



Security Council

Sixty-ninth year

Provisional

7297th meeting

Thursday, 6 November 2014, 10 a.m.
New York

<i>President:</i>	Mr. Quinlan	(Australia)
<i>Members:</i>	Argentina	Mrs. Perceval/Mr. Oyarzábal
	Chad	Mr. Cherif
	Chile	Mr. Olguín Cigarroa
	China	Mr. Wang Min/Mr. Zhao Yong
	France	Mrs. Le Fraper du Hellen
	Jordan	Mrs. Kawar/Mr. Khair
	Lithuania	Ms. Murmokaitė/Mrs. Jakubonė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Republic of Korea	Mr. Oh Joon/Mr. Lee Kyung Chul
	Russian Federation	Mr. Zagaynov/Mr. Leonidchenko
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland . . .	Ms. Mulvein
	United States of America	Mr. Pressman/Mr. Arbogast

Agenda

Election of five members of the International Court of Justice (S/2014/520, S/2014/521 and S/2014/522)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506. Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

14-60964 (E)



Accessible document

Please recycle



The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/2014/520, S/2014/521 and S/2014/522)

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 that will become vacant upon the expiry of the terms of the following Judges on 5 February 2015: Judge Bernardo Sepúlveda-Amor (Mexico), Judge Kenneth Keith (New Zealand), Judge Mohamed Bennouna (Morocco), Judge Leonid Skotnikov (Russian Federation) and Judge Joan E. Donoghue (United States of America). The list of candidates, indicating the national groups by which each candidate was nominated, is contained in document S/2014/521.

I should like to inform members of the Council that I have received a letter addressed to me by the Legal Counsel, dated 3 November 2014, informing me, on behalf of the Secretary-General, that after the established deadline for nominating candidates, namely, 30 June 2014, several national groups submitted nominations to the Secretariat. I should like to draw the Council's attention to the fact that all such additional nominations relate to candidates already nominated by other national groups and whose names therefore already appear in document S/2014/521. The Legal Counsel recommended that, in accordance with established practice, I inform Council members orally on the day of the election about the decisions of the aforementioned national groups. I am also informed that the Legal Counsel made a similar recommendation to the President of the General Assembly.

The nominations of the aforementioned national groups are as follows: for Mr. Mohamed Bennouna, Belgium; for Ms. Susana Ruiz Cerutti, Belgium, Croatia and the Czech Republic; for Mr. James Richard Crawford, Belgium, the Czech Republic and Romania; for Ms. Joan E. Donoghue, Belgium, the Czech Republic and Lithuania.

I should also like to inform Council members that I have received a letter from the Legal Counsel, dated 5 November 2014, informing me, on behalf of

the Secretary-General, that in a note verbale dated 5 November 2014, the Permanent Mission of Mauritania to the United Nations communicated to the Legal Counsel that the national group of Mauritania had decided to withdraw the nomination of Mr. Jemal Agatt for election to the International Court of Justice. Since Mr. Agatt was nominated only by the national group of Mauritania, his name is not included on the ballot papers.

The Security Council has before it a memorandum by the Secretary-General, contained in document S/2014/520, 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 both 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, in the first ballot, the number of candidates obtaining an absolute majority is less than five, then pursuant to rule 61 of the provisional rules of procedure of the Security Council, the Council will proceed to a second ballot on the remaining vacancies. Balloting will continue in the same manner until five candidates have obtained the required majority of votes.

If, on the other hand, more than five candidates obtain the required majority, according to established practice and as set forth in paragraph 13 of the Secretary-General's memorandum, a new vote will be held on all the candidates. That 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.

The voting will be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot containing the names of all the candidates. No withdrawal will be accepted once the ballot papers have been distributed. However, it will be possible to withdraw between ballots.

Members of the Council will be requested to place an “X” in the box next to the names of the candidates for whom they wish to vote. Only those candidates whose names appear on the ballot are eligible for election.

I should like to remind members of paragraph 10 of the Secretary-General's memorandum, which specifies that "[e]ach elector may vote for not more than five candidates on the first ballot". Any ballot paper containing votes for more than five names will be considered invalid.

I should like to inform Council members that, in accordance with established practice, the ballot papers in the Security Council will not be counted until it has been verified that the ballot papers in the General Assembly have also been collected. The Council will remain in session pending the receipt of that information.

Only when five candidates have obtained the required majority of votes in the Security Council, 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 delegations of Argentina, the Russian Federation, the United States and my own delegation, Australia, will not be considered to serve as a teller because candidates of their nationalities have been nominated.

The names of the delegations of Chad and Chile have been drawn. I request each of them to appoint one of their members to serve as teller.

At the invitation of the President, Mr. Gombo (Chad) and Mr. Cabezas (Chile) 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 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. I should like to remind Council members that, in accordance with the established practice, the ballots will not be counted until it has been verified that the ballot papers in the General Assembly have also been collected. The Council will remain in session pending the receipt of that information.

* * *

The President: I have 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. I should like to remind Council members that in accordance with established practice, I shall wait for the General Assembly to complete its count before I announce the results of the voting in the Security Council. The Council will remain in session.

