

## **Draft decision submitted by the President of the General Assembly**

Agenda item 7: Organization of work, adoption of the agenda and allocation of items

### **Procedure for taking decisions of the General Assembly by a vote (excluding elections) without a plenary meeting during the coronavirus disease (COVID-19) pandemic**

*The General Assembly,*

*Recalling* its decisions 74/544 of 27 March 2020 and 74/555 of 15 May 2020,

*Stressing* the importance of observing the rules of procedure of the General Assembly [in line with comments from Argentina, Brazil, Cuba, Eritrea, Georgia, India, Iran, Mexico, Philippines, ROK, Rwanda, Syria, Switzerland, Trinidad and Tobago, UK, Venezuela, EU]

*Noting* that the procedure set out in the present decision is of an exceptional and temporary nature, which will not set a precedent [in line with comments from Argentina, Brazil, Cuba, Indonesia, Syria, Trinidad and Tobago, Ukraine]

*Encouraging* Member States to arrive at a negotiated text through an orderly, transparent and inclusive process before a proposal is submitted for action [proposal from EU].

*Bearing* in mind that best efforts should be made to reach consensus before any proposal is put forward for the General Assembly to take action in the current exceptional circumstances [proposal from EU]

(a-bis) *Decides* that decisions subject to electronic voting pursuant to this decision shall be exclusively limited to essential operational matters, with “essential operational matters” defined as the (1) adoption of budgets; and (2) postponement, cancellation, or scheduling of meetings and conferences [based on the proposal from the U.S. – potentially addresses comments from Algeria, Argentina, Australia, Cuba, Egypt, Indonesia, Israel, Japan, Malaysia, Pakistan, Philippines, Russia, Syria, UK, Venezuela].

(a-ter) *Decides* that prior to any essential operational matter being put to a vote, the General Assembly shall make all best efforts to reach consensus on such a matter, and that prior to scheduling a vote on such a matter, the President of the General Assembly shall confirm in writing to the members of the General Assembly that (1) transparent and inclusive consultations aimed at reaching consensus have occurred; (2) all best efforts to reach consensus have been exhausted; (3) consensus could not be reached by the General Assembly and (4) a vote was requested by a Member State [based on the proposal from the U.S. – potentially addresses comments from Australia, China, Iran, Pakistan, Philippines, ROK, Russia, Switzerland, UK].

(a-*quater*) *Also decides* that, in the event of a vote being requested by a Member State in a Main Committee, the voting procedure prescribed in the present resolution may apply *mutatis mutandis* in the Main Committee, before the subsequent consideration of the same proposal in a plenary meeting of the Assembly [proposal from Cyprus as Chair of the Fifth Committee];

(a) Consistent with the content of the annex to this decision [proposal from Syria], *Authorizes* the President of the General Assembly to put a proposal<sup>1</sup> to a vote without holding a plenary meeting in the following circumstances:

(a-*alt.*) *Authorizes* the President of the General Assembly, where, in his view, a plenary meeting of the General Assembly was not practical due to the COVID-19 pandemic, to put a proposal<sup>2</sup> to a vote without holding a plenary meeting [proposal from EU]:

(i) In the event that a vote is requested by a Member State either during the silence procedure under decision 74/544 or thereafter if the silence was broken by means other than a request for a vote, notwithstanding every effort to reach agreement by consensus; or

(i-*alt.*) The President of the General Assembly shall circulate a letter to all Member States announcing that a vote has been requested on a specific proposal and indicating ~~the~~ a date and time at which a vote will commence; ~~such a date and time shall be fixed in a manner that would allow~~ **which shall be**-at least 72 hours ~~between the circulation of the letter by the President and the commencement of the vote~~ **after circulation** [proposal from EU].

(ii) In the event that a vote has become necessary instead of placing a proposal under a silence procedure pursuant to decision 74/544, after every effort to reach agreement by consensus has been made [Delete para (a)-(ii) – Singapore, EU; Cuba noted that this could be interpreted that the PGA could put a proposal to the vote without a Member State calling for it.; Rwanda proposed placing all proposals under a silence procedure.];

(b) *Decides* that the President of the General Assembly shall put a proposal to a vote in accordance with the arrangements below:

(i) The President of the General Assembly shall circulate a letter to all Member States announcing that a vote has been requested on a specific proposal and indicating the date and time at which a vote will commence; such a date and time shall be fixed in a manner that would allow at least 72 hours [Brazil, Georgia, Japan, Pakistan, Peru, Philippines, ROK, Trinidad and Tobago, Ukraine; On the other hand, UK and Switzerland proposed a shorter interval on procedural motions.] ~~[at least 72 hours - Cuba, Malaysia, Philippines, Switzerland, Syria, Venezuela]~~ between the circulation of the letter by the President and the commencement of the vote;

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<sup>1</sup> For the purpose of the present decision, the term “proposal” includes parts of a proposal, an amendment and a motion. The matters which may be put to the vote pursuant to this decision are listed in the annex to this decision.

