



**CONTENTS**

	<i>Page</i>
Organization of work .....	1757
Tribute to the memory of Mr. Aleksei Nikolayevich Kosygin, former Chairman of the Council of Ministers of the Union of Soviet Socialist Republics .....	1757
Agenda item 97: Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions ( <i>continued</i> ) .....	1757
Agenda item 123: Launching of global negotiations on international economic co-operation for development ( <i>continued</i> ) .	1758
Agenda item 15: Elections to fill vacancies in principal organs ( <i>concluded</i> ): (c) Election of two members of the International Court of Justice: (i) Vacancy caused by the death of Mr. Richard R. Baxter; (ii) Vacancy caused by the death of Mr. Salah El Dine Tarazi .....	1758

**President: Mr. Rüdiger von WECHMAR**  
(Federal Republic of Germany).

**Organization of work**

1. The PRESIDENT: As members of the General Assembly will recall, the Assembly decided at its 99th plenary meeting, on 17 December 1980, that it would reconvene the thirty-fifth session for the sole purpose of considering four agenda items, namely: item 15 (c), "Election of two members of the International Court of Justice"; item 27, "Question of Namibia"; item 30, "Question of equitable representation on and increase in the membership of the Security Council"; and item 123, "Launching of global negotiations on international economic co-operation for development".

2. I suggest that the Assembly should consider today agenda items 123 and 15 (c). As for agenda item 30, its consideration is deferred until tomorrow afternoon, as requested by the representative of India on behalf of the sponsors of draft resolution A/35/L.34/Rev.2. As for agenda item 27, I suggest that the Assembly take it up at a later date, after appropriate consultations.

*Tribute to the memory of Mr. Aleksei Nikolayevich Kosygin, Former Chairman of the Council of Ministers of the Union of Soviet Socialist Republics*

3. The PRESIDENT: We have learned with deep regret of the death of the former Chairman of the

Council of Ministers of the Union of Soviet Socialist Republics, Mr. Aleksei N. Kosygin. On behalf of the General Assembly, I should like to extend to his family and to the Government and people of the Union of Soviet Socialist Republics our profound condolences.

4. I invite representatives to stand and observe a minute of silence in tribute to his memory.

*The members of the General Assembly observed a minute of silence.*

5. The PRESIDENT: I call on the representative of the Union of Soviet Socialist Republics.

6. Mr. LOZINSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): On behalf of the delegation of the Soviet Union, I should like to express our gratitude for the Assembly's warm expression of condolences on the death of the eminent leader of the Soviet Union, Mr. Aleksei Nikolayevich Kosygin, who was for many years Chairman of the Council of Ministers of the Soviet Union. Throughout his life, Aleksei Nikolayevich Kosygin made a great contribution to the peaceful building of our country, to the strengthening of peace throughout the world and to the development of friendly relations between States. The blessed memory of Mr. Kosygin will remain always in the hearts of the Soviet people and of those who knew him in his international activities.

**AGENDA ITEM 97**

**Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (*continued*)\***

7. The PRESIDENT: Before taking up the first item on our agenda for this morning, I should like to invite the attention of the General Assembly to document A/35/792, which contains a letter addressed to me by the Secretary-General informing the General Assembly that eight Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

8. I should like to remind delegations that, under Article 19 of the Charter,

"A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

In the light of this provision and in accordance with the practice of the General Assembly, I am obliged to

\* Resumed from the 50th meeting.

inform the delegations concerned that they will not be authorized to participate in the vote.

### AGENDA ITEM 123

#### Launching of global negotiations on international economic co-operation for development (*continued*)

9. The PRESIDENT: As members will recall, the General Assembly, at its 99th plenary meeting, requested the President of the General Assembly to continue consultations concerning agenda item 123 with a view to reporting the results of those consultations to the Assembly at its resumed thirty-fifth session. Since then I have received numerous comments from groups and individual delegations, both orally and in writing, with regard to draft texts which I had produced on 14 December of last year. Since my return to New York earlier this month, I have consulted with more than 30 delegations interested in this important subject.

10. On the basis of those talks and the comments mentioned earlier, I have come to the conclusion that I should ask the Assembly to extend the mandate given to me last December. May I take it that it is the wish to the General Assembly to request its President to pursue his consultations on this item and to report to the Assembly on the outcome of those consultations at a later date?

