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Eighteenth session
Agenda item 3 (b)CREDENTIALS OF REPRESENTATIVES TO THE EIGHTEENTH
SESSION OF THE GENERAL ASSEMBLYReport of the Credentials CommitteeChairman: Mr. Nathan BARNES (Liberia)

1. At its 1206th plenary meeting, on 17 September 1963, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its eighteenth session consisting of the following Member States: Algeria, Belgium, Ecuador, Ireland, Liberia, Nepal, Panama, the Union of Soviet Socialist Republics and the United States of America.
2. The Credentials Committee met on 12 December 1963.
3. Mr. Nathan BARNES (Liberia) was unanimously elected Chairman of the Committee.
4. The Chairman drew the attention of the Committee to the memorandum by the Secretary-General on the status of credentials of the representatives to the eighteenth session of the General Assembly, as of 12 December 1963. The memorandum indicated that the credentials of some representatives, while emanating from the proper authority, had been submitted in the form of a cable and thus did not conform to the established practice according to which, except in the case of emergency sessions, they should be drawn up in the form of a written document bearing the signature of the issuing authority. However, in view of the imminence of the closing date of the eighteenth session and the assurances given by the delegations concerned that the credentials in the proper form would be provided as soon as possible, he proposed that, as an exceptional measure, the Committee should find the credentials of those representatives in order.

5. The Chairman also proposed that, to ensure orderly procedure in the future, the Committee might wish to stress in its report the necessity of all Member States complying with the requirements of rule 27 of the rules of procedure, of the General Assembly and submitting the credentials of their representatives, if possible, not less than one week before the date fixed for the opening of the session.

6. Both proposals were adopted unanimously.

7. The representative of the Union of Soviet Socialist Republics introduced a draft resolution providing that the Credentials Committee decide "to regard as invalid the credentials submitted to the eighteenth session of the General Assembly of the United Nations by persons describing themselves as representatives of the Government of the Republic of China, in view of the fact that those credentials are inconsistent with the provisions of rule 27 of the rules of procedure of the General Assembly". He stated that only the representatives of the Central People's Government of the People's Republic of China could represent China in the United Nations and that the artificial exclusion of that country's legitimate representatives could not be tolerated for it impaired the authority and effectiveness of the General Assembly and other United Nations organs in solving world problems.

8. The Chairman, noting that the General Assembly had already taken a decision on the matter at its 1248th plenary meeting, under agenda item 80, and recalling the established precedents in the Credentials Committee, ruled that the USSR draft resolution was out of order.

9. The representative of the USSR, in challenging the ruling of the Chairman, stated that the decision of the General Assembly referred to by the Chairman, which had been taken by a small majority, and past precedents which his delegation considered improper, did not constitute justification for the ruling made by the Chairman.

10. The Chairman's ruling was upheld by 6 votes to 3.

11. In explanation of their votes, the representatives of Algeria and Nepal stated that they would have voted in favour of the USSR draft resolution had it been put to the vote. The representative of Algeria added that he had voted against the Chairman's ruling because it deprived his delegation of the opportunity

to discuss the USSR draft resolution. He further expressed the view that, having regard to the provisions of rules 27 and 28 of the rules of procedure of the General Assembly, the Credentials Committee should be convened at the beginning of the session so that questions of such importance as that raised by the USSR representative could be debated in the Committee. He, therefore, suggested that the Credentials Committee should stress in its report to the General Assembly that, in future, it should meet within one week or at the very latest one month after the opening of the session.

12. The representatives of Belgium and of the USSR supported the suggestion made by the representative of Algeria.

13. The Legal Counsel stated that, while the Committee was required to "examine the credentials of representatives and report without delay", a sufficient number of credentials had not been received at an earlier stage to justify the convening of a meeting. Many credentials had been lacking until only recently. An attempt had been made, however, to convene the Committee earlier, but the majority of the members had then been unwilling to hold a meeting.

14. The Chairman pointed out that he had referred to the question under discussion in his opening statement and that he had submitted the proposal, which the Committee had adopted earlier, with the same purpose in mind. He was glad that several members had taken up the point, which would be further stressed in the Committee's report.

15. The representative of the USSR stated that his delegation had given sympathetic consideration to the statement made by the representative of Indonesia at the 1206th plenary meeting regarding the seating of the representatives of Malaysia in the General Assembly and supported the position of Indonesia in this regard. The representative of Algeria expressed the hope that the agreements now being negotiated by the parties concerned might bring improved relations, but should new difficulties arise he would associate himself with the views expressed by the representative of the USSR. The representative of the United States said that in his delegation's view no question should arise in connexion with the credentials of the representatives of Malaysia, which as a result of due constitutional process had succeeded to the Federation of Malaya.

16. The representatives of Algeria, the USSR and Liberia reserved their positions with regard to the credentials of the representatives of the Government of South Africa which in the view of their delegations was not representative of the people of South Africa and which persistently violated the principles of the United Nations Charter and continued to defy numerous resolutions adopted by United Nations organs calling for an end of the policy of apartheid. While not requesting a formal decision on the matter at the present stage, these representatives felt that the time had come for the United Nations to undertake a review of the validity of the credentials submitted by such a Government.
17. A proposal was submitted by the Chairman that the Credentials Committee find the credentials of all representatives in order and recommend that the General Assembly approve its report.
18. The representative of the USSR said that he would vote in favour of the Chairman's proposal, without prejudice however to the three reservations he had made earlier and without in any way implying that he agreed with all the views expressed in the report. The representative of Algeria stated that he was also in agreement with the Chairman's proposal, subject to the reservations he had expressed, particularly with respect to the representation of China and South Africa, which should be considered formal reservations by his delegation.
19. The proposal of the Chairman was approved by the Committee.

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

20. The Credentials Committee, therefore, recommends to the General Assembly the adoption of the following draft resolution:

Credentials of representatives to the eighteenth session of the General Assembly

The General Assembly

Approves the report of the Credentials Committee.
