

UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SEVENTH YEAR

1671st

MEETING: 30 OCTOBER 1972

NEW YORK

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1671)	1
Adoption of the agenda	1
Election of five members of the International Court of Justice (S/10744, S/10745 and Add.1-6, S/10671, S/10772)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

SIXTEEN HUNDRED SEVENTY-FIRST MEETING

Held in New York on Monday, 30 October 1972, at 10.30 a.m.

President: Mr. DE GUIRINGAUD (France).

Present: The representatives of the following States: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1671)

1. Adoption of the agenda.
2. Election of five members of the International Court of Justice (S/10744, S/10745 and Add.1-6, S/10761, S/10772).

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/10744, S/10745 and Add.1-6, S/10761, S/10772)

1. The PRESIDENT (*interpretation from French*): The Security Council will now proceed to elect five members of the International Court of Justice, in accordance with Article 13, paragraph 1, of the Statute of the Court, to fill the five seats which will become vacant on 5 February 1973 on the expiration of the terms of office of Sir Muhammad Zafrulla Khan, Sir Gerald Fitzmaurice, Mr. Luis Padilla Nervo, Mr. Isaac Forster and Mr. André Gros.

2. The list of candidates nominated by national groups for the election to fill the five vacancies is contained in documents S/10745 and Add.1-6¹ and in document S/10772. The curricula vitae of all the candidates are to be found in document S/10761. We have been informed that Mr. Carlos Holguín, Sir Muhammad Zafrulla Khan, Mr. Abdullah El-Erian and Mr. Roberto Ago have withdrawn their candidacies [S/10745/Add.6].

3. The Council also has before it a memorandum by the Secretary-General [S/10744¹] setting out the procedure to be followed in the election. 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 as elected." The majority required in the Security Council is

therefore eight votes. If more than five candidates obtain the required majority, the procedure which has been followed in the past and which is outlined in paragraph 14 of the Secretary-General's memorandum, will have to be followed, that is to say, a new vote will be held on all the candidates.

4. The vote will be by secret ballot. Only votes for candidates whose names appear on the ballot paper will be counted.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	15
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	15
<i>Required majority:</i>	8

Number of votes obtained:

Mr. Isaac Forster (Senegal)	15
Mr. Nagendra Singh (India)	14
Mr. André Gros (France)	13
Sir Humphrey Waldock (United Kingdom of Great Britain and Northern Ireland)	12
Mr. José María Ruda (Argentina)	9
Mr. Carlos García-Bauer (Guatemala)	8
Mr. Andrés Córdova (Ecuador)	2
Mr. Luis Padilla Nervo (Mexico)	2

5. The PRESIDENT (*interpretation from French*): No one has been elected. We shall therefore have to proceed to another vote, in accordance with paragraph 14 of the memorandum of the Secretary-General as follows:

"14. Cases have arisen in the Security Council in which more than the required number of candidates have received an absolute majority on the same ballot. The practice followed by the Council on 6 December 1951, 7 October 1954 and 21 October 1963, when this occurred, was to hold a new vote on all the candidates and the President of the Security Council made no notification to the President of the General Assembly until only the required number of candidates, and no more, had received an absolute majority in the Council."

6. We shall accordingly proceed to a new vote. All the candidates mentioned on the list are eligible. A vote will now be taken.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	15
<i>Invalid ballots:</i>	0

¹ Documents S/10745 and Add.1-6 and S/10744 were circulated also under the symbols A/8745 and Add.1-6 and A/8744. For the text of these documents, see *Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 18.

Number of valid ballots: 15
 Required majority: 8

Number of votes obtained:

Mr. Isaac Forster (Senegal)	14
Mr. Nagendra Singh (India)	14
Mr. André Gros (France)	13
Sir Humphrey Waldock (United Kingdom of Great Britain and Northern Ireland)	13
Mr. Carlos García-Bauer (Guatemala)	9
Mr. José María Ruda (Argentina)	9
Mr. Luis Padilla Nervo (Mexico)	2
Mr. Andrés Córdova (Ecuador)	1

7. The PRESIDENT (*interpretation from French*): More than five candidates have obtained the required majority; therefore, we shall have to take another vote. I would make it clear that all the candidates are eligible. A third vote will now be taken.

A vote was taken by secret ballot.

Number of ballot papers: 15
 Invalid ballots: 0
 Number of valid ballots: 15
 Required majority: 8

Number of votes obtained:

Mr. Isaac Forster (Senegal)	14
Mr. Nagendra Singh (India)	14
Mr. André Gros (France)	13
Sir Humphrey Waldock (United Kingdom of Great Britain and Northern Ireland)	13
Mr. José María Ruda (Argentina)	10
Mr. Carlos García-Bauer (Guatemala)	7
Mr. Andrés Córdova (Ecuador)	2
Mr. Luis Padilla Nervo (Mexico)	2

8. The PRESIDENT (*interpretation from French*): The following five candidates have received the required majority: Mr. Isaac Forster, Mr. André Gros, Mr. Nagendra Singh, Mr. José María Ruda and Sir Humphrey Waldock. In accordance with the provisions of the provisional rules of procedure, I shall now communicate the results to the President of the General Assembly and would ask the

Council to remain in session until the President of the Assembly has informed the Council of the results of the voting in the Assembly.

The meeting was suspended at 11.30 a.m. and resumed at 11.45 a.m.

9. The PRESIDENT (*interpretation from French*): I should like to read out to the members of the Council the text of the letter I have just received from the President of the General Assembly:

"I have the honour to inform you that at the 2075th plenary meeting of the General Assembly, which was held today for the purpose of electing five members of the International Court of Justice, the following five candidates received an absolute majority of votes: Mr. Isaac Forster, Mr. André Gros, Mr. Nagendra Singh, Mr. José María Ruda and Sir Humphrey Waldock.

"I note, from your letter of 30 October, that at the 1671st meeting of the Security Council, the following five candidates received the required majority of votes in the Council: Mr. Isaac Forster, Mr. André Gros, Mr. Nagendra Singh, Mr. José María Ruda and Sir Humphrey Waldock.

"I have informed the General Assembly that Mr. Isaac Forster, Mr. André Gros, Mr. Nagendra Singh, Mr. José María Ruda and Sir Humphrey Waldock, having obtained the absolute majority of votes both in the General Assembly and the Security Council, have been elected members of the International Court of Justice."

10. The above-mentioned five candidates, having obtained the required majority in the Security Council and the General Assembly, have been elected members of the International Court of Justice for a term of office of nine years, beginning on 6 February 1973.

11. It remains only for me to thank the members of the Council for their patience and to congratulate those who have today been elected to their high office.

The meeting rose at 11.50 a.m.