



**CONTENTS**

	<i>Page</i>
Election of six members of the Economic and Social Council ( <i>concluded</i> ).....	207
Election of members of the International Court of Justice (A/1895-S/2352) :	
(a) election of a member of the Court to fill the vacancy caused by the death of Dr. J. P. de Barros e Azevedo ; (b) election of five members of the Court in accordance with Article 13, paragraph 1, of the Statute.....	208

*President* : Mr. LUIS PADILLA NERVO (Mexico).

*In the absence of the President, Sir Gladwyn Jebb (United Kingdom of Great Britain and Northern Ireland), Vice-President, presided.*

**Election of six members of the Economic and Social Council (*concluded*)**

[Agenda item 14]

1. The PRESIDENT : As the Assembly is aware, this morning we elected Argentina, Cuba, France and China as members of the Economic and Social Council, leaving two places to be filled. The four countries which received the most votes at the last ballot but were not elected were Belgium, Egypt, Australia and Burma. Consequently, it is necessary to vote for two of those countries by inscribing on the ballot paper only two of the four names which I have just read out.

*A vote was taken by secret ballot.*

*At the invitation of the President, Mr. Moreno (Panama) and Mr. Grafström (Sweden) acted as tellers.*

<i>Number of ballot papers :</i>	59
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	59
<i>Abstentions :</i>	0
<i>Number of valid votes cast :</i>	59
<i>Required majority :</i>	40

*Number of votes obtained :*

Egypt .....	41
Belgium .....	30
Australia .....	24
Burma .....	23

*Egypt, having obtained the required two-thirds majority of the Members present and voting, was elected a member of the Economic and Social Council.*

2. The PRESIDENT : It will now be necessary to proceed to another ballot to fill the final vacancy. To fill that vacancy it is only possible to vote for those two countries

which have received the largest number of votes after Egypt ; those countries are Belgium and Australia. Therefore it will now be necessary only to put the name of Belgium or of Australia on the ballot paper.

*A vote was taken by secret ballot.*

<i>Number of ballot papers :</i>	59
<i>Invalid ballots :</i>	1
<i>Number of valid ballots :</i>	58
<i>Abstentions :</i>	3
<i>Number of valid votes cast :</i>	55
<i>Required majority :</i>	37

*Number of votes obtained :*

Belgium .....	32
Australia .....	23

3. The PRESIDENT : Neither of the candidates having received the necessary two-thirds majority, we shall have to proceed to another election.

4. The representative of Australia is going to make a statement.

5. Sir Keith OFFICER (Australia) : Australia would wish to give way to Belgium in this vote.

6. The PRESIDENT : Notwithstanding that gesture on the part of the representative of Australia, it will be necessary for us to proceed to a ballot to determine which country will occupy the final seat. It is still open to representatives to vote for Australia if they so desire, but since Australia has now withdrawn as a candidate I imagine that most representatives will not wish to do so.

*A vote was taken by secret ballot.*

<i>Number of ballot papers :</i>	60
<i>Invalid ballots :</i>	4
<i>Number of valid ballots :</i>	56
<i>Abstentions :</i>	4
<i>Number of valid votes cast :</i>	52
<i>Required majority :</i>	35

*Number of votes obtained :*

Belgium .....	47
Australia .....	5

*Belgium, having obtained the required two-thirds majority of the Members present and voting, was elected a member of the Economic and Social Council.*

7. Mr. PAZ (Argentina) (*translated from Spanish*) : The General Assembly has done my country the great honour of electing it to the Economic and Social Council. Accordingly, I wish to state on behalf of my Government that, in order to fulfil the agreement we made to meet this contingency, the Republic of Argentina will give up its seat on the Trusteeship Council as from 1 January next.

8. Mr. VAN LANGENHOVE (Belgium) (*translated from French*) : The Assembly has already applauded the gesture just made by the Australian delegation. I am sure the Assembly will readily understand that I particularly wish to express my country's gratitude to Australia from this rostrum.

**Election of members of the International Court of Justice (A/1885-S/2352) : (a) election of a member of the Court to fill the vacancy caused by the death of Dr. J. P. de Barros e Azevedo ; (b) election of five members of the Court in accordance with Article 13, paragraph 1, of the Statute**

[Agenda item 15]

9. The PRESIDENT : Before dealing with this item, may I say that I assume that at this moment the members of the Security Council will gather in committee room IV in order to proceed, on their part, with the election of the judges.

10. As you know, General Assembly resolution 264 (III) lays down that a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations shall participate, in the General Assembly, in the election of members of the Court in the same manner as Members of the United Nations. I therefore invite the representatives of Liechtenstein and Switzerland to take their places on the Assembly floor.

