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NOTE

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The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

1855th MEETING

Held in New York on Monday, 17 November 1975, at 10.30 a.m.

President: Mr. Yakov A. MALIK
(Union of Soviet Socialist Republics).

Present: The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroun, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1855)

1. Adoption of the agenda
2. Election of five members of the International Court of Justice (S/11801, S/11802/Rev.1, S/11802/Rev.1/Add.1 and 2, S/11803)

The meeting was called to order at 11 a.m.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/11801, S/11802/Rev.1, S/11802/Rev.1/Add.1 and 2, S/11803)

1. The PRESIDENT (*interpretation from Russian*): The Security Council will now proceed to elect five members of the International Court of Justice, in accordance with the provisions of the Statute of the International Court of Justice, to fill the five seats which will become vacant on 5 February 1976 on the expiration of the terms of office of Mr. M. Lachs, Mr. F. Ammoun, Mr. C. Bengzon, Mr. C. Petró and Mr. C. D. Onyeama.
2. Members of the Council have before them the list of candidates nominated by the national groups for the election to fill the five vacancies in the International Court of Justice [S/11802/Rev.1] and the curricula vitae of all the candidates [S/11803].
3. In his note of 12 November [S/11802/Rev.1/Add.1], the Secretary-General informed the Council that the national group of Ghana had decided not to press for the election of Mr. P. D. Anim to the International Court of Justice. However, since Mr. Anim's candidacy was also put forward by the national group

of Canada, which has not announced its withdrawal, his name remains on the list of candidates for election to the International Court of Justice. Accordingly, Mr. Anim's name is included in the ballot that will be used in the Security Council and in the General Assembly.

4. I would also mention the note from the Secretary-General [S/11802/Rev.1/Add.2] in which it is announced that Mr. S. Verosta of Austria does not wish to be considered as a candidate for election to the International Court of Justice. Accordingly, his name is not included in the ballot.

5. Thus the ballot contains the names of 17 persons, of whom five are to be elected to the International Court of Justice.

6. Members of the Council are also familiar with the Secretary-General's memorandum [S/11801] in which the procedural aspects of the election of members of the International Court of Justice are considered. According to Article 10, paragraph 1, of the Statute of the International Court of Justice, candidates obtaining an absolute majority of votes in the Security Council and in the General Assembly shall be considered elected to the International Court of Justice. The required majority in the Security Council is eight. Consequently, if more than five candidates receive the required majority we shall have to proceed in accordance with the procedure used in the past as set forth in paragraph 14 of the Secretary-General's memorandum—in other words, the Security Council will have to hold a new vote on all the candidates.

7. Before proceeding to the vote I should also like to remind members of the following provisions of Article 9 of the Statute of the International Court of Justice:

“At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.”

8. The vote will be by secret ballot. Only votes for candidates whose names appear on the ballot paper will be counted.

9. I would remind members of the provision of the Secretary-General's memorandum which stipulates that "each elector may vote for not more than five candidates on the first ballot" [*ibid.*, para. 11]. In other words, ballots containing more than five votes will be invalid.

A vote was taken by secret ballot.

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8

Number of votes obtained:

Mr. Manfred Lachs (Poland)	13
Mr. Salah El Dine Tarazi (Syrian Arab Republic)	11
Mr. Shigeru Oda (Japan)	8
Mr. Taslim Olawale Elias (Nigeria)	7
Mr. Hermann Mosler (Germany, Federal Republic of)	6
Mr. Abdul Hakim Tabibi (Afghanistan) ..	6
Mr. Mugo Waiyaki (Kenya)	5
Mr. Thusew Samuel Fernando (Sri Lanka)	4
Mr. Edvard Hambro (Norway)	4
Mr. Sture Petré (Sweden)	4
Mr. Rocheforte L. Weeks (Liberia)	3
Mr. Eero Johannes Manner (Finland) ..	2
Mr. Charles D. Onyema (Nigeria)	1

10. The PRESIDENT (*interpretation from Russian*): The following candidates have received the required majority of votes in the Security Council: Mr. Lachs, Mr. Tarazi and Mr. Oda.