<sup>2</sup> For the purpose of the present decision, the term “proposal” includes parts of a proposal, an amendment and a motion. ~~The matters which may be put to the vote pursuant to this decision are listed in the annex to this decision.~~

(ii) No other action may be proposed in relation to the proposal after a vote on the proposal has commenced at the date and time announced by the President pursuant to subparagraph (i) [~~Delete “pursuant to subparagraph (i)” - EU~~] above, except a point of order in connection with the actual conduct of the voting; this does not prevent the General Assembly from taking decisions on other proposals in parallel, including by a silence procedure pursuant to decision 74/544 [~~Delete “this does not prevent the General Assembly from taking decisions on other proposals in parallel, including by a silence procedure pursuant to decision 74/544” - Cuba~~];

(iii) Member States may vote “yes”, “no” or indicate “abstain” through an electronic means specified by the President during the voting period, which shall be one hour [~~Australia, Liechtenstein, Philippines, Switzerland, Trinidad and Tobago, Venezuela; On the other hand, Pakistan proposed 30 minutes~~];

(iii-bis) The votes cast by Member States shall become visible to other Member States only [~~a few (For information only: add a specific number)] minutes before the closure of the voting period [in line with comments from Algeria, Australia, Bahamas, Iran, Philippines, Switzerland, Trinidad and Tobago, Venezuela; On the other hand, Cuba proposed that the votes be visible as soon as they are cast, while MS should not be able to change them.]~~];

(iv) The voting process shall be considered valid if a majority of the members of the General Assembly is present in the voting process<sup>3</sup> [~~in line with comments from India, Philippines, Russia, UK; On the other hand, UK also proposed that the quorum should be in the OP rather than in the informational footnote.]~~];

(iv-alt) The voting process shall be considered valid if a majority of the members of the General Assembly **mark their presence through electronic means** [proposal from EU];

(iv-bis) Proposals must be circulated in the six official languages of the United Nations [proposal from EU – in line with comments from Argentina, Canada, China, Cuba, El Salvador, Mexico, Nicaragua, Pakistan, Trinidad and Tobago].

(v) Rules 82 to 86 of the rules of procedure [~~Relevant rules of procedure – in line with comments from Cuba, India, Venezuela~~] of the General Assembly shall continue to apply to any vote held under the present decision [~~Delete para (b)-(v) – EU~~];

(vi) If the votes in favour reach the required majority, the decision shall be considered adopted, and the General Assembly shall take note of the decision at its first plenary meeting held after the cessation of the precautionary measures as soon as the circumstances allow [~~Cuba seeks legal clarification on the need to take note of decisions~~];

(c) *Further authorizes* the President of the General Assembly, in the event that an amendment or a motion is proposed at least two hours [~~24 hours – Georgia~~] in advance of the original date and

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<sup>3</sup> (*For information only; not for the draft decision*) A new feature will be included in the e-recorded vote module and each Member State that opens the voting page on the e-recorded vote will be counted as being present for the voting process.

time of the vote on a proposal announced by the letter of the President pursuant to subparagraph (b) (i) above, to immediately postpone the scheduled vote and take one of the following steps:

(i) The President will put the motion in question to a vote in accordance with the relevant rules of procedure of the General Assembly and paragraph (b) above;

(ii) If an amendment is proposed, the President shall circulate the amendment to all Member States [in the six official languages of the United Nations – proposal from EU]; the amendment may be placed under a silence procedure pursuant to decision 74/544 or, if a vote is requested, shall be put to a vote in accordance with paragraph (b) above;

(d) *Decides* that if a point of order is raised during the voting period referred to in paragraph (b) (iii) above in connection with the actual conduct of the voting in accordance with rule 88 of the rules of procedure of the General Assembly [this para is in line with comments from Russia], the President shall suspend the vote and apply the following procedure:

(i) The point of order shall be decided by the President in accordance with rule 71; the President's ruling will be communicated by the President to all Member States indicating the time by which Member States may appeal against the ruling of the President, which shall be one hour [one hour is too short - Cuba] from the time from which the communication was sent out;

(ii) If there is no appeal against the ruling during the specified timeframe, the President's ruling shall stand;

(iii) In the event of an appeal, the President will put the appeal to a vote in accordance with rule 71;

(iv) The President will communicate a new date and time at which the voting process will resume.

(e) *Decides* that the procedure set out in the present decision shall be in effect until the end of June 2020 [until 30<sup>th</sup> June – proposal from EU] unless extended [in line with comments from Australia, Eritrea, Malaysia, UK; On the other hand, Syria proposed that “the extension of any decision that the General Assembly may adopt to approve the E-Voting process be subject to the provisions of General Assembly decision 74/544”. Egypt also proposed to specify that “unless extended by the decision of Member States”].

(e-bis) This Decision shall apply to proposals relating to the following: .... [proposal from EU to replace the Annex]

(e-ter) Should plenary meetings of the General Assembly continue not to be practical due to the COVID-19 pandemic, the present decision shall be subject to a review before extension beyond the end of August. [proposal from EU – also in line with comments from Australia, Canada, Trinidad and Tobago, Ukraine, UK]

## Annex

### Matters which may be put to the vote pursuant to the present decision

(a)

(b)

(c)

...

- (a) Essential proposals, such as Agenda items allocated to the Fifth Committee, in particular the administrative and budgetary aspects of the financing of peacekeeping operations and any other questions or items that the Committee needs to consider in the resumed session of its work [proposal from Syria – similar to (a-bis) proposal from the U.S. and potentially addresses comments from Argentina, Australia, Cuba, Egypt, Japan, Malaysia, Pakistan, Russia, Venezuela].
- (b) COVID-19 related proposals and initiatives addressing the strengthening of the capacity of the United Nations, its relevant bodies, organizations and partners in responding to the health, economic and social impacts of the COVID-19 global pandemic and ensuring collective global response to this pandemic [proposal from Syria – potentially addresses comments from Egypt and Venezuela].
- (c) Time-bound procedural decisions, and proposals with imminent and direct impact on the effective functioning of the Organization [proposal from Syria – similar to (a-bis) proposal from the U.S. and potentially addresses comments from Australia, Cuba, Egypt, Japan, Malaysia, Pakistan, Russia, Venezuela].