11. Our first task is to proceed to an election in order to fill the vacancy in the Court caused by the death of Dr. J. P. de Barros e Azevedo. This election is, of course, entirely separate from the other election to which we shall proceed later, and I understand that it is necessary for us to fill this vacancy, and for the Security Council to do the same, before we proceed to the other substantive elections. Ballot forms are now before you and you should therefore mark on those forms a cross against the name of the candidate who in your opinion is suitable to take the place of the late Dr. J. P. de Barros e Azevedo. Before we actually proceed to the vote I understand that the representative of India would like to make a statement.

12. Mr. CHAUDHURI (India) : I thank you for giving me this opportunity to make a statement on behalf of Sir Benegal Rau as well as on behalf of my delegation. For the vacancy in the International Court of Justice caused by the death of Judge Barros e Azevedo of Brazil the national group of my country has nominated

Dr. Fernandes Carneiro of Brazil. The national group of Egypt has nominated Sir Benegal Rau for this vacancy. The delegation of India, as well as Sir Benegal Rau, are personally deeply appreciative of this gesture of friendship from Egypt but Sir Benegal Rau and the Indian delegation would like to make it quite clear that he is not a candidate for this accidental vacancy ; he is, however, a candidate for one of the five regular vacancies arising from the normal retirement of five judges.

*A vote was taken by secret ballot.*

*At the invitation of the President, Mr. Moreno (Panama) and Mr. Grafström (Sweden) acted as tellers.*

<i>Number of ballot papers :</i>	62
<i>Invalid ballots :</i>	0
<i>Number of valid ballots :</i>	62
<i>Abstentions :</i>	0
<i>Number of valid votes cast :</i>	62
<i>Required majority :</i>	32

*Number of votes obtained :*

Mr. Fernandes Carneiro (Brazil) .....	60
Mr. Armand Ugon (Uruguay) .....	1
Mr. Accioly (Brazil) .....	1

13. The PRESIDENT : The result of the election in the Security Council was as follows : Mr. Levi Fernandes Carneiro (Brazil), absolute majority, 11 votes.

14. In view of his double election, I consequently declare Mr. Fernandes Carneiro of Brazil elected to fill the vacancy caused by the death of Judge de Barros e Azevedo.

15. Before proceeding with the election of the five members of the Court in order to fill the outstanding vacancies, I call on the representative of the Soviet Union who has asked to make a short statement.

16. Mr. Y. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*) : The Soviet national group desires to draw attention to the following fact. In today's *Journal of the United Nations* two names are mentioned in the list of candidates put forward for the five vacant places in the International Court of Justice : Sergei Aleksandrovich Golunsky and Sergei Borisovich Krylov.

17. I wish in this connexion to draw the attention of delegations to document A/1879/Add.3-S/2339/Add.3, containing the telegram sent by Judge Sergei Borisovich Krylov, which reads :

“ In view of the state of my health which the Soviet national group took into account, I request that my candidature in the election of judges for the 1952-1961 term should not be put to the vote.

(Signed) Sergei Borisovich Krylov.”

18. Thus Mr. Krylov, as appears from this telegram circulated in the above-mentioned document, has withdrawn his candidature. The Soviet national group has therefore proposed the candidature of Academician Golunsky, whose name appears in the list of candidates for membership of the International Court of Justice.

19. The PRESIDENT : The representative of Mexico also wishes to make a statement.

20. Mr. VASQUEZ TRESERRA (Mexico) (*translated from Spanish*) : As Mr. Cordova informed the Secretariat at the appropriate time and as shown in the document

[A/1879/Add.5-S/2339/Add.5] circulated to all delegations, the Mexican delegation would point out that it has withdrawn his candidature for a judge of the Court.

21. The PRESIDENT : I think we are now in a position to proceed with the voting for the five judges who must now be elected to the Court. The ballot papers which are in front of you contain all the names of the candidates who have been put forward for election. You should therefore put a cross against five names only in that list.

*A vote was taken by secret ballot.*

*At the invitation of the President, Mr. Duncan (Panama) replacing Mr. Moreno and Mr. Holmback (Sweden) replacing Mr. Grafström acted as tellers.*

Number of ballot papers :	62
Invalid ballots :	0
Number of valid ballots :	62
Abstentions :	0
Number of valid votes cast :	62
Required majority :	32

*Number of votes obtained :*

Mr. Hackworth (United States of America).	43
Mr. Golunsky (Union of Soviet Socialist Republics) .....	41
Mr. Armand Ugon (Uruguay) .....	41
Sir Benegal N. Rau (India) .....	32
Mr. Klaestad (Norway) .....	29
Mr. De Visscher (Belgium) .....	22
Mr. Paras (Philippines) .....	15
Mr. E. Maung (Burma) .....	12
Mr. van Kleffens (Netherlands) .....	4
Mr. Abdur Rahman (Pakistan) .....	3
Mr. Feller (United States of America).....	2
Mr. Pramoj (Thailand) .....	2
Mr. Spiropoulos (Greece) ..	2
Mr. Lainez (Honduras) .....	1
Mr. Tuason (Philippines) .....	1
Mr. Viteri Lafrente (Ecuador) .....	1
Mr. Elio (Bolivia) .....	1
Mr. Prado Solares (Guatemala) .....	1
Mr. Rojas (Bolivia) .....	1
Mr. Topse-Jensen (Denmark) .....	1
Mr. Alsan (Turkey) .....	1

22. The PRESIDENT : So far as the General Assembly is concerned, four candidates have obtained the necessary absolute majority, namely, Mr. Hackworth, Mr. Golunsky, Mr. Armand Ugon and Sir Benegal Rau.

