



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

23 April 2020

Excellency,

With the expected continued limitations on holding large in-person meetings as a result of the evolving COVID-19 pandemic, several Member States have requested that we explore ways of taking decisions of the General Assembly by a vote in the interim.

Accordingly, the United Nations Secretariat prepared the enclosed documents to guide discussions:

- i. A non-paper entitled “*Decision-making of the General Assembly by a vote (excluding elections) without a plenary meeting during the coronavirus disease (COVID-19) pandemic*”;
- ii. A presentation on the e-Recorded Vote system; and
- iii. A flowchart.

In this regard, it is my pleasure to announce that I have appointed H. E. Mr. Courtenay Rattray, Permanent Representative of Jamaica, to facilitate the discussions on this matter. I thank Ambassador Rattray for accepting this very important responsibility. I trust that you will extend your full support and cooperation to him.

Meanwhile, I commend all delegates for continuing to adapt to novel working methods during this trying time.

I avail of this opportunity to express my solidarity with Member States who are fighting COVID-19 and extend my sincere condolences for their loss.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in blue ink, consisting of a stylized, cursive script.

Tijjani Muhammad-Bande

All Permanent Representatives and
Permanent Observers to the United Nations
New York

Prepared by the United Nations Secretariat

Decision-making of the General Assembly by a vote (excluding elections) without a plenary meeting during the coronavirus disease (COVID-19) pandemic

Scenarios in which a proposal may be put to a vote

Scenario 1: Pursuant to General Assembly decision 74/544 of 27 March 2020, the General Assembly can adopt decisions by silence procedure which should last at least 72 hours. A Member State may request a vote during or after the silence procedure. If such a request is made, the President of the General Assembly may, after consultations with the main sponsor(s), and if it becomes clear that consensus cannot be achieved, put the proposal to a vote.

Scenario 2: Another scenario is where Member States have made every effort to reach agreement by consensus during the consultations but a vote on a proposal has been requested at the end of the consultations or immediately after the consultations. In this scenario, the President of the General Assembly could put the proposal to a vote after consultations with the main sponsor(s). This option would allow decision-making on annual resolutions that may need to be taken up during the COVID-19 pandemic, which are essential, and which are voted on annually.

This document sets out a possible way by which votes on proposals could be held in the above scenarios, in the absence of a plenary meeting of the General Assembly.

Before the voting process on a proposal, situations may arise where Member States submit amendments to the proposal or a procedural motion with respect to the proposal. This scenario is addressed separately at the end of this document.

Prior to putting any proposal to a vote without a plenary meeting, there would need to be an agreement on how such a vote would be conducted.

For the purpose of this document, the word “proposal” is used to refer to “a draft decision or a draft resolution, a part thereof, an amendment or a motion”.

Procedure by which a vote could be held

1. **Circulation of the proposal:** The letter of the President of the General Assembly would announce that a vote has been requested on a specific proposal. It would indicate the date and time at which a vote will commence; such a date and time should be fixed in a manner that would allow sufficient period of time between the circulation of the letter by the President and the commencement of the voting process, in order to allow Member States to consult each other before the vote and to seek the necessary instructions from their respective capitals. In this regard, at least 24 hours appears to be a reasonable period of time in order to allow the General Assembly to commence the voting in a speedy manner if necessary. Twenty-four hours also appears to be sufficient in instances where a proposal was already placed under silence procedure under decision 74/544, as Member States would already have had at least 72 hours to study the proposal; to consult other Member States; to seek instructions from their respective capitals; and ascertain the positions of other Member States on the proposal.

It would also give flexibility to the President of the General Assembly to fix a period of time that would be longer than 24 hours if that is necessary. In particular, when a Member State requests a vote on a proposal before placing it on a silence procedure, Member States may need more than 24 hours to consult each other and seek instructions from the capital. In order to address any potential concerns from Member States that “at least 24 hours” might be too short as an interval between the President’s announcement concerning voting on a proposal and the commencement of the actual voting process, the President could informally indicate to Member States that his intention would be to ensure a longer interval in instances where a vote is requested on a proposal before it is placed under a silence procedure.

