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CREREDENTIALS OF REPRESENTATIVES AT THE SIXTH SPECIAL SESSION OF  
THE GENERAL ASSEMBLY

Report of the Credentials Committee

Chairman: Mr. Carlos GIAMBRUNO (Uruguay)

1. At its 2207th meeting, on 9 April 1974, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed for its sixth special session a Credentials Committee consisting of the following Member States, which have previously been appointed for the twenty-eighth regular session: China, Greece, Japan, Nicaragua, Senegal, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America and Uruguay.
2. The Credentials Committee held two meetings, on 25 and 26 April 1974.
3. Mr. Carlos Giambruno (Uruguay), Chairman of the Committee at the twenty-eighth regular session, was re-elected Chairman unanimously.
4. The Committee had before it a memorandum by the Secretary-General, dated 25 April 1974, from which it appeared that credentials issued by the Head of State or Government, or by the Minister for Foreign Affairs, had been communicated, as provided for in rule 27 of the rules of procedure of the General Assembly, by all Member States, except 22. In 14 cases (Algeria, Burundi, Chile, Dahomey, Dominican Republic, Guyana, Lebanon, Libyan Arab Republic, Mauritania, Nepal, Nicaragua, Pakistan, Saudi Arabia and United Arab Emirates) the appointment of the representatives had been submitted in letters or notes verbales from the permanent representatives or permanent missions concerned (however, in the latter case, the Permanent Representatives of eight States - Algeria, Chile, Dahomey, Dominican Republic, Guyana, Lebanon, Nicaragua and Pakistan - had been empowered to represent their Governments without limitation as to session in all organs of the United Nations). In seven cases (Colombia, Ethiopia, Haiti, India, Italy, Jordan and Venezuela) the appointment of representatives had been communicated to the Secretary-General in cables from the Head of State or Government or the Minister for Foreign Affairs. Finally, one Member State, the Maldives, was not represented at the sixth special session of the General Assembly. In addition, the Legal Counsel informed the Committee that subsequent to the preparation of the Secretary-General's

Tanzania that the Committee should abide by the decisions taken by the General Assembly at its twenty-eighth session. His delegation condemned the South African Government's policy of racism and apartheid and considered that the South African representatives did not represent the South African people. It was also of the opinion that the credentials of the Portuguese delegation could apply only to the metropolitan territory of Portugal.

14. The representative of the United States of America said that his delegation vigorously deplored the practice of apartheid in South Africa. Nevertheless, South Africa was a Member of the United Nations, and the Secretary-General, whose task it was to review the credentials submitted by Member States, had indicated that those credentials were in conformity with rule 27 of the rules of procedure. The Committee could not properly go beyond the provisions of rule 27 and take a decision on its own initiative regarding the legality or representativity of any delegation accredited to the General Assembly. If it did so, difficulties might present themselves for several Member States. Furthermore, an understanding had been reached that there would not, at the present session, be any discussion on political matters such as those which the Committee was presently debating.

15. The representative of Senegal, while sharing the concern expressed by the United States representative, pointed out that two rules of the rules of procedure related to credentials and that one which more directly concerned the Committee was rule 28, which stated that the Credentials Committee examined the credentials of representatives. The fact was that the South African representatives did not represent the people of South Africa. To accept the decision taken by the General Assembly at its last session would prevent the Assembly from being distracted from the work of its present session.

16. The representative of Japan said that he fully understood the motives for the proposals that had been made. His Government strongly opposed racism and apartheid. It also understood the aspirations of the peoples still under Portuguese domination and fully supported their right to self-determination and independence. However, the task of the Credentials Committee was to ascertain if the credentials communicated to the Secretary-General were in conformity with rule 27 of the rules of procedure. Accordingly, he could not support the aforementioned proposals.

17. The Chairman, speaking as the representative of Uruguay, said that inasmuch as the Credentials Committee had been appointed for the formal consideration of credentials, he could not accept the proposal that the decision taken at the present session should be the same as that taken at the previous session. It likewise did not seem to him that the Committee was the proper place for the consideration of political questions regarding certain régimes. In appropriate forums, his delegation had condemned the policy of South Africa, but to examine credentials on the basis of moral and political criteria could create a dangerous precedent. Accordingly, he would not support the proposal made by the representatives of Senegal and the United Republic of Tanzania.

