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CREDENTIALS OF REPRESENTATIVES TO THE FIFTH SPECIAL SESSION  
OF THE GENERAL ASSEMBLY

Report of the Credentials Committee

Chairman: Mr. Kurt WALDHEIM (Austria)

1. At its 1502nd plenary meeting, on 21 April 1967, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its fifth special session consisting of the following Member States: Austria, El Salvador, Guinea, Ivory Coast, Japan, Nepal, Nicaragua, the Union of Soviet Socialist Republics and the United States of America.
2. The Credentials Committee met on 22 May 1967.
3. Mr. Kurt Waldheim (Austria) 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 representatives to the fifth special session of the General Assembly. It appeared from that memorandum that credentials of some representatives, although emanating from the proper authority, had been submitted in the form of a cable and thus did not conform to rule 27 of the rules of procedure of the General Assembly and to the practice established under this rule, according to which they should be issued by the Head of State or Government or by the Minister for Foreign Affairs in the form of a written document bearing the signature of the issuing authority, except in the case of emergency sessions where cabled credentials are considered as acceptable. It further appeared from the Secretary-General's memorandum that no formal credentials

had yet been submitted for a number of representatives of whose appointment the Secretary-General was informed in notes verbales or letters from the Permanent Representatives or the Permanent Missions to the United Nations. As it seemed unlikely that those credentials could reach the Secretary-General in time for the Credentials Committee to meet again and examine them before the adjournment of the session, the Chairman proposed, as an exceptional measure, that the Committee decide, pending the receipt of the proper credentials, to accept in lieu thereof the communications referred to in paragraphs 2, 3 and 4 of the Secretary-General's memorandum and to request the Secretary-General to inform the Credentials Committee of the twenty-second regular session of the General Assembly of the status of those credentials.

5. The Chairman also proposed that, with a view to ensuring an orderly procedure in the future, the Committee stress once again in its report to the General Assembly the necessity for all Member States to comply with the requirements of rule 27 of the rules of procedure of the General Assembly, which provides, inter alia, that credentials of representatives shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session.

6. The above-mentioned proposals were adopted unanimously.

7. The representative of the Union of Soviet Socialist Republics stated that the USSR, like many other countries, did not regard as valid the credentials submitted by persons who arrogate to themselves the title of representatives of China in the United Nations. His delegation's position on the substance of the matter, as stated on many previous occasions, was that the only government legally entitled to represent the Chinese people was the Government of the People's Republic of China.

8. For the above-mentioned reasons, the representative of the USSR proposed that the Committee regard the credentials in question as invalid and to this end introduced a draft resolution to the effect that the Credentials Committee decide "to consider invalid the credentials of persons calling themselves the representatives of the Republic of China to the fifth special session of the General Assembly due to the incompatibility of these credentials with the requirements of rule 27 of the rules of procedure of the General Assembly".

9. The representatives of Guinea and Nepal stated that they strongly supported the draft resolution submitted by the representative of the USSR, as the Central People's Government of the People's Republic of China was the only government legally entitled to represent the Chinese people. The representative of Guinea further stated that the Chiang Kai-shek régime represented only a small minority of refugees on the island of Taiwan.

10. The representative of the United States of America stated that he would vote against the draft resolution proposed by the representative of the USSR, since the credentials of the representatives of the Republic of China were obviously in order. They had been submitted in accordance with rule 27 of the rules of procedure, which provides that credentials be issued by the Head of State or Government or the Minister for Foreign Affairs, and there was, therefore, no legal basis for challenging their regularity. Furthermore, the proposal of the representative of the USSR raised a question of substance which was not even on the agenda of the current session of the General Assembly. He recalled that a proposal to admit representatives of the People's Republic of China had been decisively rejected by the General Assembly at its twenty-first session and that, at the same session, the General Assembly had reaffirmed that the question of representation of China was an "important question" which, in accordance with Article 18, paragraph 2, of the Charter, could be decided only by a two-third majority of Members present and voting.