2. **Duration of the actual voting process:** A specific time period will be given during which Member States may vote. The General Assembly decision to authorize such a procedure for the conduct of the vote could specify the minimum time period for such voting process.

The letter of the President of the General Assembly would specify the date and time at which the voting will commence and the date and time at which the voting will end.

In this regard, at least one hour appears to be a reasonable period of time for the actual voting process, considering that voting in the plenary meetings usually do not take longer than one minute. Such a vote will be held between 10am and 5pm on a working day.

A reminder could be sent to Member States by email when voting has started. Member States will also be provided with a name and contact details of a Secretariat staff member who can be contacted in case they face technical problems during the voting process.

In both scenarios (where a proposal is put to the vote after it was first placed under a silence procedure and where a proposal is put to the vote before being placed under a silence procedure), Member States will be provided with ample time to consult each other and seek instructions from their respective capitals before the actual voting process. The duration for such consideration by Member States could be adjusted by the President of the General Assembly when he fixes the interval between the circulation of his letter and the actual commencement of the voting process. If the President of the General Assembly finds it necessary, he could fix a longer duration for the actual voting process.

If the duration of the voting process is an hour, this would allow the President, where necessary, to schedule multiple votes in one day.

3. **Votes that may be cast:** Member States may only vote by indicating “yes” or “no”. Member States may also indicate “abstain”. Member States that do not indicate either “yes”, “no” or “abstain” during the voting process, including those that do not submit a vote, would be considered as being absent from the voting process.
4. **Explanations of votes:** Member States may submit their explanations of votes in writing together with their votes or after the voting process has completed.
5. **Method of casting the vote:** Member States would cast their votes by an appropriate electronic means. DGACM has developed a system in the e-deleGATE portal that would allow for a recorded vote without a plenary meeting. The system would allow a Member State to cast its vote on a form provided in the e-deleGATE portal and to remove or modify its vote during the voting process, if necessary. The system would only allow an authorized representative of a Member State to view and fill in the form and submit the vote through the e-deleGATE portal. Throughout the voting process, a Member State will be able to view the votes by other Member States, as is the practice in the General Assembly Hall.
6. **Member States that may vote:** Each member of the General Assembly shall have one vote. Those Member States which are in arrears pursuant to Article 19 of the Charter will not be allowed to vote.
7. **Majority required:** Article 18 (2) and (3) of the Charter and rules 82 to 86 of the rules of procedure of the General Assembly will govern the majority required. The definition of the phrase “members present and voting” in rule 86 of the rules of procedure of the General Assembly would apply, which provides as follows: “For the purposes of these rules, the phrase ‘members present and voting’ means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.” For instance, when a majority of the members present and voting is required for the adoption of a draft resolution, and if 150 Member States vote either “yes” or “no”, 10 Member States abstain, and the rest of the 33 Member States do not submit any replies, the required majority would be 76, i.e., a

majority of the 150 Member States. The 10 Member States that abstained and the 33 Member States that did not submit any replies would not be considered as voting.

8. **Minimum number of valid replies required:** The General Assembly could decide that a number of replies indicating “yes”, “no” and “abstain” should at least amount to a majority of the members of the Assembly (i.e., 97) in order for the vote to be valid. This is based on the fact that the presence of a majority of the members is required for any decision to be taken by the General Assembly in the usual plenary meetings pursuant to rule 67 of the rules of procedure of the General Assembly.

In plenary meetings, there are cases where a Member State that may be present in the General Assembly Hall do not participate in the vote i.e. by indicating “yes”, “no” or “abstain”. Those Member States would still be counted for quorum purposes to ascertain whether a majority of the members are present, whereas, in voting by electronic means without a plenary meeting, there would be no such Member State that would be “present” but not indicating “yes”, “no” or “abstain”.

