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*President:* Mr. Ismat T. KITTANI (Iraq).

**AGENDA ITEM 15**

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

**(c) Election of five members of the International Court of Justice**

1. The PRESIDENT: This afternoon the General Assembly will proceed to the election of five members of the International Court of Justice for terms of office commencing on 6 February 1982, the terms of office of the following judges expiring the previous day: Sir Humphrey Waldock, Mr. Isaac Forster, Mr. André Gros, Mr. Nagendra Singh and Mr. José María Ruda. Sir Humphrey Waldock, I am sorry to inform the Assembly, died on 15 August 1981, and the Security Council decided that the resulting vacancy should be filled through the regular election procedure. In connection with the election I should like to bring the following matters to the attention of the members of the General Assembly.

2. 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.

3. Secondly, I should like to confirm that at this time, but independently of the General Assembly, the Security Council is proceeding to elect five members 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 results of the voting in each of these organs will not be communicated to the other organ until the voting in both organs is completed.

4. Finally, I should like to draw the attention of the members of the Assembly to the documents relating to the election. The list of candidates who have been nominated by national groups is to be found in document A/36/302/Rev.1-S/14502/Rev.1.

\* Resumed from the 43rd meeting.

5. I should also like to inform the Assembly at this stage that Sir William Douglas has indicated by letter today that he does not wish to be considered as a candidate. His name has been deleted from the ballot papers which will shortly be distributed to representatives.

6. The curricula vitae of the candidates are to be found in document A/36/303-S/14503 Corr.1 and 2. The Assembly also has before it document A/36/301-S/14501 containing a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the Assembly and in the Security Council in regard to the election.

7. In accordance with Article 10, paragraph 1, of the Statute of the Court, those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered elected. In the General Assembly, 80 votes constitute an absolute majority.

8. The General Assembly will now proceed to a secret ballot. I request representatives to remain in the Hall until the result of the voting is announced. If on the first ballot five candidates do not obtain the required majority, it will be necessary to proceed to other ballots until all vacancies are filled. I know that I shall be able to rely on the patience of representatives during the time inevitably required for counting the votes.

9. 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 five candidates for whom they wish to vote. Ballot papers on which more than five names are marked will be considered invalid.

*At the invitation of the President, Mr. Saint-Martin (Canada), Mr. Mahoney (Gambia) and Mr. Potocki (Poland) acted as tellers.*

*A vote was taken by secret ballot.*

10. The PRESIDENT: I propose to suspend the meeting while the ballots are being counted.

*The meeting was suspended at 3.30 p.m. and resumed at 4.25 p.m.*

11. The PRESIDENT: The result of the voting is as follows:

<i>Number of ballot papers:</i>	155
<i>Number of invalid papers:</i>	2
<i>Number of valid ballots:</i>	153
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	153
<i>Required absolute majority:</i>	80

<i>Number of votes obtained:</i>	
Mr. Guy Ladreit de Lacharrière (France) . . . .	127
Mr. Robert Y. Jennings (United Kingdom) . . .	107

Mr. Kéba Mbaye (Senegal).....	95
Mr. Nagendra Singh (India).....	76
Mr. Edilbert Razafindralambo (Madagascar)..	59
Mr. Tun Mohamed Suffian (Malaysia) .....	46
Mr. Laurel B. Francis (Jamaica) .....	45
Mr. José María Ruda (Argentina) .....	45
Mr. Antonio Gómez Robledo (Mexico).....	42
Mr. Hector W. Jayewardene (Sri Lanka).....	41
Mr. Juan José Calle y Calle (Peru).....	40
Mr. Anwarul S. Haq (Pakistan).....	24
Sir Maurice Rault (Mauritius).....	4

12. The PRESIDENT: The following candidates have received the necessary absolute majority in the General Assembly: Mr. de Lacharrière, Mr. Jennings and Mr. Mbaye.

13. The Assembly will have to proceed to vote again by unrestricted ballot to fill the remaining two vacancies. In this connection I have been informed by the delegation of Pakistan that Mr. Anwarul S. Haq has withdrawn his candidacy. I have also just been informed by the delegation of Madagascar that Mr. Edilbert Razafindralambo has withdrawn his candidacy. The ballot papers that will now be distributed will reflect this.