* * *

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
Number of abstentions:	0
Required majority:	8
Number of votes obtained:	
Ms. Eugénie Liliane Arivony	1
Mr. Mohamed Bennouna	13
Mr. Sayeman Bula-Bula	3
Ms. Susana Ruiz Cerutti	9
Mr. James Richard Crawford	13
Ms. Joan E. Donoghue	14
Mr. Kirill Gevorgian	14
Mr. Patrick Lipton Robinson	8

As more than five candidates have obtained an absolute majority, the Council will now proceed to a new vote on all candidates, as noted in paragraph 13 of the Secretary-General's memorandum contained in document S/2014/520.

I should like to remind members of the Council that each elector may vote for not more than five candidates and that only the candidates whose names appear on the ballot papers are eligible. Any ballot paper containing votes for more than five candidates will be invalid.

I now ask the Conference Officer to distribute the ballots.

I request members of the Council to 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 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 by each of the tellers.

* * *

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
Number of abstentions:	0
Required majority:	8
Number of votes obtained:	
Ms. Eugénie Liliane Arivony	1
Mr. Mohamed Bennouna	14
Mr. Sayeman Bula-Bula	3
Ms. Susana Ruiz Cerutti	9
Mr. James Richard Crawford	13
Ms. Joan E. Donoghue	14
Mr. Kirill Gevorgian	13
Mr. Patrick Lipton Robinson	8

As more than five candidates have obtained an absolute majority, the Council will now proceed to a new vote on all candidates, as noted in paragraph 13 of the Secretary-General’s memorandum contained in document S/2014/520.

I should like to remind members of the Council that each elector may vote for not more than five candidates and that only the candidates whose names appear on the ballot papers are eligible. Any ballot paper containing votes for more than five candidates will be invalid.

I now ask the Conference Officer to distribute the ballots.

I request members of the Council to 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 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 by each of the tellers.

* * *

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
Number of abstentions:	0
Required majority:	8
Number of votes obtained:	
Ms. Eugénie Liliane Arivony	0
Mr. Mohamed Bennouna	14
Mr. Sayeman Bula-Bula	2
Ms. Susana Ruiz Cerutti	9
Mr. James Richard Crawford	13
Ms. Joan E. Donoghue	14
Mr. Kirill Gevorgian	15
Mr. Patrick Lipton Robinson	8

As more than five candidates have obtained an absolute majority, the Council will now proceed to a new vote on all candidates, as noted in paragraph 13 of the Secretary-General’s memorandum contained in document S/2014/520.

I should like to remind members of the Council that each elector may vote for not more than five candidates and that only the candidates whose names appear on the ballot papers are eligible. Any ballot paper containing votes for more than five candidates will be invalid.

I now ask the Conference Officer to distribute the ballots.

I request members of the Council to 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 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 by each of the tellers.

* * *

The President: I understand that the President of the General Assembly has proposed that the Assembly suspend its meeting until 3 p.m., when it will reconvene. I propose that, with the consent of Council members, we proceed in the same manner.

It is so decided.

The meeting was suspended at 12.55 p.m. and resumed at 3.30 p.m.

* * *

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
Number of abstentions:	0
Required majority:	8
Number of votes obtained:	
Ms. Eugénie Liliane Arivony	0
Mr. Mohamed Bennouna	14
Mr. Sayeman Bula-Bula	3
Ms. Susana Ruiz Cerutti	9
Mr. James Richard Crawford	12
Ms. Joan E. Donoghue	14
Mr. Kirill Gevorgian	15
Mr. Patrick Lipton Robinson	7

Accordingly, the following candidates received the required majority of votes in the Security Council: Mr. Mohamed Bennouna, Ms. Susana Ruiz Cerutti, Mr. James Richard Crawford, Ms. Joan E. Donoghue and Mr. Kirill Gevorgian. I have communicated the result of the voting to the President of the General Assembly in writing.

I wish to inform members of the Council that I have received the following letter from the President of the General Assembly:

“I have the honour to inform you that, at the 39th 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. Mohamed Bennouna, Mr. James Richard Crawford, Ms. Joan E. Donoghue, Mr. Kirill Gevorgian and Mr. Patrick Lipton Robinson.”

As both the Security Council and the General Assembly have agreed on the following candidates, the jurists Mr. Mohamed Bennouna, Mr. James Richard Crawford, Ms. Joan E. Donoghue and Mr. Kirill Gevorgian have been elected as members of the International Court of Justice for a term of office of nine years beginning on 6 February 2015. I should like to congratulate them on all our behalf and to wish them every success in the high office to which they have been elected.

As a result of the voting that has taken place in the Security Council and in the General Assembly, four members of the Court have been duly elected. In accordance with Article 11 of the Statute of the Court, the Council will need to hold a second meeting to elect a candidate for the seat remaining to be filled.

In that regard, I have been informed by the President of the General Assembly of the withdrawal of the candidatures of Ms. Eugénie Liliane Arivony and Mr. Sayeman Bula-Bula, as indicated to the Assembly in the statements of the Permanent Representatives of Madagascar and the Democratic Republic of the Congo delivered to the General Assembly. Therefore, Ms. Eugénie Liliane Arivony and Mr. Sayeman Bula-Bula are no longer candidates in these elections and their names will be deleted from the ballot papers.

Accordingly, I intend to convene the Security Council tomorrow morning at 10 a.m. for the pending element of the voting for the remaining seat on the International Court of Justice.

The meeting rose at 6.20 p.m.