

Legal Analysis of the Voting Problem in United Nations General Assembly

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The voting system of the United Nations General Assembly is the core power of the “International Parliament”. According to the Charter of the United Nations, the United Nations General Assembly focuses on the sovereign voting system of “sovereign equality”. The prominent problems lie in the lack of binding force in General Assembly resolutions and procedural issues in the voting system. Faced with the reform dilemma of the sovereign voting system, it is recommended to improve the effectiveness of the United Nations General Assembly voting system, absorb the advantages of the United Nations Security Council’s “re-discussion and review” system, respect multilateralism, establish a “monitoring council” in a timely manner, and also gradually improve the exploration of the United Nations General Assembly voting system in emerging fields. Focusing on problem-oriented research methods, it explores reform suggestions for the voting system of the United Nations General Assembly, integrating theory with practice. Through empirical research on the voting system, this article discusses the legal issues that exist in the United Nations General Assembly, in order to promote the effectiveness of international law in dealing with international issues.

Keywords: United Nations General Assembly, sovereign voting, allocation and voting system, legal issues, reform suggestions

Introduction

In the context of contemporary international law, international organizations such as the United Nations have continuously developed and solved many complex international problems. With the changes of the times, international law and organizations have also encountered many problems in the process of improvement, which need to be adjusted in a timely manner. The Charter of the United Nations, as the fundamental law of the international community, clarifies the principles, purposes, and institutional framework of the United Nations, as well as the rights and obligations of all Member States, in order to adjust international relations and maintain world peace and development. The Charter of the United Nations is divided into 19 chapters and 11 articles, signed at the San Francisco Conference on June 26th, 1945, and came into effect on October 24th of the same year.¹ The purpose of the United Nations is to maintain world peace, promote common development, safeguard

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¹ United Nations, United Nations Charter, United Nations Official Website, 1945-10-24, <https://www.un.org/en/about-us/un-charter>. The authentic version of the United Nations Charter includes the different versions. The following citations are omitted.

human rights, and solve various international problems and disputes based on the principle of sovereign equality among Member States. With the changes in the world landscape, international relations have become extremely complex, and international organizations and their legal systems should continue to improve. The voting system of the United Nations is the core mechanism of the international organization, and the importance of its Security Council voting system is beyond doubt. With the continuous improvement of China's international status and its entry into the center of the world stage, it is urgent to further study the international legal issues of the United Nations voting system. This article draws on existing research results and conducts empirical analysis horizontally and vertically, dividing the voting system of the United Nations into two categories: sovereignty and authorization. The voting allocation system and voting system are discussed separately, with a focus on exploring the legal issues of the United Nations General Assembly's sovereign voting system and proposing reform suggestions.

Legal Problem of the United Nations Sovereign Voting System

This chapter revolves around the United Nations' sovereign voting system, discussing the current situation of the lack of binding force in resolutions of the United Nations General Assembly and other organs, as well as the procedural issues of the sovereign voting system. From this, we consider the reform difficulties of the sovereign voting system and provide empirical support for reform suggestions.

The Current Situation: The Lack of Binding Force in United Nations General Assembly Resolutions

According to Article 10 of the Charter of the United Nations, the main authority of the United Nations General Assembly is to discuss any issues or matters within the scope of the Charter and make recommendations to Member States or the Security Council, including international peace and security issues, membership, suspension, or delisting. The resolutions passed by the United Nations General Assembly generally do not have the binding force of international law, except for resolutions with special significance such as the 1971 "Restoration of the Legal Rights of the People's Republic of China in the United Nations". As mentioned earlier, the United Nations General Assembly adopts a sovereign voting system, where each member state with equal sovereignty has one vote per country, and major matters require a two-thirds majority vote to decide. The following is a list of situations where General Assembly resolutions lack binding force.

On June 23rd, 2021, the United Nations General Assembly passed for the 29th consecutive time a resolution on "lifting the economic sanctions and arms embargo imposed by the United States on Cuba", in the hope of ending the 60-year blockade. Although the resolution was passed, it did not result in a substantial lifting of the blockade, resulting in economic losses of \$11,573.27 billion for Cuba over the years.² On February 28th, 2022, the 11th emergency special session of the United Nations General Assembly was held at its headquarters in New York, and more than two-thirds of the votes in favor passed the "demand for Russia to withdraw its troops from Ukraine". At the same time, the United Nations Secretary General also called for a ceasefire in Russia to ensure humanitarian assistance. Similarly, although the resolution was passed, its implementation still requires procedural observation, and ultimately the resolution cannot effectively promote a ceasefire and withdrawal of Russian troops.³ In addition, there are sometimes issues with the substantive content of United Nations

² The United Nations General Assembly Resolution, 76th Session, Art. 289.

