



GENERAL ASSEMBLY

Fourth session

Item 44 of the agenda

ESTABLISHMENT OF AN ADMINISTRATIVE TRIBUNAL

APPOINTMENT OF MEMBERS

Report of the Fifth Committee.

Rapporteur: Dr. Maria Z.N. WITTEVEEN (Netherlands)

1. The General Assembly, at its 255th plenary meeting held on 24 November 1949, adopted, on the report of the Fifth Committee (A/1127), a resolution establishing a United Nations Administrative Tribunal, to come into force on 1 January 1950, together with the Statute of the Tribunal.
2. In accordance with the procedure referred to in the report of the Fifth Committee (A/1127, paragraph 10), relating to the method of appointment of members of the Tribunal, and with the request of the President of the General Assembly communicated to the Chairman of the Fifth Committee on 28 November 1949 (A/C.5/362), the Fifth Committee, at its 234th meeting held on 7 December 1949, considered the question of appointments to membership of the Tribunal as provided for in article 3 of the Statute, which reads:
 - "1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State ,...
 - "2. The members shall be appointed by the General Assembly for three years and they may be re-appointed; provided, however, that of the members initially appointed, the terms of two members shall expire at the end of one year and the terms of two members shall expire at the end of two years"
3. Prior to 7 December, the Chairman of the Fifth Committee had invited the members to suggest names of persons who might be recommended to the General Assembly for appointment. At the time when the matter was considered by the Fifth Committee, the names of ten candidates had been suggested. The Committee agreed with a proposal by the Chairman that a vote by secret ballot should first be taken on the seven persons to be recommended for membership of the Tribunal and that subsequent votes by secret ballot should then be taken for the purpose of deciding which of the seven members should serve for a three-year, two-year and one-year term respectively.

/4. The seven

4. The seven persons listed hereunder, having received a majority of the votes cast in the first ballot, were declared to be recommended for appointment:

Number of ballots cast	44
Number of valid ballots	44
Madame Paul Bastid	37
Lt. General His Highness Maharaja Jam Shri Digvijayasinhji Sahib	37
M. Omar Loutfi	37
Sir Sydney Caine	34
Dr. Emilio N. Oribe	32
Mr. Rowland Andrews Egger	31
Dr. Vladimir Outrata	29

A second ballot to decide on the members who should be proposed for a three-year term was then held with the following results:

Number of ballots cast	43
Number of valid ballots	43
Lt. General His Highness Maharaja Jam Shri Digvijayasinhji Sahib	27
M. Omar Loutfi	27
Madame Paul Bastid	23

A third ballot then took place to decide on the members to be proposed for a two-year term.

Number of ballots cast	42
Number of valid ballots	42
Dr. Emilio N. Oribe	25
Mr. Rowland Andrews Egger	23

As a consequence of the two latter ballots, it was decided that Sir Sydney Caine and Dr. Vladimir Outrata should be proposed for a one-year term.

5. The Fifth Committee therefore decided to recommend to the General Assembly the adoption of the following resolution:

APPOINTMENT OF THE MEMBERS OF THE ADMINISTRATIVE TRIBUNAL

The General Assembly

1. Appoints the following persons as members of the Administrative Tribunal in accordance with article 3 of the Statute of the Administrative Tribunal:

Madame Paul Bastid
Sir Sydney Caine
Lt. General His Highness Maharaja Jam Shri
Digvijayasinhji Sahib

/Mr. Rowland Andrews Egger

Mr. Rowland Andrews Egger

M. Omar Loutfi

Dr. Emilio N. Oribe

Dr. Vladimir Outrata

2. Declares the following members to be appointed for a three-year term, to commence on 1 January 1950:

Madame Paul Bastid

Lt. General His Highness Maharaja Jam Shri
Digvijayasinhji Sahib

M. Omar Loutfi

3. Declares the following members to be appointed for a two-year term, to commence on 1 January 1950:

Mr. Rowland Andrews Egger

Dr. Emilio N. Oribe

4. Declares the following members to be appointed for a one-year term, to commence on 1 January 1950:

Sir Sydney Caine

Dr. Vladimir Outrata
