



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-THIRD YEAR

2093rd MEETING: 31 OCTOBER 1978

NEW YORK

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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.

2093rd MEETING

Held in New York on Tuesday, 31 October 1978, at 3 p.m.

President: Mr. Jacques LEPRETTE (France).

Present: The representatives of the following States: Bolivia, Canada, China, Czechoslovakia, France, Gabon, Germany, Federal Republic of, India, Kuwait, Mauritius, Nigeria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Provisional agenda (S/Agenda/2093)

1. Adoption of the agenda
2. Election of five members of the International Court of Justice (S/12828 and Corr.1, S/12829/Rev.1 and Add.1, S/12830/Rev.1)

The meeting was called to order at 3.45 p.m.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/12828 and Corr.1,* S/12829/Rev.1 and Add.1,* S/12830/Rev.1)

1. The PRESIDENT (*interpretation from French*): The Security Council will now proceed to the election of five members of the International Court of Justice, in accordance with the applicable provisions of the Statute of the Court, to fill the five seats which will become vacant on 5 February 1979 on the expiry of the terms of office of the following Judges: Mr. E. Jiménez de Aréchaga, Mr. H. C. Dillard, Mr. L. Ignacio-Pinto, Mr. F. de Castro and Mr. P. D. Morozov.

2. The list of candidates nominated by the national groups for the five vacant seats is contained in document S/12829/Rev.1 and Add.1. Document S/12830/Rev.1 contains the curricula vitae of all the candidates. These documents replace, respectively, document S/12829 and Add.1 and 2 and document S/12830.

3. The Council also has before it a memorandum by the Secretary-General [S/12828 and Corr.1] 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. If, on the other hand, fewer than five candidates receive the required majority, the Council will continue voting until the remaining vacancies are filled, without prejudice, of course, to the concurring vote of the General Assembly.

4. The vote will be by secret ballot. Members of the Council are requested to place a cross by the name of the candidate for whom they wish to vote. Only votes for candidates whose names appear on the ballot paper will be counted. I would 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". Any ballot paper containing more than five names will therefore be declared invalid.

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. José Sette Câmara (Brazil)	14
Mr. Abdullah Ali El-Erian (Egypt)	12
Mr. Richard R. Baxter (United States of America)	9
Mr. Platon Dmitrievich Morozov (Union of Soviet Socialist Republics)	9
Mr. Roberto Ago (Italy)	7
Mr. H. W. Jayewardene (Sri Lanka)	7
Mr. Edilbert Razafindralambo (Madagascar)	6
Mr. Eero J. Manner (Finland)	5
Mr. Léon Boissier Palun (Benin)	3
Mr. Myres S. McDougal (United States of America)	1

5. The PRESIDENT (*interpretation from French*): The following four candidates have received the required majority of votes in the Council: Mr. Sette Câmara, Mr. El-Erian, Mr. Baxter and Mr. Morozov. The Council will have to proceed to another ballot for the fifth place. In this ballot,

* Circulated also as documents A/33/221 and Corr.1 and A/33/222/Rev.1 and Add.1 respectively. For the texts, see *Official Records of the General Assembly, Thirty-third Session, Annexes*, agenda item 17.

members may vote for any of the candidates, except those who have already received the required majority. I would remind the members that any ballot paper containing more than one name will be regarded as invalid.

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

<i>Number of votes obtained:</i>	
Mr. Roberto Ago (Italy)	7
Mr. H. W. Jayewardene (Sri Lanka)	4
Mr. Edilbert Razafindralambo (Madagascar)	3
Mr. Eero J. Manner (Finland)	1

6. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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

<i>Number of votes obtained:</i>	
Mr. Roberto Ago (Italy)	7
Mr. H. W. Jayewardene (Sri Lanka)	5
Mr. Edilbert Razafindralambo (Madagascar)	2
Mr. Eero J. Manner (Finland)	1

7. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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

<i>Number of votes obtained:</i>	
Mr. Roberto Ago (Italy)	7
Mr. H. W. Jayewardene (Sri Lanka)	6
Mr. Eero J. Manner (Finland)	2

8. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. H. W. Jayewardene (Sri Lanka)	6
Mr. Roberto Ago (Italy)	5
Mr. Eero J. Manner (Finland)	4

9. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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

<i>Number of votes obtained:</i>	
Mr. Roberto Ago (Italy)	5
Mr. H. W. Jayewardene (Sri Lanka)	5
Mr. Eero J. Manner (Finland)	5

10. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

A vote was taken by secret ballot.