³ United Nations General Assembly's Emergency Special Session, 11th Session.

resolutions. For example, on April 28th, 1947, the United Nations General Assembly Special Committee passed the “Palestine Partition Resolution”, which decided to allocate most of the fertile coastal areas to Jews and the barren hilly areas to Arabs. The next day, Arab countries attacked Israel after division.⁴ On October 14th, 1974, at the 29th session of the United Nations General Assembly, South Africa’s representation and rulings in future conferences were upheld, limiting Israel’s participation in discussions on the Palestinian issue and granting the Palestine Liberation Organization the right to participate in the conference (Maurice, 1984, pp. 531-532). On December 3rd, 2019, the Russian financial delegation was unreasonably refused a visa by the some country and was unable to attend the United Nations meeting as scheduled. Russia proposed to withdraw the United Nations First Committee from some country at a United Nations conference, but the resolution failed at 18:69 and did not have any effective binding force (United Nations, 2019). On January 12th, 2022, President of the United Nations General Assembly, Kubyak, announced that eight countries were in arrears with their contributions for two years or more, losing their voting rights in the United Nations General Assembly. At the same time, the some country has owed hundreds of millions of dollars to the United Nations Congress, but has not been disqualified from membership. Therefore, in the reform of the United Nations voting system, timely payment of membership fees should be included in the consideration of voting distribution rights (United Nations, 2022).

Within the United Nations system, documents that provide opinions or suggestions are divided into “decisions”, “declarations”, and “resolutions”. Among them, “resolutions” are the most general form, “declarations” are usually used for principles of a political or legal nature, and “decisions” are used for organizational behavior within institutions. The international community reforms and drafts these documents to regulate international relations through the interpretation of the nature of “treaties” (Zhang, 2019, p. 3), fully reflecting the will of governments on international issues. It is a concentrated expression of international public opinion and has a certain positive significance for the interpretation of the Charter, which helps to develop general principles of international law or customary international law (Volger, 2010, pp. 618-619).

Article 25 of Chapter 5 of the United Nations Charter stipulates that “Resolutions of the United Nations Security Council shall be legally binding on all Member States”. The United Nations issues are divided into important and ordinary issues. The General Assembly can handle ordinary issues, while the Security Council can handle important issues. Its decision-making power focuses on the five permanent members. Unlike Security Council resolutions, the United Nations Charter does not specify the binding force of General Assembly resolutions. However, if the General Assembly resolution can reflect and form new international customary law rules, or be formally recognized as a legal norm, and the wording is more legal, it may have legal binding force (Shaw, 2008, p. 1212). In addition, there are no political parties in the United Nations, and the General Assembly is not a global legislative body, unable to determine the outcome of disputes among member states through its own power, let alone interfere with the sovereignty principles of member states. It is more like an “international debate room”, where its resolutions are only political or moral suggestions, without legal binding or mandatory force, except for the admission of new members, budget and other operational or exceptional circumstances (Volger, 2010, p. 620). Furthermore, it is precisely because each member state does not hold a strong legal belief in the resolutions of the United Nations General Assembly that the enforceability of the resolutions of the United

⁴ The United Nations General Assembly Resolution 181.

Nations General Assembly is far less effective than domestic law, and is also known as “soft law”. Articles 10 to 14 of the Charter of the United Nations stipulate that the General Assembly of the United Nations may discuss any issue including the consideration of peacekeeping matters, which raises the issue of unclear boundaries of the powers of the General Assembly (Shaw, 2008, p. 1271). The boundaries of the content of the General Assembly’s agenda are unclear, which will handle international issues outside the scope of the Assembly’s authority, thereby dispersing the Assembly’s authority and limiting the binding force of its resolutions.

