

integral part. The parties to the Statute include all members of the United Nations and three other entities: Liechtenstein, San Marino and Switzerland. Parties may refer to the Court their legal disputes with other states if they have submitted to the compulsory jurisdiction of the Court by a declaration filed pursuant to Article 36 of the Statute or if they have agreed to do so for particular classes of disputes in treaties or other international agreements.

There are 15 judges on the Court,<sup>1</sup> each serving a nine-year term. Every three years, the terms of five of the judges expire. On February 5, 1967, the terms of office of the following five were to expire: Mr. Spender (Australia); Mr. Koo (China); Mr. Winiarski (Poland); Mr. Spiropoulos (Greece); and Mr. Ammoun (Lebanon). Accordingly, an item was placed on the agenda of the twenty-first session of the General Assembly, concerning the election of new judges.

To be elected, a candidate must receive an absolute majority in the General Assembly and also in the Security Council, as the Statute of the Court provides for this dual electoral process. Pursuant to the Statute, the elections took place in both bodies separately but concurrently. Nominations were made not by governments but by national groups appointed by each government. The Canadian national group nominated the following: Judge Ammoun (Lebanon); Sir Kenneth Bailey (Australia); Professor M. Lachs (Poland); Professor S. Petren (Sweden). The voting extended over two days, in the General Assembly and the Security Council. In the General Assembly there were 11 ballots and in the Security Council there were 23. Those finally elected were: Professor Lachs (Poland); Judge Ammoun (Lebanon); Mr. Onyeama (Nigeria); Professor Petren (Sweden) and; Mr. Bengzon (Philippines).

No debate was allowed in connection with these elections, and the voting was by secret ballot. There were, however, many special considerations which related to the elections. Nationalist China had had a Judge on the Court continuously since the creation of the ICJ, and the sitting Chinese Judge, Mr. Koo, had been nominated again. However, Nationalist China withdrew its candidate before the voting started. This had the effect of bringing to an end a convention or "gentlemen's agreement" that each of the five permanent members of the Security Council, including China, would have a Judge on the Court. Mr. Bengzon (Philippines) was elected to retain this seat for Asia. Moreover, despite the fact that the Court is supposed to reflect the main forms of civilization and the principal legal systems of the world, Africa had only one Judge on the Court—Mr. Forster of Senegal, whose term expires in 1973. The African states were thus determined to

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<sup>1</sup> For a list of the Judges on the Court see Appendix II, Part 6.