11. Since only three candidates have obtained the required majority, the Security Council will now proceed to a second ballot, in order to fill the fourth and fifth vacant seats on the International Court of Justice. Members should vote only for candidates who did not receive the required majority in the first ballot. Moreover, members may vote for only two candidates. Any ballots on which more than two candidates have been voted for will be regarded as invalid.

A vote was taken by secret ballot.

Number of ballot papers:	15
Invalid ballots:	0
Number of valid ballots:	15
Required majority:	8

Number of votes obtained:

Mr. Taslim Olawale Elias (Nigeria)	8
Mr. Hermann Mosler (Germany, Federal Republic of)	6
Mr. Edvard Hambro (Norway)	4
Mr. Abdul Hakim Tabibi (Afghanistan) ..	4
Mr. Mugo Waiyaki (Kenya)	3
Mr. Eero Johannes Manner (Finland) ..	1

Mr. Sture Petré (Sweden)	1
Mr. Rocheforte L. Weeks (Liberia)	1

12. The PRESIDENT (*interpretation from Russian*): One candidate, Mr. Elias, has obtained the required majority. Since none of the other candidates on the ballot has obtained the required majority, the Security Council will now proceed to take another vote. All the conditions that I specified for the second vote are applicable to the third vote. I should like to remind members of the Council that they are to vote for only one candidate on the ballot.

A vote was taken by secret ballot.

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8

Number of votes obtained:

Mr. Hermann Mosler (Germany, Federal Republic of)	8
Mr. Edvard Hambro (Norway)	3
Mr. Abdul Hakim Tabibi (Afghanistan) ..	2
Mr. Mugo Waiyaki (Kenya)	2

13. The PRESIDENT (*interpretation from Russian*): Mr. Mosler has been elected the fifth candidate to the International Court of Justice. Since five candidates—Mr. Lachs of Poland, Mr. Tarazi of the Syrian Arab Republic, Mr. Oda of Japan, Mr. Elias of Nigeria and Mr. Mosler of the Federal Republic of Germany—have obtained the required majority of votes in the Security Council, I shall now communicate the results of the voting in the Council to the President of the General Assembly. I ask the Council to remain in session until the President of the Assembly has informed the Council of the results of the voting in the Assembly.

The meeting was suspended at 11.45 a.m. and resumed at 4.55 p.m.

14. The PRESIDENT (*interpretation from Russian*): I have just received a letter from the President of the General Assembly informing the Security Council that at the 2408th plenary meeting of the General Assembly held today to elect five members of the International Court of Justice the following candidates obtained the required majority: Mr. Taslim Olawale Elias, Mr. Manfred Lachs, Mr. Hermann Mosler, Mr. Shigeru Oda and Mr. Salah El Dine Tarazi.

15. Since the persons whose names I have just read out also obtained the required majority in the Security Council, they are consequently elected members of the International Court of Justice for a term of office of nine years, beginning on 6 February 1976.

16. It only remains for me to thank the members of the Security Council for their active and patient participation in today's meeting of the Council and to congratulate in their absence those who have today been elected to responsible posts in the International Court of Justice. To Mr. Oda we can convey our congratulations through our colleague Mr. Saito, the representative of Japan in the Council.

17. I should like to note the deep respect and profound confidence that the international community has demonstrated for the Polish jurist Mr. Lachs, President of the International Court of Justice, in the course of the Security Council and General Assembly elections of five new members of the Court. Mr. Lachs obtained the overwhelming majority of votes in the Council and in the Assembly, and he was elected in

the first round of voting in both these principal organs of the United Nations. As President of the Council and as the representative of the Soviet Union, I am very pleased to congratulate Mr. Lachs on his election as a member of the International Court of Justice.

18. Mr. SAITO (Japan): Mr. President, I should like to thank you for your warm congratulations. I believe that Mr. Oda, who has just been elected, will contribute to the work of the International Court of Justice and to the cause of peace. On this occasion I should like to express my thanks to the other members of the Security Council who have co-operated in promoting his success.

The meeting rose at 5 p.m.

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