Procedural Issues of the United Nations Sovereign Voting System

In March 1997, Lazari Ismail, the President of the 51st session of the United Nations General Assembly, submitted a United Nations reform plan to the General Assembly, but it failed due to insufficient support.⁵ Although the General Assembly itself has relatively complex procedures, it cannot truly defend the fairness and justice of the world. The resolution of the 11th Emergency Special Session of the United Nations General Assembly calling for the unconditional withdrawal of Russian troops from Ukraine requires procedural observation before it can be implemented.⁶ Due to the existence of certain time intervals in procedural observation, the trend of international issues may also undergo significant changes, which may lead to further deterioration of the problem. This indicates that there are certain procedural issues in the sovereignty voting system of the United Nations General Assembly. In addition, from 1973 to the early 21st century, according to the voting data of 143 member states in the United Nations General Assembly, certain hegemonic countries intervened in the voting decisions of the General Assembly by providing foreign aid to small countries, which constituted “state bribery of votes” (Dreher, Nunnenkamp, & Thiele, 2008, p. 1). The funding within the United Nations system is limited, and most of it comes from donations from some sovereign countries. From 1970 to the early 21st century, certain international organizations receiving assistance from Member States led to an increase in the voting power of Member States in the United Nations General Assembly, which violated the procedural issues of the United Nations General Assembly’s sovereign voting system (Dreher & Sturm, 2010, pp. 1-3). Over the past decade, approximately 11% of Member States have chosen to be absent from the United Nations General Assembly vote. Research has shown that the weaker the political, economic, and other capabilities of member states, or the less attention they pay to the issue, the greater their probability of choosing absent votes (Panke, 2014, pp. 730-731). Although the United Nations’ sovereign voting system adopts the principle of one country, one vote system and advocates for “unanimous equality among sovereign states”, it has not been effectively implemented.

In 2022, the United Nations General Assembly passed a resolution requiring that “within ten days after the permanent members have one veto, the General Assembly needs to convene member states to discuss and review again” (Wu, 2022). Unlike the United Nations Security Council, the voting system in the United Nations General Assembly does not have such strict voting procedures. Secondly, the voting allocation system of the United Nations General Assembly implements a “one country, one vote system”, with an absolute majority system and no one vote veto system to maintain voting balance. Once again, the absolute majority system of over two-thirds in the United Nations General Assembly is qualitative, and for two results, such as 66.7% and 99.9%, which are both approved, it cannot quantitatively reflect the differences in the voting willingness of member states.

⁵ The United Nations General Assembly Resolution, 51st Session, Art. 47.

⁶ United Nations General Assembly’s Emergency Special Session, 11th Session.

Compared to this year's decision cooling off period when the Security Council applied the "re discussion review", it is clear that the procedural nature of the United Nations General Assembly is insufficient.

Voting groups have intensified the fragmentation of the voting process in the United Nations General Assembly. From 1946 to 1973, it can be seen that the United Nations voting group was relatively stable (Holcombe & Sobel, 1996, p. 1). Afterwards, with the continuous increase of United Nations membership, new member states followed different voting groups, leading to increased uncertainty in the voting results (Holcombe & Sobel, 1996, p. 18). Voting groups also exist within countries, for example, data on voting behavior from 1984 to 2005 indicate that governments of different ideologies have different voting positions on the issue of unity in the United Nations General Assembly (Potrafke, 2009, p. 1). On February 21st, 2022, Russian President Vladimir Putin delivered a speech stating that "NATO's eastward expansion led by some country disregarded Russia's national security, leading to a European security crisis" (Xinhua News Agency, 2022). It can be seen that various interest groups have different definitions of "fairness and equality" due to ideological and other factors, and the voting groups they represent also vary. Member States with similar positions form the same voting group and make different voting rights choices in the United Nations General Assembly, which to some extent affects the decision-making efficiency of the voting system itself. The United Nations represents numerous national interest groups and maintains the current international order and relations. The United Nations General Assembly provides a platform for discussion among various member states, promoting a sense of belonging among voting groups and facilitating communication with each other to understand the positions of other countries on issues, and making voting choices based on international relations. However, knowing the voting positions of other countries in advance is not conducive to achieving the fairness and impartiality of the voting system itself (Magu & Mateos, 2008, p. 1175). The key to determining the legitimacy of voting groups lies in whether they comply with international law and take into account the common interests of the general membership. Although international organizations have insufficient influence on the binding power of national voting decisions, each country needs other countries to maintain its own voice in international organizations through voting groups (Adhikari, 2018, p. 530). The existing voting groups also exacerbate the polarization of the international community, driving the fragmentation of international law development, which is not conducive to countries around the world solving international issues together.

Difficulties Faced by the Reform of the Voting System in the United Nations General Assembly

This chapter mainly explores the difficulties faced by the voting system in the United Nations General Assembly. Some countries have defaulted on United Nations contributions, leading to financial crises and hindering institutional reform; In addition, there are certain management issues within themselves, and some countries control the power of the United Nations, further hindering United Nations reform.

