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#### NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

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## 2255th MEETING

Held in New York on Wednesday, 12 November 1980, at 3.30 p.m.

*President:* Sir Anthony PARSONS (United Kingdom of Great Britain and Northern Ireland).

*Present:* The representatives of the following States: Bangladesh, China, France, German Democratic Republic, Jamaica, Mexico, Niger, Norway, Philippines, Portugal, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

### Provisional agenda (S/Agenda/2255)

1. Adoption of the agenda
2. Date of elections to fill two vacancies in the International Court of Justice (S/14246)

*The meeting was called to order at 4.00 p.m.*

### Expression of thanks to the retiring President

1. The PRESIDENT: As this is the first formal meeting of the Security Council for the month of November, I should like to pay a tribute on behalf of the Council to the President for the month of October, Ambassador Oleg Troyanovsky, representative of the Union of Soviet Socialist Republics, for the great diplomatic skill and expedition with which he conducted our business during the month of October.

### Expression of welcome to the Secretary of State for Foreign Affairs and Co-operation of the Niger

2. The PRESIDENT: I should also like to welcome Mr. Hamid Algabid, the Secretary of State for Foreign Affairs and Co-operation of the Niger, who is present with us this afternoon.

### Adoption of the agenda

*The agenda was adopted.*

### Date of elections to fill two vacancies in the International Court of Justice (S/14246)

3. The PRESIDENT: Members of the Council will have had an opportunity to study document S/14246, which explains the need for this item on our agenda. The recent deaths of Judge Richard Reeve Baxter on 25 September, and of Judge Salah El Dine Tarazi on 4 October, have created two vacancies on the International Court of Justice which have to be filled.

4. I am sure that I am expressing the sentiments of all members of the Council in extending sincere condolences to the delegations of the United States and the Syrian Arab Republic on this sad occasion.

5. Richard Reeve Baxter studied at Brown, Harvard, Cambridge and Georgetown Universities and was a member of the Massachusetts Bar. In the course of a long academic career, he was the Manley Hudson Professor of Law at Harvard University for many years. He also taught at the Universities of Cambridge and the Philippines as well as lecturing to The Hague Academy of International Law. He acted as a counsellor on international law to the United States Department of State and, at different times, as a consultant to the United Nations Institute for Training and Research and to the Secretariat of the United Nations. Judge Baxter was a member of several United States delegations to conferences on questions of international law, most recently the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, from 1974 to 1976, where he acted as chairman of one of the working groups. Judge Baxter was the author of many learned works on international law, in particular his book on *The Law of International Waterways*. He was elected a member of the Court with effect from 6 February 1979 and, in accordance with Article 13 of the Statute of the Court, his term of office would have expired on 5 February 1988. He was a most distinguished international lawyer and an eminent judge. His contributions to international law were very considerable and his early death constitutes a loss, not only to the United States, but also to the international community as a whole.

6. Judge Salah El Dine Tarazi graduated as doctor of law in 1945 and held an honorary doctorate from the University of Hyderabad. After practising as a lawyer in Syria between 1940 and 1947, he pursued an academic career at the University of Damascus. During the course of a long career in the service of his Government, he acted as Secretary-General of the Ministry of Foreign Affairs and as the Ambassador of Syria to the Soviet Union and to Turkey. He was also Ambassador of the United Arab Republic to Czechoslovakia and to China. From 1962 to 1964, he was the Permanent Representative of Syria to the United Nations. He represented Syria on several legal committees and at the United Nations Conference on the Law of Treaties. Judge Tarazi was the author of several publications and lectured to The Hague

Academy of International Law. Judge Tarazi was elected to the Court on 17 November 1975 and, but for his tragic death in a traffic accident, his term of office would have expired on 5 February 1985. Judge Tarazi was a very distinguished diplomat and lawyer whose contributions to the work of the International Court of Justice will long be remembered. His death is mourned not only in Syria but throughout the entire international community.

7. Under Article 14 of the Statute of the Court, the Security Council is required to fix the date of the election to fill any vacancy in the Court. Members of the Council have before them the text of a draft resolution in document S/14253. It is my understanding that the Council is ready to proceed to the vote now on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote.

