

The Statute of the International Court of Justice

A Commentary

Third Edition

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Article 10

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

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

1. Sont élus ceux qui ont réuni la majorité absolue des voix dans l'Assemblée générale et dans le Conseil de sécurité.

2. Le vote au Conseil de sécurité, soit pour l'élection des juges, soit pour la nomination des membres de la commission visée à l'Article 12 ci-après, ne comportera aucune distinction entre membres permanents et membres non permanents du Conseil de sécurité.

3. Au cas où le double scrutin de l'Assemblée générale et du Conseil de sécurité se porterait sur plus d'un ressortissant du même Etat, le plus âgé est seul élu.

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Materials and Select Bibliography

- Cf. the Materials and the Select Bibliography on Article 9, *supra*, pp. 356-7, and in addition:
- Bailey, S.D./Daws, S., *The Procedure of the UN Security Council*, (3rd edn., 1998)
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- Hogan, W.N., 'The Ammoon Case and the Election of Judges to the International Court of Justice', *AJIL* 59 (1965), pp. 908-12
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