



General Assembly

Seventy-second session

57th plenary meeting
Monday, 20 November 2017, 3 p.m.
New York

Official Records

President: Mr. Lajčák (Slovakia)

The meeting was called to order at 3.30 p.m.

Agenda item 113 (continued)

Elections to fill vacancies in principal organs

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

**Memorandum by the Secretary-General
(A/72/181)**

**List of candidates (A/72/182 and A/72/182/
Add.1)**

Curricula vitae (A/72/183)

The President: I would like to apologize for the delay in convening today's meeting, which is owing to the necessity of coordinating the actions of both the General Assembly and the Security Council. I would like to thank all members for their patience and understanding.

As members are aware, there is still one vacancy on the Court to be filled.

I would like to inform the Assembly that I have received a letter dated today, Monday, 20 November 2017, from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations. I understand that the President of the Security Council has received an identical letter. The letter reads as follows:

"I have the honour to write to you with regard to the elections taking place in the General Assembly

and the Security Council to fill the fifth position of Judge of the International Court of Justice. As you are aware, following seven meetings of the Assembly and the Council on 9 and 13 November, at which several rounds of voting took place, the position remains unfilled. Judge Christopher Greenwood obtained the required absolute majority of votes in the Security Council, while Judge Dalveer Bhandari obtained the required absolute majority of votes in the General Assembly. The current deadlock is unlikely to be broken by further rounds of voting. We have therefore consulted our candidate, Sir Christopher Greenwood, who has confirmed that his candidature for re-election to the International Court of Justice should be withdrawn.

"In taking this step, we have borne in mind the close relationship that the United Kingdom and India have always enjoyed and will continue to enjoy, and the fact that both candidates fulfil the requirements for election and have already served the Court diligently, with impartiality and independence. The United Kingdom thanks Sir Christopher for his service and pays tribute to his outstanding contribution to the working of the Court and to the development of international law.

"As you are also aware, the Statute of the International Court of Justice provides, in its Article 12, that if, after the third meeting, one or more seats still remain unfilled, a joint conference may be formed any time, at the request of either the General Assembly or the Security Council, for the purpose of choosing one name for each seat still

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vacant to submit to the General Assembly and the Security Council for their respective acceptance. This mechanism has not been used in relation to an election for the International Court of Justice. However, the fact that it has not been used does not mean that it should not be used when the need arises. It is the view of the United Kingdom that this election would have been an ideal opportunity to use the mechanism envisaged by the Court's own Statute to break the current deadlock. It is also the United Kingdom's view, as it is of other delegations, that some thought needs to be given to this procedure before the next International Court of Justice election, in order that it might be used when it is clearly needed.

"The Government of the United Kingdom expresses its gratitude to the countries that supported the candidature of Judge Greenwood both in the General Assembly and in the Security Council during these elections."

Accordingly, the name of Mr. Christopher Greenwood will not appear on the ballot paper.

The Assembly will now proceed to vote with respect to the remaining vacancy, and we will maintain the same format used for our past meetings on this item. Accordingly, the General Assembly and the Security Council will proceed, independently of one another, to fill the one remaining vacancy in the Court, in accordance with Article 8 of the Statute of the International Court of Justice.

I should once again like to remind representatives that, pursuant to rule 88 of the 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.

Ballot papers will be given only to the representatives seated directly behind their countries' nameplates. Representatives are requested to use only the ballot papers now being distributed. The candidate whose name appears on the ballot papers is the only eligible candidate. I would like to remind delegations that only the name of the one candidate should be marked with a cross. Votes may be cast only for the name that appears on the ballot papers.

At the invitation of the President, Mr. Aldoseri (Bahrain), Ms. Sánchez Rodríguez (Cuba), Mrs. Le Diffard (Hungary), Ms. Rheindrayani (Indonesia), Mr. McSwiney (Ireland) and Mr. Waweru (Kenya) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 3.45 p.m. and resumed at 4 p.m.

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

| | |
|------------------------------|-----|
| Number of ballot papers: | 193 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 193 |
| Abstentions: | 10 |
| Number of members voting: | 183 |
| Required absolute majority: | 97 |
| Number of votes obtained: | |
| Mr. Dalveer Bhandari (India) | 183 |

Mr. Dalveer Bhandari of India has obtained an absolute majority in the General Assembly.

I have communicated the results 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 8110th meeting of the Security Council, held on 20 November 2017, for the purpose of electing one member of the International Court of Justice for a term of office beginning on 6 February 2018, Mr. Dalveer Bhandari (India) obtained an absolute majority of votes."

As a result of the independent voting in the General Assembly and in the Security Council, Mr. Dalveer Bhandari has obtained an absolute majority in both organs. The following five candidates have therefore obtained an absolute majority in both organs: Mr. Ronny Abraham, Mr. Dalveer Bhandari, Mr. Antônio Augusto Cançado Trindade, Mr. Nawaf Salam and Mr. Abdulqawi Ahmed Yusuf. They are therefore duly elected members of the International Court of Justice to serve for a nine-year term commencing on 6 February 2018. I would like to take this opportunity to extend to them the congratulations of the Assembly on their election and to thank the tellers for their assistance.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 113?

It was so decided.

The meeting rose at 4.05 p.m.