Financial Crisis of United Nations Contributions

The financial crisis in the United Nations membership system has led to a lack of motivation for voting reform. Firstly, Article 17 (2) of the Charter of the United Nations stipulates that "the funding of the United

Nations mainly comes from contributions paid by Member States,⁷ peacekeeping operations, and voluntary contributions (Volger, 2010, pp. 198-199) from the Geneva Group”. Individual member states have the ability but are unwilling to pay their dues, which violates their legal obligations as member states. In the long run, this can also lead to a financial crisis for the United Nations. There have been three debates so far, namely the “debate on peacekeeping financing” in 1956, the “zero growth of the United Nations budget” in 1984, and the “failure of the some countries to pay its dues” since the 1990s (Volger, 2010, pp. 182-187). Secondly, although the seventh principle of the Declaration of Principles of International Law⁸ and Article 2, paragraph 2, of the Charter of the United Nations stipulate that “all Member States shall fulfill their obligations under this Charter in good faith” and “fulfill their obligations under the Charter in good faith, with priority over other international agreement obligations”, certain powerful countries blatantly violate the agreement and force other countries to comply unconditionally through coercion or sanctions (The Ministry of Foreign Affairs responds, Beijing Business Daily website, 2022). In recent years, some countries have owed up to \$1 billion in dues and over \$1.4 billion in peacekeeping funds, accounting for about 70% of the total amount owed, citing reasons such as an unreasonable voting system, insufficient budget, low administrative efficiency, and harm to the interests of their own country. For those who fail to fulfill their commitments to pay the United Nations membership dues on time, the country should be held accountable for improper behavior (Liang, 2011, pp. 107-112). Thirdly, although Article 19 of the Charter of the United Nations stipulates that “arrears of up to two years in contributions will lose the voting rights of the General Assembly”,⁹ it is limited to the General Assembly and does not involve the Security Council or other United Nations agencies, nor does it specify the punishment for arrears of twice the amount, nor does it specify the punishment for the length of arrears, which seems to have no actual binding effect on certain countries. This further hinders the fairness of consistency between power and responsibility.

Inherent Management Drawbacks and External Constraints

The fundamental flaws in the management of the United Nations itself are deeply ingrained. In the early days of its establishment in 1945, the United Nations had around 1,500 employees. In 2022, there were over 37,000 formal employees, including approximately 12,000 consultants, contract workers, volunteers, and interns (Official Website of United Nations, 2022). Under the unified management of United Nations funds, its staff receive good salaries and benefits, but work efficiency needs to be improved, and the staffing is cumbersome. Secondly, the capitals of 193 Member States have one or more United Nations resident offices, while Rome, Italy, has three international organizations responsible for food and agriculture, resulting in overlapping United Nations agencies. Once again, the United Nations Headquarters in New York has hundreds of meetings and hundreds of thousands of pages of documents issued every day, but there are very few attendees, and many contents of the United Nations General Assembly are mere formality. Once again, there are certain issues with the management philosophy of some United Nations staff. In 1993, the United Nations’ peacekeeping operation in Cambodia required less than 100 vehicles, but it spent over 6.2 million US dollars purchasing 805 vehicles in Japan. The reporter inquired about this matter with the then assistant for investigation and inspection affairs and was informed that “the excess can be used in other places such as Somalia”. In fact, Somalia also has its own

⁷ Charter of the United Nations, Art. 17, Para. 2.

⁸ Declaration of Principles of International Law, Art. 7.

⁹ Charter of the United Nations, Art. 19.

procurement plan and budget, which has caused serious procurement waste (Liu, 1995). Finally, the existing voting allocation and voting systems of international organizations are complex and diverse, which not only fail to have practical effects, but also add many administrative burdens to the international proceedings. The rules of procedure used by different member states in different international organizations vary, resulting in vastly different outcomes, greatly exacerbating conflicts of interest among member states. At present, a complete and unified set of voting rules for international organizations has not yet been formed, which requires the standardization and organization of voting allocation and voting systems, and the selection of a unified and complete United Nations voting system.

