



General Assembly Security Council

Distr.: General
29 April 2025

Original: English

General Assembly
Seventy-ninth session
Agenda item 114 (c)

Elections to fill vacancies in principal organs

Security Council
Seventy-ninth year

Election of a member of the International Court of Justice

Memorandum by the Secretary-General

I. Introduction

1. By a letter dated 14 January 2025, the Vice-President of the International Court of Justice informed the Secretary-General of the resignation of Judge Nawaf Salam (Lebanon), effective 14 January 2025. Therefore, a vacancy in the Court occurred on 14 January 2025.
2. According to Article 14 of the Statute of the Court, the vacancy shall be filled by the same method as that laid down for the regular elections and the Secretary-General shall, within one month of the occurrence of the vacancy, issue the invitations for nominations provided for in Article 5 of the Statute. According to Article 5, paragraph 1, the invitations for nominations shall be made at least three months before the date of the election, which, pursuant to Article 14, shall be fixed by the Security Council.
3. By a note dated 16 January 2025 addressed to the Security Council ([S/2025/37](#)), the Secretary-General informed the Council of the resignation of Judge Salam and drew its attention to Article 14 of the Statute. The Council decided, by resolution [2770 \(2025\)](#) of 24 January 2025, that the election to fill the vacancy would take place on 27 May 2025 at a meeting of the Council and at a meeting of the General Assembly at its seventy-ninth session.
4. On 28 January 2025, the Acting Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, on behalf of the Secretary-General, invited the national groups of States parties to the Statute to undertake the nomination of persons in a position to accept the duties of a member of the Court and to do so not later than 14 April 2025. The nominations received by that date and the curriculum vitae of the candidate thus nominated are contained in separate notes by the Secretary-General, issued as documents of the General Assembly and the Security Council ([A/79/864-S/2025/235](#) and [A/79/865-S/2025/236](#), respectively). The name of the candidate will appear on the ballot papers distributed during the election.



5. Article 15 of the Statute provides that a member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of the predecessor's term. Judge Salam's term would have expired on 5 February 2027. Thus, the member elected to replace Judge Salam will serve until 5 February 2027, with a term of office commencing on the date the member is elected by the General Assembly and the Security Council.

6. The present memorandum sets out the current composition of the Court and describes the election procedure.

II. Composition of the International Court of Justice

7. The current composition of the International Court of Justice is as follows:

President:

Iwasawa Yuji (Japan)**

Vice-President:

Julia Sebutinde (Uganda)**

Judges:

Peter Tomka (Slovakia)**

Ronny Abraham (France)*

Abdulqawi Ahmed Yusuf (Somalia)*

Xue Hanqin (China)**

Dalveer Bhandari (India)*

Georg Nolte (Germany)**

Hilary Charlesworth (Australia)***

Leonardo Nemer Caldeira Brant (Brazil)*

Juan Manuel Gómez Robledo (Mexico)***

Sarah H. Cleveland (United States of America)***

Bogdan-Lucian Aurescu (Romania)***

Dire Tladi (South Africa)***

* Term of office expires on 5 February 2027.

** Term of office expires on 5 February 2030.

*** Term of office expires on 5 February 2033.

III. Procedure in the General Assembly and in the Security Council

8. The election will be held in accordance with:

- (a) The Statute of the Court, in particular Articles 2 to 4, 7 to 12 and 14;
- (b) Rules 150 and 151 of the rules of procedure of the General Assembly;
- (c) Rules 40 and 61 of the provisional rules of procedure of the Security Council.

9. On the date of the election, the General Assembly and the Security Council will proceed, independently of one another, to elect one member of the Court to fill the vacancy (Article 8 of the Statute).

10. According to Article 2 of the Statute, members of the Court are to be elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the

highest judicial offices, or are jurisconsults of recognized competence in international law. Article 9 requires electors to bear in mind not only that the person 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.

11. The candidate obtaining an absolute majority of votes both in the General Assembly and in the Security Council will be considered as elected (Article 10, paragraph 1, of the Statute).

12. The consistent practice has been to interpret the words “absolute majority” as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors in the General Assembly will be all 193 Member States. Accordingly, as at the date of the present memorandum, 97 votes will constitute an absolute majority in the Assembly.

13. In the Security Council, eight votes constitute an absolute majority, with no distinction between permanent and non-permanent members (Article 10, paragraph 2, of the Statute).

14. Only those candidates whose names appear on the ballot papers are eligible for election. The electors in the General Assembly and in the Security Council may indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot papers. Each elector may vote for only one candidate; no additional candidates may be nominated on the day of the election (Articles 5 and 7 of the Statute).

15. The General Assembly, at its 915th plenary meeting, on 16 November 1960, held a procedural discussion on whether rule 94 (then rule 96) of its rules of procedure should be applied in elections to the Court. That rule provides for restricted ballots if, after the first ballot, the requisite number of candidates have not obtained the required majority. The Assembly decided that the rule did not apply to elections to the Court and proceeded to elect the requisite number of candidates by a series of unrestricted ballots. That decision has been followed consistently.

16. If in the first ballot in either the General Assembly or the Security Council no candidate receives an absolute majority, a second ballot will be held and balloting will continue at the same meeting until a candidate has obtained the required majority (rule 151 of the rules of procedure of the Assembly and rule 61 of the provisional rules of procedure of the Council).

17. When a candidate obtains the absolute majority in one of the organs, the President of that organ will notify the President of the other organ accordingly. The President of the latter will communicate the candidate’s name received from the other President to the members of that organ after one candidate has obtained an absolute majority of votes in that organ.

18. If, upon the exchange of notifications between the Presidents of the General Assembly and of the Security Council, it is established that the same candidate has received the absolute majority in both organs, both Presidents will announce to the members of their respective organs that the candidate has been elected.