*It was so decided.*

### AGENDA ITEM 15

#### Elections to fill vacancies in principal organs: (*concluded*)\*

##### (c) Election of two members of the International Court of Justice:

- (i) Vacancy caused by the death of Mr. Richard R. Baxter;
- (ii) Vacancy caused by the death of Mr. Salah El Dine Tarazi

11. The PRESIDENT: Before we proceed to the elections, I should like to draw the attention of the members of the General Assembly to the procedure we shall follow. The Assembly will, under agenda item 15 (c), elect a member of the International Court of Justice to fill the vacancy caused by the death of Judge Richard R. Baxter. Once that vacancy has been filled in accordance with the Statute of the International Court of Justice, the Assembly will then proceed to elect a member of the Court to fill the vacancy caused by the death of Judge Salah El Dine Tarazi. In connexion with the elections, I should like to bring the following information to the attention of the members of the General Assembly.

12. First, in accordance with General Assembly resolution 264 (III), a State which is a Party to the Statute of the International Court of Justice, but not a Member of the United Nations, may participate in the election in the General Assembly with the same rights as the States Members of the United Nations. On this occasion I am happy to welcome here the representatives of Liechtenstein, San Marino and Switzerland.

13. Secondly, I should like to confirm that, independently of the General Assembly, the Security Council will proceed to the election of two members of the Court. This procedure is consistent with Article 8 of the Statute of the Court, which provides that

“The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.”

Accordingly, for each of the two elections, the result of the voting in one of the organs will not be communicated to the other organ until the voting in both organs is completed.

14. Finally, I should like to draw the attention of the members of the Assembly to the documents relating to the election. The Assembly has before it document A/35/708, containing a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council in regard to the election. In connexion with subitem (c) (i), the list of candidates nominated by national groups is to be found in document A/35/786-S/14311 and the curricula vitae of those candidates are contained in document A/35/787-S/14312. Since then, however, one of the persons nominated by a national group, Mr. Oscar Schachter, has indicated that he did not wish to be considered as a candidate. That information is contained in document A/35/786/Add.1-S/14311/Add.1.

15. In accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected. For the present election, 79 votes constitute an absolute majority in the General Assembly.

16. Representatives are requested to use only the ballot papers now being distributed and to place a cross at the left of the name of the candidate for whom they wish to vote. No names may be written in on the ballot papers; if this is done the ballot will be considered invalid.

17. The General Assembly will now proceed to a secret ballot in accordance with rule 92 of the rules of procedure. I request representatives to remain in the hall until the result of the voting is announced. If on the first ballot, the required majority is not obtained, it will be necessary to proceed to other ballots until the vacancy is filled. I know that I shall be able to rely on the patience of representatives during the time inevitably required for counting the votes.

18. I call on the representative of the Union of Soviet Socialist Republics on a point of order.

19. Mr. LOZINSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): Before we proceed to the vote, Mr. President, in view of the statement you made in respect of document A/35/792, the delegation of the Soviet Union wishes to express its reservation and confirm its position concerning the need to give due consideration to the question of depriving States which are in arrears in their contributions of their right to vote.

20. The PRESIDENT: The observation of the representative of the USSR will be contained in the record.

\* Resumed from the 61st meeting.

*At the invitation of the President, Mr. Fernández (Chile), Mr. Dlamini (Swaziland) and Mr. Jovanić (Yugoslavia) acted as tellers.*

*A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	142
<i>Number of invalid ballots:</i>	1
<i>Number of valid ballots:</i>	141
<i>Abstentions:</i>	19
<i>Number of members voting:</i>	122
<i>Required absolute majority:</i>	79

*Number of votes obtained:*

Mr. Stephen Schwebel (United States of America) .....	122
---	-----

21. The PRESIDENT: I shall now read the following letter, dated 15 January from the President of the Security Council communicating the result of the vote in the Council:

“I have the honour to inform you that at the 2262nd meeting of the Security Council, held on 15 January 1981 in order to elect a member of the International Court of Justice to fill the vacancy caused by the death of Judge Richard R. Baxter, Mr. Stephen Schwebel received an absolute majority of votes.”

22. As a result of the voting that has taken place independently in the General Assembly and in the Security Council, Mr. Stephen Schwebel of the United States of America, having obtained the necessary majority of votes in both organs, has been elected a member of the International Court of Justice for a term of office expiring on 5 February 1988. I take this opportunity to extend to him the congratulations of the Assembly on his election to this high office.

23. We shall now proceed to elect a member of the Court to fill the vacancy caused by the death of Judge Salah El Dine Tarazi. In this connexion I should like to announce that the list of candidates that have been nominated by national groups for this vacancy is contained in document A/35/788-S/14313 and the curricula vitae of those candidates is contained in document A/35/789-S/14314.

24. Since then, however, three of the persons nominated by national groups—Mr. Edilbert Razafindralambo, Sir Maurice Rault and Mr. Ali Suat Bilge—have indicated that they do not wish to be considered as candidates. That information is contained in documents A/35/788/Add.1-3-S/14313/Add.1-3.