The power of hegemonic countries to control the United Nations General Assembly is difficult to shake. In 2019, at the 74th United Nations General Assembly, the some country refused the visa for the Russian delegation on the grounds of “premature visa application”;¹⁰ In February 2020, some country postponed the visa for the Russian delegation to participate in the United Nations Disarmament Commission, resulting in the postponement of the meeting (China Economic Network, 2020); On February 28th, 2022, some countries expelled the Russian delegation to the United Nations for engaging in espionage activities, revoking their residency rights (The Official International Online Account, 2022). In response, Russia proposes to “relocate the United Nations headquarters to a neutral country”. In April 2022, the United Nations General Assembly voted 60:18 to reject the Russian proposal.¹¹ On April 7th, 2022, the General Assembly of the United Nations adopted the resolution “Suspension of Russian membership in the United Nations Human Rights Council”, which fully demonstrates that the resolution was strongly interfered by some powerful countries, and its impact is not conducive to the effective protection of human rights by the international community, nor to easing the situation of the Russia-Ukraine conflict (Global Times, 2022). Some countries rely on their strong strength in certain fields to engage in hegemonic or power political intervention against other countries, thereby hindering the equal and independent rights of many countries. The illegality of unilateralism seriously violates the purposes of the United Nations Charter and is not conducive to the normal development of the United Nations voting system. Although there is increasing opposition from the outside world towards certain powerful countries, the international influence of the world’s only superpower remains significant. It controls the United Nations through its own international status, hinders the fair and effective operation of the voting system in the United Nations General Assembly, and safeguards its own interests. At the same time, the international community currently lacks effective legal measures to break the existing unilateralism in the international community (Yang, 2009, p. 71).

Suggestions for the Reform of the Voting System in the United Nations General Assembly

Regarding the issue of the voting system in the United Nations General Assembly, this chapter proposes reform suggestions for the voting system from a macro to micro perspective, starting from the perspective of the international community. Based on China’s stance on the reform of the voting system in the United Nations General Assembly, I also propose prospects for the reform of its voting system.

¹⁰ Index to Proceedings of the General Assembly, 74th Session.

¹¹ The United Nations General Assembly Resolution, 76th Session, at Art. 261.

Suggestions for the Reform of the Voting System in the United Nations General Assembly by the International Community

On November 17th, 1989, the 44th session of the United Nations General Assembly passed a resolution on the “United Nations Decade of International Law Project”. From 1990 to 1999, the United Nations Secretary General sought reform opinions from Member States and relevant international organizations, including continuously deepening the reform of the United Nations Charter and its voting system.¹² On January 25th, 2021, at the “Vodas Agenda” dialogue held at the World Economic Forum, leaders of multiple countries called on the international community to practice multilateralism and jointly address global challenges.¹³ On July 3rd, 2022, representatives of the five permanent members of the United Nations participated in the World Peace Forum in Beijing. Russian Ambassador to China, Andrei Denisov, believed that “developing countries should have more authority to maintain world peace and development” and was widely recognized (China News Network, 2022). The international community is working together to achieve multilateralism and promote the reform of the voting system in the United Nations General Assembly by continuously enhancing the effectiveness of United Nations resolutions.

About 75% of the American public held a positive attitude towards the United Nations in the late 1990s; But after 2003, due to the some country ignoring the authority of the United Nations and invading Iraq, the majority of the American people held reservations towards the United Nations and believed that it should become stronger, improve administrative efficiency, increase the number of permanent members of the Security Council, regulate international arms sales, command standing peacekeeping forces, and conduct in-depth investigations into human rights violations (Volger, 2010).

The former Soviet Union proposed the reform of the “Troika Proposal” as early as September 1960 at the 15th United Nations General Assembly, which aimed to redistribute power through the voting system. The Secretary General should be composed of Western countries, socialist countries, and the Third World (Luard, 1982/1989). Since the 1990s, Russia has supported the “Peace Agenda” proposed by former United Nations Secretary General Boutros Boutros Gali in June 1992, without the need to revise the United Nations Charter, but has emphasized the necessity of United Nations reform and proposed “structural reforms to strengthen the binding force of United Nations resolutions” (Boardman, 1994). At the 43rd Munich Security Policy Conference in February 2007, Russian President Putin pointed out that “replacing unilateralism and resolving existing international issues through multilateral diplomacy” should make the voting system of the United Nations General Assembly more broadly representative (People’s Daily, 2007).

The European Union continues to develop common diplomacy and security, and strives to participate in United Nations proceedings as an “EU with equal status with countries”, in order to create a more common and independent European identity in the international community (Sucharipa, 2002, pp. 7-31). At the United Nations General Assembly on September 23rd, 1997, then British Foreign Secretary Robin Cook proposed that “the United Nations should play a greater role through reform”, and therefore the effectiveness of General Assembly resolutions should be enhanced through reform (Volger, 2010, p. 812). Germany is the third largest contributor

¹² The United Nations General Assembly Resolution, 44th Session, Art. 23.