11. The representatives of the Ivory Coast and Japan stated that the question of the representation of China had been decided by the General Assembly at its twenty-first session and that there were no grounds for questioning the credentials of the representatives of the Republic of China. Furthermore, in the view of the representative of Japan, since the question had been decided by the General Assembly, the proposal of the representative of the USSR was out of order. However, with a view to avoiding a long procedural discussion on the matter, he would raise no objection for the Committee to proceed directly to a vote on the said proposal.

12. The representative of Nicaragua stated that there was no legal argument for challenging the credentials of the representatives of the Republic of China which had represented the people of China since the very inception of the United Nations.

13. The Chairman put to the vote the draft resolution submitted by the representative of the USSR. The draft resolution was rejected by 5 votes to 3, with 1 abstention.

14. The representative of Guinea, referring to the credentials of the South African delegation, stated that the persons claiming to represent South Africa were, in fact, representatives of an illegal and oppressive régime, whose activities were contrary to the interests of the South African people. He, therefore, wished to place on record his delegation's reservations regarding these credentials.

15. The representative of the USSR stated that he fully shared the observations of the representative of Guinea on the racist régime in Pretoria, which had flouted several General Assembly resolutions calling upon it to put an end to its policies of apartheid and racial discrimination. He, therefore, wished to express his delegation's reservations regarding the credentials submitted on behalf of South Africa. The representative of the Ivory Coast said that his delegation, too, had reservations regarding the credentials of the persons representing the fascist and racist régime in South Africa.

16. The representative of the United States stated that his Government had consistently made clear its detestation of the South African Government's racist policy, which was directly contrary to the policy pursued by the United States. However, neither the abhorrence for apartheid nor the United States reservations regarding other policies and acts of the South African Government did affect the validity of the credentials of the South African delegation, which fulfilled the requirements of rule 27 of the rules of procedure. The United States also believed that it was important that the South African delegation should be present and participate in the work of the various United Nations bodies, especially when the question of South West Africa was a major item before the Organization. There were also advantages to be gained from South Africa's experiencing directly the intensity of the feelings of the Member States concerning its policies. For these reasons, the United States delegation accepted the credentials of the representatives of South Africa as being in accordance with rule 27 of the rules of procedure.

17. The representative of Nicaragua stated that racial discrimination was abhorrent to the peoples of all Latin American countries, but the fact remained that

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the government which had submitted credentials for the representatives of South Africa was the only government existing in South Africa at the present time. If the Committee were to question the credentials of the representatives of South Africa, it would only be complicating a situation which was already extremely delicate.

18. The representative of Guinea, while agreeing with the Nicaraguan representative that there was only one government in South Africa at the present time, called the attention of the Committee to new developments which were taking place on the African continent and which might, sooner or later, lead to the establishment of another government in South Africa, and indeed in South West Africa as well. The peoples of Africa had come to realize that words alone were not enough to put an end to the policy of apartheid in South Africa. The Committee should take those factors into consideration and should not base its decision on the out-worn argument that representatives of the present régime in South Africa should be allowed to experience at first hand the intensity of the feeling which the policy of apartheid had aroused.

19. The Chairman stated that all reservations expressed in the Committee concerning the representation of China and South Africa would be included in the report and proposed the following draft resolution for the adoption of the Committee:

"The Credentials Committee,

"Having examined the credentials of the representatives to the fifth special session of the General Assembly,

"Recalling the different views expressed during the debate,

"Accepts the credentials of all representatives to the fifth special session of the General Assembly and recommends to the General Assembly that it approve the report of the Credentials Committee."

20. The representative of the USSR stated that, for the reasons he had given in his statement on the credentials of the representatives of China and South Africa, he would be unable to support the recommendation that the Assembly should approve the Committee's report, and would abstain on the draft resolution proposed by the Chairman.

21. The representatives of Guinea, the Ivory Coast and Nepal stated that they would vote in favour of the draft resolution on the understanding that the reservations expressed by their delegations during the debate would be duly recorded in the Committee's report.
22. The draft resolution proposed by the Chairman was adopted by 8 votes to none, with 1 abstention.

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

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

Credentials of representatives to the fifth special session  
of the General Assembly

The General Assembly

Approves the report of the Credentials Committee.

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