would not approve the report under consideration, although they did not subsequently request that a vote be taken (E S C (XIX), 845th mtg., paras. 32-34).

6/ E S C resolutions 561 (XIX), 562 (XIX), and 601 (XXI). In resolution 593 (XX), the Council took note of the report of the Economic Commission for Latin America, considered that the programme of the Commission was of primary importance for the economic development of Latin America and endorsed the priorities allocated by the Commission to the individual work projects.

7/ See in the Repertory, vol. III, under Article 67, paras. 11 and 36-39.

8/ E S C (XIX), 847th mtg., para. 41.

9/ E S C (XXI), 915th mtg., para. 13.

10/ E S C resolution 582 (XX).

his position later, whereas, if his vote affected the Committee's decision it would be a dangerous precedent as that would entitle a member to vote in absentia. The Chairman ruled that the vote of the absent member would not be counted. 11/

**** 3. *The quorum***

**** 4. *An equally divided vote***

**** C. Methods of taking decisions 12/**

D. Question of the application of Article 67 to voting rules in the subsidiary bodies of the Council

11. Like rule 7 of the rules of procedure of the functional commissions, rule 9 of the rules of procedure of the Commission on International Commodity Trade, 13/ which were approved by the Council during the period under review, provides that any agenda item proposed by a non-governmental organization in category A "shall be included in the agenda of the Commission if it is adopted by a two-thirds majority of those present and voting".

**** E. Question of the validity of decisions of the Council, raised in connexion with the representation of a Member State 14/**

11/ E/AC.24/SR.138, p. 14.

12/ For frequency of application of various methods of taking decisions, see paras. 5-7 above.

13/ E S C (XX), Suppl. No. 7 (E/2745-E/CN.13/10), p. 10.

14/ See also in this Supplement, under Article 61, section II,C., Question of the representation of a Member State; also under Article 68, section II,F., Question of the representation of a Member State in the organs established by the Council.