¹³ Davos Report 2021 Global Engagement, 2021-2-9, Lucerne.

to the United Nations Congress and hopes to become a permanent member of the Security Council. In order to meet this demand, Germany naturally calls for greater reform of the United Nations General Assembly. France actively participated in the negotiations on the follow-up instrument to the Kyoto Protocol signed in December 1997. The then President Nicolas Sarkozy suggested that the United Nations General Assembly explore and discuss the establishment of a United Nations environmental organization. However, due to the drawbacks of the voting system, there were conflicts of national interests and different political will among different countries, which ultimately put this on hold (United Nations Industrial Development Organization, 2006).

Other countries, such as Japan, have been providing high funding to the United Nations, but within the United Nations system, there are very few Japanese senior staff members, which is also what Japan has been calling for change in the United Nations General Assembly (Drifte, 1988, pp. 102-107). On August 31st, 2007, the United Nations Secretary General's report pointed out that, as Japan believes, the personnel allocation system in the United Nations General Assembly is not representative enough, and the allocation system should appropriately consider factors such as geography and population.¹⁴ According to a public opinion survey conducted at the annual meeting of the San Francisco Institute for International Studies, citizens of third world countries such as Latin America often see the United Nations flag due to war, resulting in a higher level of prestige for the United Nations in their hearts compared to their own governments (Diven, 2008). On September 5th, 2000, the United Nations Summit adopted the United Nations Millennium Declaration on "Improving World Poverty", which was supported by a large number of African countries. However, it was widely reflected that the process was too slow to solve the current thorny problems.¹⁵

Overall, in the past three decades, the international community has generally called for reform of the United Nations, including the operational mechanisms of the General Assembly, especially to improve the effectiveness of General Assembly resolutions.

China's Reform Position on the Voting System of the United Nations General Assembly

In October 1971, the United Nations General Assembly passed a resolution to restore the legitimate seat of the People's Republic of China, and China sent a delegation to attend the 26th session of the General Assembly.¹⁶ Afterwards, China has always supported and fulfilled the international obligations entrusted to it by the United Nations and vigorously promoted international development. For example, in 2017, China's strong support to the United Nations system reached 326 million US dollars, ranking 13th among member states and being the country with the highest foreign support among members of the Development Assistance Committee under the OECD (Mao, 2020, p. 55). In June 2018, Ma Xinmin, then Deputy Director of the Department of Treaty and Law of the Ministry of Foreign Affairs of China, believed that economic globalization requires the international community to formulate laws and regulations on global governance of the "sea and air network polar territory", which requires the voting system of the United Nations General Assembly to be adjusted appropriately according to the characteristics of different fields (Luo, 2018). On April 23rd, 2019, in international negotiations on the mechanism for biodiversity beyond national maritime jurisdiction (BBNJ), China proposed the international governance concept of "a community with a shared future for the ocean", respecting the international legal status of sovereign

¹⁴ Composition of the Secretariat: Report of the Secretary General, 62th Session, Art. 315.

¹⁵ The United Nations General Assembly Resolution, 54th Session, Art. 282.

¹⁶ Index to Proceedings of the Security Council, 26th year, 1971, p. 1.

states' voting rights on ocean issues (Xue, 2021 p. 56). In 2020, China fully eradicated absolute poverty to fulfill the responsibility of member states, achieving the first goal of the United Nations' 2030 Agenda for Sustainable Development 10 years ahead of schedule (China International Development Knowledge Center, 2021). In September 2020, the Chinese Ministry of Foreign Affairs issued Article 4 (4) of the "Chinese Position Paper on the 75th Anniversary of the Establishment of the United Nations", stating that China maintains a governance system centered around the United Nations (Ministry of Foreign Affairs of the People's Republic of China, 2020) and vigorously promotes international cooperation and common development. This requires timely adjustments to the voting system of the United Nations.

China respects and adheres to the principle of unanimous equality among sovereign states. The People's Republic of China inherits and develops the Charter of the United Nations, regards sovereign equality as the most fundamental principle, advocates international relations norms based on sovereign equality and mutual benefit, and advocates the "Five Principles of Peaceful Coexistence" as an independent foreign policy, which is written into the Constitution of the People's Republic of China. The foundation of the Five Principles of Peaceful Coexistence is equality and mutual benefit, with the aim of achieving peaceful coexistence. The necessary conditions are mutual respect for sovereignty and territorial integrity, mutual non-aggression, and interference in internal affairs.¹⁷ The principle of equality and mutual benefit requires all countries to have equal international legal personality. Not infringing on the territorial integrity of each country and not interfering in its internal affairs are both good manifestations of respecting sovereign equality. Only under the premise of peaceful coexistence among various countries can good development be achieved (Li, 1989). The "one country, one vote system" of sovereign voting in the United Nations General Assembly, although fully reflecting the absolute equality of sovereign countries, to some extent, also relatively ignores the development differences among member states and does not take into account the relative equality between countries. Respecting sovereignty can not only be limited to the allocation of votes in the United Nations General Assembly, but should also be based on respecting the principle of sovereign equality. International law, as the law between equal and sovereign states, and the United Nations as the maintainer of the international order, should continuously adjust its rules based on the current development of the world. The Five Principles of Peaceful Coexistence can reflect the democratic spirit of the international community, interweaving the fundamental interests of various countries, and jointly establishing and realizing a new international political and economic order (Li, 2014, p. 88).

