



General Assembly

Sixty-fourth session

102nd plenary meeting

Tuesday, 29 June 2010, 10 a.m.

New York

Official Records

President: Mr. Ali Abdussalam Treki (Libyan Arab Jamahiriya)

In the absence of the President, Mr. Viinanen (Finland), Vice-President, took the Chair.

The meeting was called to order at 10.20 a.m.

Agenda item 110 (continued)

Elections to fill vacancies in principal organs

(c) Election of a member of the International Court of Justice

Memorandum by the Secretary-General (A/64/808)

Note by the Secretary-General (A/64/807)

Note by the Secretary-General (A/64/809)

The Acting President: The General Assembly will now proceed to the election of a member of the International Court of Justice for the unexpired term of office of Judge and former Vice-President and President Shi Jiuyong, whose resignation took effect on 28 May 2010.

In connection with this election, I should like to bring the following matters to the attention of the members of the General Assembly.

I should like to confirm that, at this time, the Security Council, independently of the General Assembly, is also proceeding to elect one member of the Court. This procedure is in accordance 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, the result of the voting in the General Assembly will not be communicated to the Security Council until one candidate has obtained the required majority in the Assembly.

I should also like to draw the attention of the Assembly to the documents relating to the election. The Assembly has before it the following: document A/64/808, which contains 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 with regard to the election; document A/64/807, which contains the nomination of a candidate by national groups within the required time for submission, that is, by 30 May 2010. I should like to inform the Assembly that, after the expiration of the deadline for submissions of nominations, the Secretariat received communications from the national groups of India and the Slovak Republic also nominating Ms. Xue Hanqin as a candidate. Lastly, the Assembly has before it document A/64/809, which contains the curriculum vitae of the candidate nominated by national groups.

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

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The consistent practice of the United Nations 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 are all 192 Member States. Accordingly, for the present election, 97 votes constitute an absolute majority in the General Assembly.

The General Assembly will now proceed to a secret ballot. If in the first ballot the candidate does not obtain an absolute majority, it will be necessary to proceed to other ballots until the candidate has obtained the required majority. Pursuant to the decision taken by the General Assembly at its 915th meeting, held on 16 November 1960, those ballots shall be unrestricted.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

The Acting President: I should like to remind representatives that, pursuant to rule 88 of the Assembly’s rules of procedure,

“After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.”

We shall now begin the voting process. Ballot papers will now be distributed.

Representatives are requested to use only the ballot papers that are now being distributed and to place a cross to the left of the name of the candidate for whom they wish to vote. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Ms. Winkler (Austria), Mr. Toba (Brazil), Mr. Angelov (Bulgaria), Mr. Plunkett (Canada), Mr. Jatmiko (Indonesia) and Ms. Anzola Padrón (Bolivarian Republic of Venezuela) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.25 a.m. and resumed at 11.05 a.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	152
Number of invalid ballots:	0
Number of valid ballots:	152
Abstentions:	2
Number of members present and voting:	150
Required absolute majority:	97
Number of votes obtained:	
Ms. Xue Hanqin (China)	150

Ms. Xue Hanqin obtained an absolute majority in the General Assembly. I have communicated the result of the voting to the President of the Security Council.

I have also received a letter from the President of the Security Council, which reads:

“I have the honour to inform you that at the 6346th meeting of the Security Council, held on 29 June 2010, for the purpose of electing one member of the International Court of Justice to fill a vacancy on the Court for a term of office expiring on 5 February 2012, Ms. Xue Hanqin obtained an absolute majority of votes.”

As a result of the independent voting in the Security Council and in the General Assembly, Ms. Xue Hanqin has obtained an absolute majority in both organs. She is therefore duly elected a member of the International Court of Justice to serve for a term of office commencing today, 29 June 2010, and ending 5 February 2012. I should like to take this opportunity to extend to her the congratulations of the Assembly on her election, and to thank the tellers for their assistance.

We have thus concluded this stage of our consideration of sub-item (c) of agenda item 110.

Members are reminded that the 103rd plenary meeting will begin immediately after the adjournment of this meeting.

The meeting rose at 11.10 a.m.