9. **Restrictions on the submission of other proposals:** Once a vote has commenced, on the date and time announced by the President of the General Assembly, no other action may be proposed with regard to the proposal being voted on until the completion of the voting process (such as a revision of the text by the sponsor, the withdrawal of the proposal by the sponsor or a proposal of an amendment by another Member State). This would not, however, preclude decision-making on other proposals. The President of the General Assembly could circulate other draft resolutions and decisions under silence procedure pursuant to General Assembly decision 74/544 or for voting.
10. **Announcement of the voting result:** Following the completion of the voting process, the President of the General Assembly would circulate a letter to all Member States to communicate the result of the vote and an indication of whether the draft resolution or the draft decision was adopted or not adopted. In a recorded vote, the letter would have an attachment containing a table showing the vote of each Member State. In a non-recorded vote, no such table would be attached. Member States will also be able to view the results of the vote on the e-deleGATE portal immediately after the voting process has concluded.
11. **Confirmation of the decisions at the earliest plenary meeting:** The General Assembly would take note of the decision at its first plenary meeting held after the cessation of the precautionary measures as soon as the circumstances allow. Member States would have another opportunity to explain their votes at such plenary meeting in accordance with the rules of procedure.

Amendments and procedural motions

12. **Deadline until which amendments and motions may be submitted:** Amendments or motions may be proposed at least [two] hours¹ in advance of the commencement of the voting process. For example, if the President of the General Assembly circulates his letter at 10 a.m. on 1 May 2020 and announces that the voting process will commence at 2 p.m. on 2 May 2020, Member States may submit amendments or motions until noon on 2 May 2020. In this scenario, Member States would have at least 26 hours (i.e., 10 a.m., 1 May to noon, 2 May) to submit any amendments or motions. Amendments and procedural motions should be submitted in advance of the commencement of the voting process in order to allow enough time for the President of the General Assembly to notify Member States that the scheduled vote on the proposal in question has been postponed.

13. **If one or more procedural motions are submitted:** If a procedural motion is submitted within the timeframe mentioned above, the President of the General Assembly will inform all Member States of the fact that the scheduled vote on the proposal (e.g., a draft decision or a draft resolution) in question has been postponed.

The President could either immediately put the procedural motion to a vote in accordance with the procedure outlined above, or consult the Member States concerned. In the event that multiple motions are submitted, the order of motions would be governed by the relevant rule of the rules of procedure of the General Assembly.

Therefore, if, for example, a **motion to adjourn the debate** on the proposal in question (often also referred to as a “no-action motion”) has been submitted pursuant to rule 74 of the rules of procedure of the General Assembly, the President may circulate a letter (“the first letter”) to all Member States announcing that the motion will be put to the vote, and indicate the date and time at which the voting will commence, which should be at least 24 hours after the circulation of the letter by the President. In the same letter, the President could indicate the time and date when the vote on the draft resolution or the draft decision commences, in the event that the motion is not successful, so that the voting on the draft resolution or the draft decision can take place on the same day or the following day.

Once the voting process or the motion to adjourn the debate has commenced, Member States will have at least one hour to vote “yes” or “no” or to indicate “abstain”. The result of the voting can be viewed immediately on the e-deleGATE portal. There will also be an announcement on-line (e.g., e-deleGATE portal) as to whether the vote on the draft resolution or decision will take place. Further, the results will also be communicated to Member States by a letter by the President of the General Assembly (“the second letter”).

¹This would allow for a timely notification of the postponement by the President.

If the motion is not adopted, and subsequent to the circulation of the communication by the President on the results of the vote on the motion, the draft decision or the draft resolution would be put to a vote at the date and time indicated in the first letter of the President. A reminder could be sent to Member States by email when voting has started. The President would announce the result by a letter to all Member States (the result can also be viewed on the e-deleGATE portal immediately after the voting process).

14. **If amendments are submitted:** If amendments are submitted within the timeframe mentioned above, the President of the General Assembly will inform all Member States of the fact that the scheduled vote on the proposal in question has been postponed. It is recalled that, pursuant to rule 90 of the rules of procedure of the General Assembly, “[w]hen an amendment is moved to a proposal, the amendment shall be voted on first.”

The President would circulate the amendments to all Member States,² and if he deems it necessary, the President could consult the Member States concerned, including to see whether a vote might be necessary on the amendments.

Depending on the circumstances and outcome of his consultations, the President could then place the amendments under a silence procedure under decision 74/544 or put them to a vote in accordance with the procedure outline above. The order of taking action on amendments would continue to be governed by rule 90 of the rules of procedure of the General Assembly.