China advocates building a new type of global development partnership that is harmonious and win-win. Since 2013, the "the Belt and Road" initiative has established a large number of new Silk Road international cooperation platforms, which not only provide special tariff treatment to the least developed countries, but also provide effective assistance and security to the international community under the common problem of the COVID-19 epidemic (People's Daily, 2021), effectively promoting people's livelihoods and economic development among regions, and practicing the "principle of international cooperation" in the Declaration of Principles of International Law (United Nations General Assembly, 1970). In addition, Article 1 (3) of the Charter of the United Nations clearly states "promoting international cooperation" and proposes the concept of

¹⁷ The Constitution of the People's Republic of China, Preface.

“coordination” in Article 4.¹⁸ International cooperation coexists with competition, and human nature desires to obtain resources and achieve possession, resulting in inevitable competitive relationships between countries. However, in the face of common international problems such as inflation, the pressure of economic recovery, or the COVID-19 epidemic, it requires different countries to cooperate with each other to complement each other’s strengths and jointly deal with some international problems, so as to achieve a win-win situation (Jin, 2016, p. 10). The current international cooperation relationship only stays on certain international projects and has not been deeply rooted in the international cooperation system, manifested as a single and loose cooperation relationship (Yuan, 2021). However, China actively cooperates with other countries to narrow the gap between different countries and achieve common progress, and supports fair results through democratic voting to avoid conflicts. China also supports the reform of the United Nations voting system and calls for more consideration of the legitimate rights and interests of small countries to promote sustainable development internationally.

China is promoting the transformation of development concepts and implementing the 2030 Agenda for Sustainable Development. Development includes two categories, one is social development at the economic level, and the other is sovereign equality and political independence at the political level. As early as 1961, the United Nations International Cooperation Programme proposed providing financial assistance to developing countries and supporting their economic growth. However, international issues such as the North-South gap and development poverty have always been prevalent, indicating that international issues are not limited to the economic and social fields, but should be considered from the political and power perspectives (International Organizations Writing Group, 2018, p. 184), and thus require reform of the United Nations voting system. In the process of establishing various funding foundations, China fully respects the rules of procedure of the United Nations voting system, and through decision-making levels such as voting, better realizes the common development of the world. For example, while upholding the purpose of *the Olympic Charter*,¹⁹ China uses voting rules well to establish the Beijing Winter Olympics and Winter Paralympics with the theme of “Towards the Future Together”; Guided by the rules of procedure of various foundations, China actively advocates international young students to study in China and promote common development through cultural exchange; China promotes the establishment of various international youth innovation and entrepreneurship centers, providing more opportunities for foreign young people to come to China for development and further education. Driven by these platforms, research on the United Nations voting system is indispensable. Due to the different voting systems of foundations, the degree of funding varies, so the United Nations voting system needs to be appropriately reformed.

Reform Prospects of the Voting System on United Nations General Assembly

Strengthening the effectiveness of the voting system in the United Nations General Assembly is crucial. By expanding the scope of authority of the United Nations General Assembly, we aim to enhance the effectiveness of its resolutions and enhance the prestige of the United Nations in the international community, thereby maintaining world peace and development.

¹⁸ Charter of the United Nations, Art. 1, Para. 3-4.

¹⁹ Olympic Charter, Art. 2, Para. 6.

The voting system of the United Nations General Assembly should take into account factors such as the Security Council's "re-discussion and review". Firstly, as mentioned earlier, regarding the procedural issue of "the existing voting system cannot distinguish the wishes of member states" in the United Nations General Assembly voting, if we refer to the "re-discussion and review" applied by the Security Council, as in the calm decision-making period of member states, for resolutions that have just been passed with a proportion of 66.7%-70%, a re-voting by the United Nations General Assembly is needed, which is more conducive to the scientific validity of the voting results and promotes member states to better defend world peace and justice. Secondly, the progressive significance of the United Nations relative to the League of Nations lies in the "one vote veto power" of the Security Council. Although different from the voting privileges of permanent members in the Security Council, applying the veto power to non-procedural issues in the United Nations General Assembly can more democratically handle issues other than peace, in order to enhance the binding force of General Assembly resolutions.