25. The Assembly will now proceed to the vote. Again, representatives are requested to use only the ballot papers now being distributed and to place a cross at the left of the name of the candidate for whom they wish to vote. Ballot papers on which more than one name is marked will be considered invalid.

26. The General Assembly will now proceed to a secret ballot in accordance with rule 92 of the rules of procedure. I request representatives to remain in the hall until the result of the voting is announced. If on the first ballot a candidate does not obtain the required majority, it will be necessary to proceed to other ballots until the vacancy is filled.

*At the invitation of the President, Mr. Fernández (Chile), Mr. Dlamini (Swaziland) and Mr. Jovanić (Yugoslavia) acted as tellers.*

*A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	144
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	144
<i>Abstentions:</i>	2
<i>Number of members voting:</i>	142
<i>Required absolute majority:</i>	79

*Number of votes obtained:*

Mr. Mustapha Kamil Yasseen (Iraq) .	65
Mr. Abdallah Fikri El-Khani (Syrian Arab Republic) .....	65
Mr. Antoine Fattal (Lebanon) .....	7
Mr. Sompong Sucharitkul (Thailand) .	5

27. The PRESIDENT: Since no candidate obtained the required absolute majority, the Assembly will proceed to vote again.

28. We shall now distribute ballot papers to you and I would like to recall that no name should be entered there. You should make a cross on the left side of the name of the candidate for whom you wish to vote.

*At the invitation of the President, Mr. Fernández (Chile), Mr. Dlamini (Swaziland) and Mr. Jovanić (Yugoslavia) acted as tellers.*

*A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	144
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	144
<i>Abstentions:</i>	3
<i>Number of members voting:</i>	141
<i>Required absolute majority:</i>	79

*Number of votes obtained:*

Mr. Abdallah Fikri El-Khani (Syrian Arab Republic) .....	69
Mr. Mustapha Kamil Yasseen (Iraq) .	67
Mr. Sompong Sucharitkul (Thailand) .	3
Mr. Antoine Fattal (Lebanon) .....	2

29. The PRESIDENT: Since no candidate obtained the required absolute majority, the Assembly will proceed to vote again.

*At the invitation of the President, Mr. Fernández (Chile), Mr. Dlamini (Swaziland) and Mr. Jovanić (Yugoslavia) acted as tellers.*

*A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	141
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	141
<i>Abstentions:</i>	5
<i>Number of members voting:</i>	136
<i>Required absolute majority:</i>	79

*Number of votes obtained:*

Mr. Abdallah Fikri El-Khani (Syrian Arab Republic) .....	74
Mr. Mustapha Kamil Yasseen (Iraq) .	61
Mr. Sompong Sucharitkul (Thailand) .	1

30. The PRESIDENT: Since no candidate has obtained the required absolute majority, the Assembly will proceed to another ballot.

*At the invitation of the President, Mr. Fernández (Chile), Mr. Dlamini (Swaziland) and Mr. Jovanić (Yugoslavia) acted as tellers.*

*A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	142
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	142
<i>Abstentions:</i>	3
<i>Number of members voting:</i>	139
<i>Required absolute majority:</i>	79
<i>Number of votes obtained:</i>	
Mr. Abdallah Fikri El-Khani (Syrian Arab Republic) .....	84
Mr. Mustapha Kamil Yasseen (Iraq) .	55

31. The PRESIDENT: Mr. Abdallah Fikri El-Khani, of the Syrian Arab Republic, has accordingly received the required absolute majority in the General Assembly. I have communicated this result to the President of the Security Council.

32. I shall now read the following letter from the President of the Security Council communicating the result of the vote in the Council:

“I have the honour to inform you that at the 2262nd meeting of the Security Council, held on 15 January 1981 in order to elect a member of the

International Court of Justice to fill the vacancy caused by the death of Judge Salah El Dine Tarazi, Mr. Abdallah Fikri El-Khani received an absolute majority of votes.”

33. As a result of the voting that has taken place independently in the General Assembly and in the Security Council, Mr. Abdallah Fikri El-Khani, of the Syrian Arab Republic, having obtained the necessary majority of votes in both organs, has been elected a member of the International Court of Justice for a term of office expiring on 5 February 1985. I take this opportunity to extend to him the congratulations of the Assembly on his election to this high office.

*Having obtained the required absolute majority at the election held independently by the General Assembly and the Security Council, Mr. Stephen Schwebel (United States of America) and Mr. Abdallah Fikri El-Khani (Syrian Arab Republic) were elected members of the International Court of Justice for a term of office from 15 January 1981 to 5 February 1988 and for a term of office from 15 January 1981 to 5 February 1988 respectively (decision 35/325).*

*The meeting rose at 1.25 p.m.*