Therefore, if, for example, **one amendment** is submitted by a Member State, and if after consultations with Member States, the President of the General Assembly deems it necessary to put it to a vote, the President may circulate a letter (“the first letter”) to all Member States announcing that the amendment will be put to the vote, and indicate the date and time at which the voting will commence, which should be at least 24 hours after the circulation of the letter by the President. The letter could also already indicate the time of the vote on the draft resolution or the draft decision, either as amended or in its original form.

Once the voting process on the amendment has commenced, Member States will have at least one hour to vote “yes” or “no” or to indicate “abstain”. A reminder could be sent to Member States by email when voting has started. The result of the voting on the amendment can be viewed immediately on the e-deleGATE portal and will also be communicated to Member States by a letter by the President of the General Assembly.

² Depending on when the amendment(s) is submitted, all effort will be made to have the amendment(s) issued as an official L. document.

There will also be a reminder on-line (e.g., e-deleGATE portal) concerning the scheduled vote on the draft resolution or the draft decision, if that was announced in the President's first letter.

At the designated time, voting would commence on the draft resolution or the draft decision (either as amended or in its original form). A reminder could be sent to Member States by email when voting has started. It would either be adopted or rejected. The President would announce the result by a letter to all Member States (the result can also be viewed on the e-deleGATE portal immediately after the voting process).

If no vote has been requested on the draft resolution or decision, it would also be possible for the President to circulate the draft decision or the draft resolution as amended or in its original form and place it under a silence procedure pursuant to decision 74/544.

If there are **multiple amendments** and voting becomes necessary for some or all of them, the President would circulate a letter ("the first letter") to all Member States announcing that the amendments will be put to the vote, one by one. For example, if there are amendment A and amendment B, the amendments can either be circulated separately or together.

If they are circulated together, the voting process for the first amendment (i.e., amendment A) will commence at least 24 hours after the circulation. The same letter will indicate the time of the vote on amendment A, and the time of the vote on amendment B, which will be later in time than the vote on amendment B (for example, 2 p.m. for amendment A and 4 p.m. for amendment B). The letter could also already indicate the time of the vote on the draft resolution or the draft decision, either as amended or in its original form.

Member States would have at least one hour to vote on amendment A. A reminder could be sent to Member States by email when voting has started on amendment A. Amendment A would either be adopted or rejected, and the President would announce the result by a letter to all Member States (the result can also be viewed on the e-deleGATE portal immediately after the voting process). There will also be a reminder on-line (e.g., e-deleGATE portal) concerning the scheduled vote on amendment B. A reminder could be sent to Member States by email when voting has started on amendment B.

At the designated time, voting would commence on amendment B and this amendment would either be adopted or rejected. Again, the President would announce the result by a letter to all Member States (the result can also be viewed on the e-deleGATE portal immediately after the

