



# Security Council

Fifty-first Year

## 3709<sup>th</sup> Meeting

Wednesday, 6 November 1996, 10 a.m.

New York

*Provisional*


---

<i>President:</i>	Mr. Wisnumurti . . . . .	(Indonesia)
<i>Members:</i>	Botswana . . . . .	Mr. Legwaila
	Chile . . . . .	Mr. Larraín
	China . . . . .	Mr. Qin Huasun
	Egypt . . . . .	Mr. Elaraby
	France . . . . .	Mr. Dejammet
	Germany . . . . .	Mr. Eitel
	Guinea-Bissau . . . . .	Mr. Cabral
	Honduras . . . . .	Mr. Martínez Blanco
	Italy . . . . .	Mr. Fulci
	Poland . . . . .	Mr. Wlosowicz
	Republic of Korea . . . . .	Mr. Park
	Russian Federation . . . . .	Mr. Lavrov
	United Kingdom of Great Britain and Northern Ireland . . . . .	Sir John Weston
	United States of America . . . . .	Mrs. Albright

## Agenda

Election of five members of the International Court of Justice (S/1996/722, S/1996/723/Rev.1 and Rev.1/Corr.1 and S/1996/724 and Corr.1)

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

### **Adoption of the agenda**

*The agenda was adopted.*

### **Election of five members of the International Court of Justice (S/1996/722, S/1996/723/Rev.1 and Rev.1/Corr.1, S/1996/724 and Corr.1)**

**The President:** The Security Council will now proceed to the election of five members of the International Court of Justice, in accordance with Article 13 of the Statute of the International Court of Justice, to fill the five seats which will become vacant on 5 February 1997 on the expiry of the terms of office of the following Judges: Mr. Mohammed Bedjaoui (Algeria), Mr. Stephen Schwebel (United States of America), Mr. Mohamed Shahabuddeen (Guyana), Mr. Vladlen S. Vereshchetin (Russian Federation) and Mr. Luigi Ferrari Bravo (Italy).

The consolidated and updated list of candidates nominated by national groups is contained in documents S/1996/723/Rev.1 and S/1996/723/Rev.1/Corr.1, which reflect all the information concerning notifications received by the Secretary-General of nominations by national groups. Documents S/1996/724 and S/1996/724/Corr.1 contain the curricula vitae of the candidates.

The Security Council also has before it a memorandum by the Secretary-General, contained in document S/1996/722, describing the present composition of the Court and setting out the procedure to be followed in the conduct of the election.

I should like to remind the Council that, under Article 10, paragraph 1, of the Statute of the International Court of Justice,

“Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.”

The required majority in the Security Council is eight votes.

If more than five candidates obtain the required majority, according to the procedure which has been followed in the past and which is set forth in paragraph 14 of the Secretary-General's memorandum, a new vote will be held on all the candidates.

This rule will also apply to any subsequent ballots, if the number of candidates obtaining the absolute majority is greater than the number of vacancies remaining. If, on the other hand, in the first ballot the number of candidates obtaining the absolute majority is less than five, the Council will proceed to a second ballot on the remaining vacancies, and balloting will continue in the same manner until five of the candidates have obtained the required majority of votes.

The voting will be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot paper containing the names of all the candidates. No withdrawal will be accepted once the ballot papers have been distributed. However, it would be possible to withdraw between ballots. Members of the Council will be requested to place an “X” in the boxes next to the names of the candidates for whom they wish to vote. Only those candidates whose names appear on the ballot paper are eligible for election.

I should like to remind members of paragraph 11 of the Secretary-General's memorandum, which specifies that

“Each elector may vote for not more than five candidates on the first ballot”. (S/1996/722, para. 11)

Any ballot paper containing votes for more than five names will be considered invalid. When five candidates have obtained the required majority of votes, I shall communicate the result to the President of the General Assembly, and I shall request the Council to remain in session pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

The Council will now proceed to draw lots to select two delegations to serve as tellers.

\* \* \*

**The President:** The names of the delegations of France and the United States of America have been drawn. I request each of those delegations to appoint one member to serve as teller.

*At the invitation of the President, Mr. Legal (France) and Mr. Rosenstock (United States of America) acted as tellers.*

**The President:** May I take it that the Council is now ready to proceed with the election of five members of the International Court of Justice?

It is so decided.

I request the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the boxes next to the names of the five candidates for whom they wish to vote.

\* \* \*

**The President:** I take it that all members of the Council have now voted, and I ask the Conference Officer to collect the ballot papers.

\* \* \*

**The President:** All the ballot papers have been collected. I should like to remind the Council that, as we agreed during our consultations, the ballots will not be counted until it has been verified that the ballot papers in the General Assembly have been collected. The Council will remain in session pending the receipt of that information.

\* \* \*

**The President:** I have now been informed that the ballot papers have been collected in the General Assembly.

The counting of the ballots in the Security Council will now begin. The tellers will now count the ballots.

As agreed in our consultations, there will be two independent countings of the ballots, one by each teller.