14. All candidates whose names appear on the ballot papers are eligible, the names of the successful candidates having been deleted. Once again I remind delegations that the names of only two candidates should be marked with a cross. Any ballot paper on which more than two names are marked will be invalid.

*At the invitation of the President, Mr. Saint-Martin (Canada), Mr. Mahoney (Gambia) and Mr. Potocki (Poland) acted as tellers.*

*A vote was taken by secret ballot.*

15. The PRESIDENT: I propose to suspend the meeting while the ballots are being counted.

*The meeting was suspended at 4.35 p.m. and resumed at 5 p.m.*

16. The PRESIDENT: The result of the voting is as follows:

<i>Number of ballot papers:</i>	157
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	157
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	157
<i>Required absolute majority:</i>	80

*Number of votes obtained:*

Mr. Nagendra Singh (India).....	88
Mr. José María Ruda (Argentina) .....	67
Mr. Tun Mohamed Suffian (Malaysia) .....	39
Mr. Laurel B. Francis (Jamaica) .....	37
Mr. Hector W. Jayewardene (Sri Lanka).....	30
Mr. Antonio Gómez Robledo (Mexico).....	27
Mr. Juan José Calle y Calle (Peru).....	20
Sir Maurice Rault (Mauritius).....	1

17. The PRESIDENT: Mr. Nagendra Singh of India has received the required majority. Since one candidate has received the necessary absolute majority the Assembly will proceed to another vote by unrestricted ballot to fill the one remaining vacancy.

18. I have been informed by the delegation of Sri Lanka that Mr. Hector W. Jayewardene has withdrawn his candidacy. If the distributed ballot papers do not reflect that, please take it into consideration.

19. Ballot papers are now being distributed. All individuals whose names appear on the ballot papers are eligible, subject to what I have just said about the Sri Lankan candidate.

20. Once again I remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be declared invalid.

*At the invitation of the President, Mr. Saint-Martin (Canada), Mr. Mahoney (Gambia) and Mr. Potocki (Poland) acted as tellers.*

*A vote was taken by secret ballot.*

21. The PRESIDENT: I propose to suspend the meeting while the ballots are being counted.

*The meeting was suspended at 5.20 p.m. and resumed at 5.40 p.m.*

22. The PRESIDENT: The result of the voting is as follows:

<i>Number of ballot papers:</i>	155
<i>Number of invalid ballots:</i>	2
<i>Number of valid ballots:</i>	153
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	153
<i>Required absolute majority:</i>	80

*Number of votes obtained:*

Mr. José María Ruda (Argentina) .....	80
Mr. Laurel B. Francis (Jamaica) .....	32
Mr. Antonio Gómez Robledo (Mexico).....	19
Mr. Tun Mohamed Suffian (Malaysia) .....	14
Mr. Juan José Calle y Calle (Peru).....	7
Sir Maurice Rault (Mauritius).....	1

23. The PRESIDENT: Mr. Ruda of Argentina has thus received the required absolute majority. Five candidates have therefore now received the required majority.

24. I have communicated the result of the voting to the President of the Security Council, and I have received the following letter from the President of the Security Council:

*"I have the honour to inform you that at the 2306th meeting of the Security Council, held on 5 November 1981, for the purpose of electing members of the International Court of Justice to fill the five vacancies which will occur on 5 February 1982, the following candidates obtained an absolute majority of votes:*

*"Mr. Robert Y. Jennings, Mr. Guy Ladreit de Lacharrière, Mr. Kéba Mbaye, Mr. José María Ruda, Mr. Nagendra Singh."\**

*Having obtained the required absolute majority in elections held independently in the General Assembly and the Security Council, Mr. Robert Y. Jennings (United Kingdom of Great Britain and Northern Ireland), Mr. Guy*

\* Quoted in French by the speaker.

*Ladreit de Lacharrière (France), Mr. Kéba Mbaye (Senegal), Mr. José María Ruda (Argentina) and Mr. Nagendra Singh (India) were elected members of the International Court of Justice for a nine-year term beginning on 6 February 1982 (decision 36/309 A).*

25. The PRESIDENT: I therefore declare those candi-

dates duly elected members of the International Court of Justice and I take this opportunity to extend to them the congratulations of the Assembly. I should like also to thank the tellers for their assistance.

*The meeting rose at 5.45 p.m.*