23. It will be necessary for the General Assembly, at its present meeting, to proceed immediately to another ballot to elect, if possible, the fifth member. Delegations will, consequently, place a cross against one name on their ballot papers after having eliminated the names of the four candidates who, so far as the General Assembly is concerned, have already been elected.

24. Mr. BEAUFORT (Netherlands) (*translated from French*) : In view of the results of the first ballot, the Netherlands delegation no longer wishes to urge delegations to support Mr. van Kleffens as a candidate for election to the International Court of Justice.

*A vote was taken by secret ballot.*

Number of ballot papers :	61
Invalid ballots :	0
Number of valid ballots :	61
Abstentions :	0
Number of valid votes cast :	61
Required majority :	32

*Number of votes obtained :*

Mr. Klaestad (Norway) .....	29
Mr. De Visscher (Belgium) .....	15
Mr. E. Maung (Burma).....	7
Mr. Paras (Philippines) .....	5
Mr. Alfaro (Panama) .....	2
Mr. Alsan (Turkey) .....	1
Mr. Sandstrom (Sweden) .....	1
Mr. Tuason (Philippines) .....	1

25. The PRESIDENT : The required majority not having been obtained, the Assembly has still not been able to fill the last vacancy.

26. You will recall that rule 94 of the rules of procedure, which I read out before, says :

“ ...If the number of candidates obtaining such majority is less than the number of persons or Members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled ; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or Member... ”

27. I understand that in previous instances this rule has not been applied to the election of members of the International Court ; I do not know why. In the present case, when we have two candidates who have received a large majority between them, I think it would be common sense for us now to apply that rule and have a further ballot which would be restricted in vote to Mr. Klaestad and Mr. De Visscher. By that means we might be able to reach a decision and avoid several further ballots. I therefore ask whether the Assembly, or any member thereof, has any objection to my proceeding in that way ?

28. Since there is no objection, we shall have another ballot and it will be in order for you to put a cross only against the name of Mr. Klaestad or, alternatively, against the name of Mr. De Visscher.

*A vote was taken by secret ballot.*

*At the invitation of the President, Mr. Duncan (Panama) and Mr. Grafström (Sweden) acted as tellers.*

Number of ballot papers :	61
Invalid ballots :	1
Number of valid ballots :	60
Abstentions :	2
Number of valid votes cast :	58
Required majority :	32

*Number of votes obtained :*

Mr. Klaestad (Norway) .....	43
Mr. De Visscher (Belgium) .....	15

29. The PRESIDENT : So far as the General Assembly is concerned, Mr. Klaestad is therefore elected.

30. The position now is that the General Assembly has elected Mr. Hackworth, Mr. Golunsky, Mr. Armand Ugon, Sir Benegal Rau and Mr. Klaestad to fill the five vacancies on the International Court of Justice. However, we still await the official intimation of the result of the elections in the Security Council. I think perhaps I had better communicate with the President of the Security Council and ascertain what is happening there. I therefore propose that we now adjourn for twenty minutes, and when we resume I will give you the results of any conversation that I have been able to have with Mr. Quevedo. We shall then know better where we are and whether we can profitably proceed with the election today, or whether on the other hand it will have to be postponed until tomorrow.

*The meeting was suspended at 5.55 and resumed at 6.30 p.m.*

31. The PRESIDENT : I am happy to say that I have received the following communication from the President of the Security Council :

“ I have the honour to inform you that the Security Council held its 567th meeting on 6 December 1951

for the election of five members of the International Court of Justice in accordance with the Statute of the Court.

“ I have the honour further to inform you that each of the following candidates received an absolute majority of votes :

“ Mr. Enrique C. Armand Ugon

“ Mr. Sergei Aleksandrovich Golunsky

“ Mr. Green Haywood Hackworth

“ Mr. Helge Klaestad

“ Sir Benegal N. Rau

(Signed) Antonio QUEVEDO  
“ President of the Security Council ”

32. You will at once observe that the five gentlemen elected by the Security Council coincide with those who have just been elected by the General Assembly. Consequently, I have the honour to announce that the five gentlemen whose names I have just read out are now duly elected members of the International Court of Justice.

*The meeting rose at 6.35 p.m.*