\* \* \*

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

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

Number of votes obtained:

Mr. Stephen M. Schwebel	15
Mr. Vladlen S. Vereshchetin	15
Mr. Mohammed Bedjaoui	14
Mr. Pieter H. Kooijmans	8
Mr. Francisco Rezek	6
Mr. Mohamed Shahabuddeen	6
Mr. José Antonio Pastor Ridruejo	5
Mr. Mehmet Güney	2
Mr. Francisco Orrego Vicuña	2
Mr. Patrick Robinson	2
Mr. Murat K. Azimov	0

Accordingly, the following candidates have obtained the required majority of votes in the Security Council: Mr. Stephen M. Schwebel, Mr. Vladlen S. Vereshchetin, Mr. Mohammed Bedjaoui and Mr. Pieter H. Kooijmans.

Since fewer than five candidates have received the required eight votes, the Council will now proceed to a second ballot for the remaining vacancy, in accordance with rule 61 of the Council's provisional rules of procedure.

I would like to remind members that each member may vote for no more than one candidate.

All candidates are eligible for voting except those who have received the required majority of votes in the previous ballot.

Any ballot paper containing votes for more than one candidate will be invalid.

May I take it that the Council is now ready to proceed with the election of one member of the International Court of Justice?

It is so decided.

I request the Conference Officer to distribute the ballot papers.

I request members of the Council to place an "X" in the box next to the name of the candidate for whom they wish to vote.

\* \* \*

**The President:** I take it that all the members of the Council have now marked their ballots. I ask the Conference Officer to collect the ballot papers.

\* \* \*

**The President:** All the ballot papers have been collected.

The tellers will now count the ballots. There will be two independent countings of the ballots, one by each teller.

\* \* \*

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

Number of ballot papers:	15
Number of invalid ballots:	2
Number of valid ballots:	13
Required majority:	8
Number of votes obtained:	
Mr. Francisco Rezek	5
Mr. Mohamed Shahabuddeen	4
Mr. Patrick Robinson	3
Mr. Mehmet Güney	1
Mr. Murat K. Azimov	0
Mr. Francisco Orrego Vicuña	0
Mr. José Antonio Pastor Ridruejo	0

Since, after a second ballot, the number of candidates who have received the required eight votes is still less than five, the Council will now proceed to a third ballot for the remaining vacancy, in accordance with rule 61 of the Council's provisional rules of procedure.

I would like to remind members that each member may vote for no more than one candidate.

All candidates are eligible for election except those who have received the required majority of votes in the previous ballots. Any ballot paper containing votes for more than one candidate will be invalid. Please mark an "X" in the box for only one candidate.

May I take it that the Council is now ready to proceed with the election of one member of the International Court of Justice?

It is so decided.

I request the Conference Officer to distribute the ballot papers.

I request members of the Council to place an "X" in the box next to the name of the candidate for whom they wish to vote.

\* \* \*

**The President:** I take it that all the members of the Council have now voted, and I ask the Conference Officer to collect the ballot papers.

\* \* \*

**The President:** All the ballot papers have been collected.

The tellers will now count the ballots. There will be two independent countings of the ballots, one by each teller.

\* \* \*

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

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8
Number of votes obtained:	
Mr. Francisco Rezek	8
Mr. Francisco Orrego Vicuña	4
Mr. Mohamed Shahabuddeen	3
Mr. Murat K. Azimov	0
Mr. Mehmet Güney	0
Mr. José Antonio Pastor Ridruejo	0
Mr. Patrick Robinson	0

The following five candidates have received the required majority of votes in the Security Council: Mr. Mohammed Bedjaoui, Mr. Pieter H. Kooijmans, Mr. Francisco Rezek, Mr. Stephen M. Schwebel and Mr. Vladlen S. Vereshchetin.

I shall communicate the result of the vote to the President of the General Assembly in writing.

I request the Council to remain in session while we wait for the President of the General Assembly to inform the Council of the result of the voting in the Assembly.

*The meeting was suspended at 12.35 p.m. and resumed at 12.40 p.m.*

**The President:** I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

“I have the honour to inform you that, at the 54th plenary meeting of the General Assembly, held today for the purpose of electing five members of the International Court of Justice, the following candidates obtained an absolute majority of votes in the General Assembly: Mr. Mohammed Bedjaoui, Mr. Pieter Kooijmans, Mr. Francisco Rezek, Mr. Stephen Schwebel and Mr. Vladlen Vereshchetin.”

As both the Security Council and the General Assembly have agreed on the same candidates, the

distinguished jurists Mr. Mohammed Bedjaoui, Mr. Pieter Kooijmans, Mr. Francisco Rezek, Mr. Stephen Schwebel and Mr. Vladlen Vereshchetin have been elected as members of the International Court of Justice for a term of office of nine years, beginning on 6 February 1997.

I should like to congratulate them and wish them every success in the high office to which they have been elected.

I should also like to thank the tellers for their assistance.

The Security Council has thus concluded its business for this meeting.

*The meeting rose at 12.45 p.m.*