



# General Assembly

Sixty-ninth session

**74<sup>th</sup>** plenary meeting  
Thursday, 18 December 2014, 3 p.m.  
New York

Official Records

*President:* Mr. Kutesa ..... (Uganda)

*In the absence of the President, Mr. Mnisi (Swaziland), Vice-President, took the Chair.*

*The meeting was called to order at 3.15 p.m.*

## Agenda item 113 (continued)

### Appointments to fill vacancies in subsidiary organs and other appointments

#### (j) Appointment of ad litem judges of the United Nations Dispute Tribunal

##### Memorandum by the Secretary-General (A/69/555)

##### Report of the Internal Justice Council (A/69/373)

**The Acting President:** Members will recall that by its resolution 69/203, of 18 December 2014, the General Assembly decided, inter alia, to extend the three ad litem judge positions whose current terms of office are about to expire for one year, from 1 January to 31 December 2015.

The ad litem judges whose terms expired on 31 December 2014 are Mr. Jean-François Cousin of France, Ms. Alessandra Greceanu of Romania and Ms. Nkemdilim Amelia Izuako of Nigeria. Effective 1 April 2014, ad litem Judge Jean-François Cousin resigned from the Dispute Tribunal sitting in Geneva. The term of office of the position that he held expires on 31 December 2014. As indicated in document A/69/555, the General Assembly during its sixty-ninth session is required to appoint an ad litem judge to the Dispute Tribunal to replace Judge Jean-François Cousin of France, whose term will be from 1 January to

31 December 2015, and to extend the terms of ad litem Judges Greceanu and Izuako of the Dispute Tribunal for the period from 1 January to 31 December 2015.

The Internal Justice Council has recommended the extension of the terms of office of ad litem Judges Alessandra Greceanu of Romania and Nkemdilim Amelia Izuako of Nigeria from 1 January to 31 December 2015. May I therefore take it that the Assembly wishes to extend the terms of office of ad litem Judges Alessandra Greceanu and Nkemdilim Amelia Izuako from 1 January to 31 December 2015?

*It was so decided.*

**The Acting President:** The General Assembly will now proceed to the appointment of an ad litem judge to the Dispute Tribunal, whose term of office will be 1 January to 31 December 2015, to replace Judge Jean-François Cousin of France.

In accordance with paragraph 42 of resolution 66/237, the mandate of the ad litem judge will be for one year. In its report to the General Assembly, contained in document A/69/373, the Internal Justice Council has recommended to the Assembly for its consideration two candidates for the ad litem vacancy. The candidates recommended by the Council for appointment as ad litem judges are Mr. Vincent Cador of France and Mr. Rowan Downing of Australia. The candidates' curricula vitae are provided in the annexes to document A/69/373.

The appointment of ad litem judges to the Dispute Tribunal is not addressed in its statute. Accordingly,

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the appointment of an ad litem judge will be made in accordance with resolution 63/253, the rules of procedure of the General Assembly and the recommendations of the Internal Justice Council, as set out in its report to the General Assembly contained in document A/69/373.

It is proposed that the General Assembly proceed to appoint the ad litem judge through an election held pursuant to the rules of procedure of the Assembly, bearing in mind paragraph 58 of resolution 63/253, in which the General Assembly invited Member States, when electing judges to the Tribunals, to take due consideration of geographical distribution and gender balance.

Only those candidates recommended by the Internal Justice Council whose names appear in the present memorandum are eligible for election. The electors in the General Assembly will indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot papers. Each elector may vote for not more than one candidate for the one vacant position in the Dispute Tribunal.

The candidate who obtains the highest number of votes and a majority of votes in the General Assembly of the members present and voting will be considered to be elected and thereby appointed by the Assembly to the Dispute Tribunal.

Balloting shall continue in accordance with the rules of procedure until one candidate for the one vacant position in the Dispute Tribunal to be filled has obtained, in one or more ballots, a majority of votes of the members present and voting.

May I take it that the Assembly agrees to these procedures?

*It was so decided.*

**The Acting President:** The General Assembly will now proceed to the election of an ad litem judge of the United Nations Dispute Tribunal.

Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot paper. Each representative may vote for not more than one candidate for appointment to the Dispute Tribunal.

The election will be held in accordance with the relevant rules of procedure of the General Assembly.

Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot, and there shall be no nominations.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting. In addition, ballot papers will be given only to the representative seated directly behind the country's nameplate.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected. Ballot papers will now be distributed.

I request representatives to indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot papers. May I also remind representatives that they may vote for not more than one candidate for appointment to the Tribunal. A ballot will be declared invalid if more than one name is marked for appointment to the Dispute Tribunal.

*At the invitation of the Vice-President, Mr. Pereira (Brazil), Ms. Stoeva (Bulgaria), Mr. Oña Garcés (Ecuador), Mrs. Karim (Malawi), Ms. Al-Husseini (Saudi Arabia) and Ms. Çalişkan (Turkey) acted as tellers.*

*A vote was taken by secret ballot.*

*The meeting was suspended at 3.20 p.m. and resumed at 3.40 p.m.*

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

Number of ballot papers: 106

Number of invalid ballots: 0

Number of valid ballots: 106

Abstentions: 3

Number of members voting: 103

Required majority: 52

Number of votes obtained:

Mr. Rowan Downing (Australia): 56

Mr. Vincent Cador (France): 47

*Having obtained the required majority and the largest number of votes, Mr. Rowan Downing (Australia) was duly appointed as an ad litem judge of the United Nations Dispute Tribunal to serve for a term of office commencing on 1 January and ending on 31 December 2015.*

**The Acting President:** I take this opportunity to extend to Mr. Downing the congratulations of the Assembly on his appointment, and to thank the tellers for their efforts.

The Assembly has thus concluded this stage of its consideration of sub-item (j) of agenda item 113.

*The meeting rose at 4 p.m.*