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

<i>Number of votes obtained:</i>	
Mr. Eero J. Manner (Finland)	6
Mr. H. W. Jayewardene (Sri Lanka)	5
Mr. Roberto Ago (Italy)	4

11. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

A vote was taken by secret ballot.

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

<i>Number of votes obtained:</i>	
Mr. Eero J. Manner (Finland)	6
Mr. H. W. Jayewardene (Sri Lanka)	5
Mr. Roberto Ago (Italy)	4

12. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. Eero J. Manner (Finland) 6
 Mr. H. W. Jayewardene (Sri Lanka) 5
 Mr. Roberto Ago (Italy) 4

Number of votes obtained:
 Mr. Roberto Ago (Italy) 7
 Mr. H. W. Jayewardene (Sri Lanka) 5
 Mr. Eero J. Manner (Finland) 3

13. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. Roberto Ago (Italy) 7
 Mr. H. W. Jayewardene (Sri Lanka) 5
 Mr. Eero J. Manner (Finland) 3

14. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. Roberto Ago (Italy) 7
 Mr. H. W. Jayewardene (Sri Lanka) 5
 Mr. Eero J. Manner (Finland) 3

15. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. Roberto Ago (Italy) 6
 Mr. H. W. Jayewardene (Sri Lanka) 6
 Mr. Eero J. Manner (Finland) 3

16. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

A vote was taken by secret ballot.

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

17. The PRESIDENT (*interpretation from French*): Since no candidate has received the required majority, the Council will proceed to another ballot.

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. Roberto Ago (Italy) 8
 Mr. H. W. Jayewardene (Sri Lanka) 4
 Mr. Eero J. Manner (Finland) 3

18. The PRESIDENT (*interpretation from French*): Since five candidates have now obtained the required majority in the Council for the five vacant seats, I shall communicate the results to the President of the General Assembly. I request the Council to remain in session until the President of the General Assembly has informed me of the results of the voting in the Assembly.

The meeting was suspended at 5.40 p.m. and resumed at 7.10 p.m.

19. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have just received the following letter from the President of the General Assembly:

"I have the honour to inform you that at the 40th plenary meeting of the General Assembly, held today in order to elect five members of the International Court of Justice, the following five candidates obtained the necessary absolute majority of votes: Mr. Roberto Ago, Mr. Richard R. Baxter, Mr. Abdullah Ali El-Erian, Mr. Platon Dmitrievich Morozov and Mr. José Sette Câmara.

"I note from your letter of 31 October that at the 2093rd meeting of the Security Council the following five candidates obtained the required majority: Mr. Roberto Ago, Mr. Richard R. Baxter, Mr. Abdullah Ali El-Erian, Mr. Platon Dmitrievich Morozov and Mr. José Sette Câmara.

"I have informed the General Assembly that Mr. Ago, Mr. Baxter, Mr. El-Erian, Mr. Morozov and Mr. Sette Câmara have obtained the necessary absolute majority both in the General Assembly and in the Security Council and are accordingly elected members of the International Court of Justice."

20. Members of the Council will note that the list which the President of the General Assembly has communicated

to the President of the Security Council coincides with that which the Council had transmitted to the General Assembly. In accordance with Article 10 of the Statute of the International Court of Justice, the candidates who received the required majority in the General Assembly and in the Security Council are elected.

21. I wish to thank all members of the Council for their courtesy and co-operation during this month of October, during which I have had the honour of presiding over the Council.

The meeting rose at 7.15 p.m.

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