



THE DATE OF ELECTION TO FILL A VACANCY IN THE  
INTERNATIONAL COURT OF JUSTICE

Note by the Secretary-General

By a communication dated 27 July 1953 the President of the International Court of Justice, referring to Article 13, paragraph 4 of the Statute, informed the Secretary-General that Judge Sergei Alexandrovich Golunsky had submitted his resignation owing to ill health. It will be recalled that Judge Sergei Alexandrovich Golunsky was elected on 6 December 1951 for a term to expire on 5 February 1961. Thus a vacancy in the Court has occurred and must be filled in accordance with the terms of the Statute of the International Court of Justice. Article 14 of the Statute provides:

"Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council."

Paragraph 1 of Article 5 of the Statute provides:

"At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the States which are parties to the present Statute, and to members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court."

The invitations must be issued within one month of the occurrence of the vacancy. Although the date of the election need not necessarily be fixed before the Secretary-General issues the invitations, it would appear convenient and suitable that the invitations include an announcement of the date of the election. Since the Secretary-General must issue the invitations before 26 August 1953, it is suggested that the Security Council should meet as soon as possible to decide the date of election.

In accordance with the precedent established by the Council in 1951\* it is suggested that the Security Council decide that the election should be held during the eighth session of the General Assembly.

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\* Resolution adopted by the Security Council at its 548th meeting on 29 May 1951.