The General Assembly's voting distribution system recommends appropriate reference to the "weighted system" to respect multilateralism (Yang, 2009, p. 64). The use of membership fees as the economic pillar of the operation of the United Nations should fully reflect the representativeness of "taxpayers" in the voting system. The voting allocation system of the United Nations General Assembly, based on respecting the principle of "one country, one vote sovereign equality", distinguishes the weight ratio of "basic and weighted voting" in the voting allocation system based on the time and amount of outstanding contributions (Qian, 2000); For malicious arrears in United Nations contributions, the removal of a Member State from the United Nations for a certain period of time, such as the right to vote in the General Assembly, can effectively avoid the absolute control of major powers, while fully considering the equal status of sovereign states, and further realizing the democratization of the voting system.

United Nations agencies should establish a "monitoring council". Throughout any country's administrative organs, they generally include legislative, judicial, administrative, and other units. United Nations agencies have administrative, judicial, and other internal structures, but lack oversight and accountability structures (Yao & Zhao, 2021). Inspired by the "former Indochina International Monitoring and Supervision Commission" (Li, 2014, p. 331), the sovereign voting system dominated by the United Nations General Assembly needs a monitoring organ composed of several member states to check, so as to realize the purposes of the Charter of the United Nations. The binding force of this "recall mechanism" can effectively curb the trampling of international law by powerful countries, thereby enhancing the credibility of the United Nations in the world.

Continuously improving the voting system of the United Nations General Assembly in "emerging fields", the unique characteristics of issues such as public health, maritime and outer space networks, food and energy, artificial intelligence, and financial security have called for the revision of the United Nations Charter. It has been several decades now, and the lag of laws cannot keep up with the pace of the times. Faced with non-traditional security crises, the existing United Nations sovereign voting system makes it difficult to make effective decisions based on the unique characteristics of emerging fields. This requires greater investment and continuous exploration of voting mechanisms in the United Nations General Assembly. It was not until October 2016 that the Internet's Number Allocation Structure (ICANN) and names were first included in the field of international law research (Bury, Lai, & Cai, 2021). In April 2019, the Financial Stability Board (FSB) released the "Catalogue

of Cryptographic Asset Regulation”, proposing international governance for regulation and data compliance in the field of fintech (Ma & Hu, 2020, p. 74). Although “financial security” involves the economic sector of the World Bank, it also concerns national security, and therefore the sovereign voting system should be applied. On March 27th, 2020, G20 leaders participated in the special summit on “COVID-19 Global Governance” and reached consensus on global governance of public health security, which requires timely adjustment of the voting system of the United Nations General Assembly to effectively solve international problems (Wang, 2021, p. 83).

Conclusion

Focusing on the purpose and content of the United Nations Charter, combined with the practice of the international community and the original intention of the voting system, this article focuses on studying the international legal issues that exist in the voting system of the United Nations General Assembly. Firstly, it elaborates on the empirical records of the voting system in the United Nations General Assembly, and based on this, raises the legal issues that exist, analyzes the reform difficulties, and proposes reform suggestions based on the international community and China’s reform stance. Theoretical analysis and empirical research on the voting system of the United Nations General Assembly show that the Assembly is not an international legislative body, and its unclear power boundaries lead to resolutions and illegal legal documents, lacking binding force. Unlike the procedural advantages of the Security Council such as “re review” and one vote veto, the only specific majority voting system in the United Nations General Assembly cannot quantitatively reflect the wishes of member states. In addition, the fragmentation of international law among voting groups has led to many problems in their voting procedures. Due to the financial crisis in the United Nations membership system, there is insufficient momentum for voting reform. The bottleneck of the United Nations’ own management and the dilemma of hegemonism controlling the reform of the United Nations General Assembly have added many difficulties to the reform of the voting system in the General Assembly. Although the international community has generally called for its reform, due to the above factors, voting reform has a long way to go. In addition, summarizing the reform suggestions of the international community for the United Nations General Assembly over the past 30 years, and studying China’s position on United Nations reform, this article proposes that the voting system of the United Nations General Assembly should refer to the “re-discussion and review” mechanism of the Security Council, and its voting allocation system should appropriately refer to the “weighting system” to respect multilateralism; United Nations agencies should establish a “supervisory council” to promote the balance of international power, and continuously improve the exploration of the United Nations General Assembly voting system in “emerging fields”.

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