

The essential problem before the Legal Committee was whether the General Assembly could decide that a particular decision must be made by a two-thirds majority vote of the members, although involving a question not listed among the "important questions" in Article 18(2) and although no "additional category" concerning the question had been established by the General Assembly under Article 18(3). In past debates in the General Assembly the view had been put forward that the list of important questions contained in Article 18(2) was exhaustive and that hence the Assembly could not decide that a two-thirds majority vote was required for a particular question not contained in this list unless it first establishes an "additional category" pursuant to Article 18(3). On the other hand, it had also been argued that under Article 18(2) the General Assembly was always free to require a two-thirds majority for a decision concerning a particular question which it considered important. In the debate on this question in the Legal Committee, discussion centred almost entirely on whether the Committee was competent to deal with the Fourth Committee's request, and only a few delegates touched on the substance of the request. While the Legal Committee was debating the question and before most countries had participated in the debate, the agenda item under which the request by the Fourth Committee was made was disposed of by the General Assembly in plenary session. As a result, the discussion of the matter in the Legal Committee was closed, and the Committee, by an almost unanimous vote, then resolved that, under these circumstances, it was not opportune at the present session of the Assembly to give an opinion on the Fourth Committee's request.