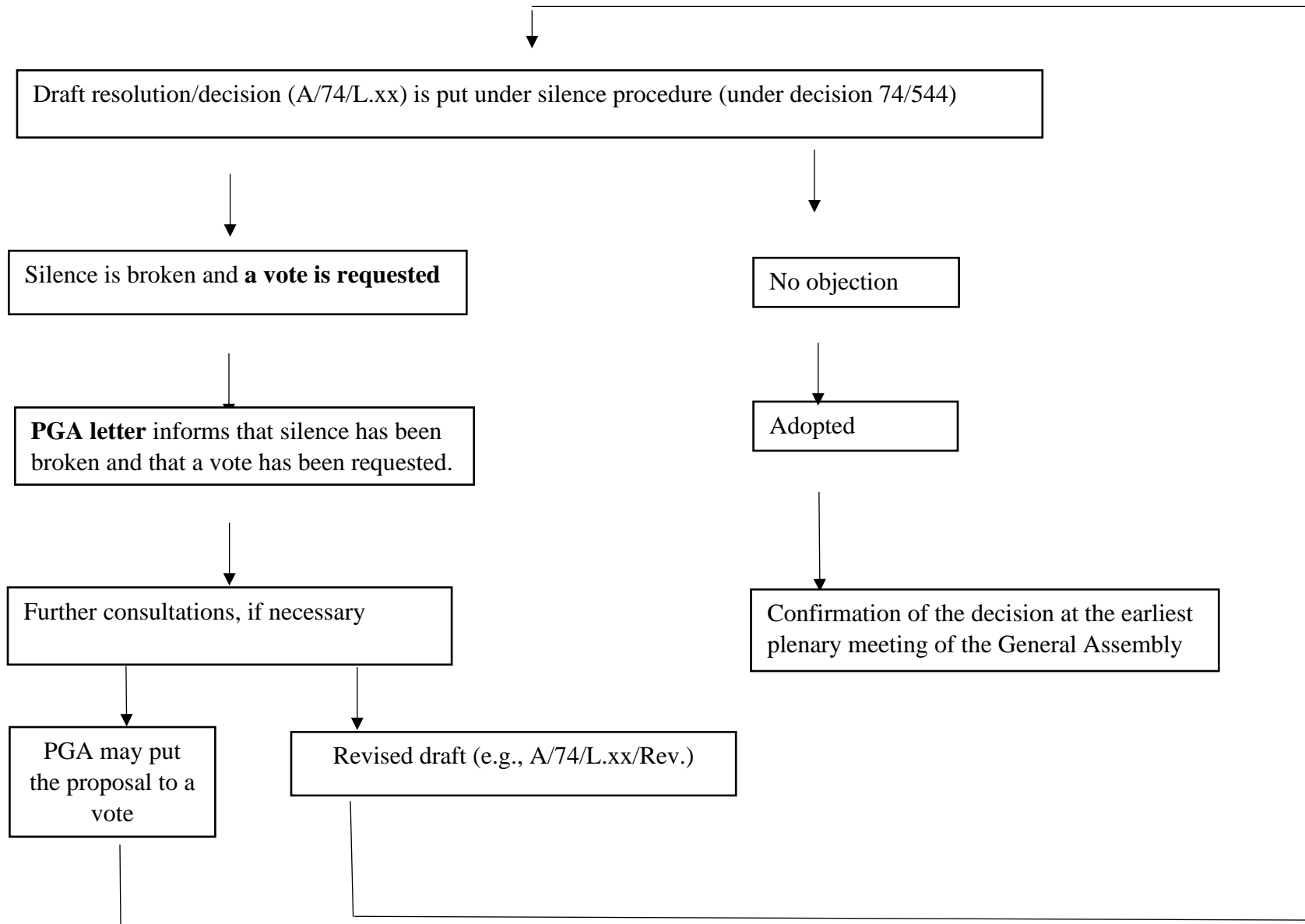
voting process). There will also be a reminder on-line (e.g., e-deleGATE portal) concerning the scheduled vote on the draft resolution or the draft decision, if that was announced in the President's first letter.

At the designated time, voting would commence on the draft resolution or the draft decision (either as amended or in its original form). A reminder could be sent to Member States by email when voting has started. It would either be adopted or rejected. The President would announce the result by a letter to all Member States (the result can also be viewed on the e-deleGATE portal immediately after the voting process).

If no vote has been requested on the draft resolution or decision, it would also be possible for the President to circulate the draft decision or the draft resolution as amended or in its original form and place it under a silence procedure pursuant to decision 74/544.

16 April 2020

Flowchart on voting in the absence of a plenary meeting of the General Assembly – If a vote has been requested after a proposal has been placed under silence procedure



PGA circulates a letter announcing, inter alia, that:

- A recorded vote on draft resolution/decision (A/74/L.xx) (or a part thereof) has been requested; and
- The date and time at which the voting will commence.

At least 24 hours of interval

Voting commences
Member States (minus those who are in arrears) have at least one hour to vote through e-deleGATE portal

PGA letter to announce the result of the vote. (If the vote was on a part of the draft resolution/decision, the GA will then proceed to action on the draft as a whole.)

Confirmation of the decision at the earliest plenary meeting of the General Assembly

An amendment is submitted at least 2 hours in advance of the commencement of the voting process.

A motion is submitted at least 2 hours in advance of the commencement of the voting process.