*A vote was taken by show of hands.*

*The draft resolution was adopted unanimously (resolution 480 (1980)).*

8. Mr. McHENRY (United States of America): The United States joins with others in expressing deep regret to the Government and people of Syria and to the International Court of Justice at the death of Judge Salah El Dine Tarazi. We regret that the participation of Judge Tarazi in the work of the International Court of Justice and his distinguished life of service to his country were cut short by the accident that took his life in The Hague.

9. Mr. President, I want to thank you for the tribute you have today paid to Judge Richard Baxter, and wish to say a few words in response.

10. Richard Baxter's academic career was exceptionally distinguished. He went to Harvard at the end of the Second World War, took up an academic post at the Law School at Harvard in 1954 and remained there until his election to the International Court of Justice in 1978. For the long period 1970 through 1978, he served as Editor-in-Chief of the *American Journal of International Law* with its extraordinarily demanding scholarship and as President of the American Society of International Law from 1974 through 1976. Among the outstanding qualities of his scholarship were scrupulous care, objectivity, balance and judiciousness in the best sense of the term. He was an exceedingly kind and gentle man.

11. Dick Baxter studied with enormous enthusiasm with then Professor Hersch Lauterpacht at Cambridge in 1950-1951 and lectured extensively abroad in later years, especially in Egypt, the Netherlands and Poland. He was in that rare company of members of the Institut de droit international. He was counsel to Governments on three continents and had a host of friends in international law circles throughout the world.

12. Professor Baxter devoted much of his life to the progressive development of the law of war in attempting to reduce the terrible suffering that hostilities always cause. Thus he was instrumental in helping to develop Additional Protocols I and II to the Red Cross Conventions for the protection of victims of war, adopted in Geneva in 1977.

13. We feel keenly the tragedy of Judge Baxter's premature and painful death. His life in the law gave every indication of the contribution to the work of the International Court of Justice that he would have made had he been spared. The best tribute that we can pay to him is to recall the potential of the Court for resolving disputes and to redouble our will to help the Court play that greater role in the affairs of nations for which the Charter of the United Nations has always hoped.

14. The PRESIDENT: I should like to inform members of the Council that I have received a letter from the representative of the Syrian Arab Republic in which he requests to be invited to make a statement. In accordance with the usual practice, I propose, with the consent of the Council, to extend an invitation to that representative, in accordance with rule 37 of the provisional rules of procedure.

*At the invitation of the President, Mr. Siage (Syrian Arab Republic) took a place at the Council table.*

15. The PRESIDENT: I call on the representative of the Syrian Arab Republic.

16. Mr. SIAGE (Syrian Arab Republic): At the outset I should like to congratulate you, Mr. President, on your assumption of the presidency of the Council for this month. Your diplomatic skill and ability have lent you authority among your colleagues at the United Nations.

17. I should like also to take this opportunity to thank your predecessor, Ambassador Troyanovsky of the Soviet Union, who, as the representative of a great country with which the Syrian Arab Republic continues to maintain relations of co-operation and friendship, so efficiently and ably presided over the Council during the month of October.

18. We are meeting here today to pay tribute to two eminent international jurists: the late Judge Richard Baxter from the United States of America and the late Judge Salah El Dine Tarazi from the Syrian Arab Republic. I should like here to express the condolences of my Government to the Government of the United States of America and the family of Judge Baxter on his untimely demise.

19. Judge Tarazi, as the President mentioned, served his country for 30 years with honour, dedication and loyalty as a professor at the Law School of the University of Damascus, as an ambassador to the Soviet Union, China, Turkey and Czechoslovakia, as the

Permanent Representative to the United Nations and as Secretary-General of the Ministry of Foreign Affairs. For over four years, and with the same honour, dedication and loyalty, he also served the international community as a Judge of the International Court of Justice.

20. I address the sincere gratitude of the Syrian Government to you, Mr. President, and through you to the other members of the Council and all others who have expressed their condolences and sympathy.

*The meeting rose at 4.15 p.m.*





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