18. After a procedural discussion, the representative of Greece proposed the following resolution for adoption by the Committee:

"The Credentials Committee

Accepts all the credentials of representatives of Member States to the sixth special session of the General Assembly, having taken note of the reservations expressed on that matter during the twenty-eighth regular session of the General Assembly."

19. The representative of Senegal preferred the words "having taken note of the reservations expressed" to be replaced by the words "taking account of the reservations expressed".

20. The representative of the United Republic of Tanzania said that he could not accept the text read out by the representative of Greece. He suggested that the original Greek proposal should be reconsidered in the light of the de facto amendments which had been suggested by his delegation.

21. That proposal, as drafted by the secretariat of the Committee, was as follows:

"The Credentials Committee

Accepts all the credentials of the representatives of Member States to the sixth special session of the General Assembly subject to the decisions and reservations expressed during the twenty-eighth regular session of the General Assembly."

22. The foregoing proposed text was accepted by the representative of the United Republic of Tanzania.

23. The representative of the United States said that, since his delegation had voted against the decision taken at the twenty-eighth session of the General Assembly concerning the credentials of South Africa, it could not accept the wording read out by the Secretary of the Committee.

24. The representative of Japan having expressed the wish to submit a new proposal, the 61st meeting of the Committee was thereupon adjourned.

25. At the beginning of the meeting held on 26 April 1974, the Chairman announced that the following draft resolution had been submitted by a group of delegations with a view to achieving agreement:

"The Credentials Committee,

Taking into account the decisions taken by, and the **reservations** expressed at, the twenty-eighth regular session of the General Assembly,

Accepts the credentials of all the representatives of the Member States to the sixth special session of the General Assembly."

26. The representative of Japan said that his delegation would support the foregoing proposal.

27. The representatives of Senegal and the United Republic of Tanzania expressed surprise at not having been consulted beforehand on a draft which was intended to bring about agreement on a question that directly affected the African countries. In so far as its substance was concerned, the delegations of Senegal and the United Republic of Tanzania were unable to accept the proposal in question, and it therefore seemed to them to be necessary to revert to the original proposal of Senegal, which had priority over the draft resolution which had just been submitted.

28. In reply to the statements of the representatives of Senegal and the United Republic of Tanzania, the Chairman explained that the new draft resolution had been drawn up precisely in order to take the point of view of the African delegations into account, and that it had not been the intention of the sponsors of the draft to disregard those delegations. Consideration must also be given to the position of delegations which are of the opinion that the Credentials Committee is not the proper forum in which to consider questions concerning the representativity of Governments.

29. The representatives of Senegal and the United Republic of Tanzania reiterated their views to the effect that the new draft resolution did not represent the position of the African delegations.

30. The representative of China said that he had likewise not been consulted in advance, which should have been done if a consensus was to be reached. Furthermore, he wondered why the names of the sponsors of the new draft resolution were not mentioned. He felt that the proposal made by the representative of Senegal should be voted on.

31. The representative of the Union of Soviet Socialist Republics said that the anonymous proposal was unjust and unilateral, and those who had prepared it knew it was unjust, or they would have put their names to it. The proposal was not acceptable to his delegation. As it had no sponsors, it could not be put to the vote.

32. After a procedural discussion, the proposal of Senegal, which is reproduced in paragraph 7 (a) above, was put to the vote by the Chairman in the form of the following draft resolution:

"The Credentials Committee

Accepts the credentials of all representatives of Member States to the sixth special session of the General Assembly with the exception of the credentials of the representatives of South Africa."

33. The draft resolution, having received four votes in favour (China, Senegal, Union of Soviet Socialist Republics and United Republic of Tanzania), and four votes against (Japan, Nicaragua, United States of America and Uruguay), with one delegation (Greece) not participating in the vote, was regarded as rejected /rule 133 of the rules of procedure (A/520/Rev.12)].

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34. After the voting, the representative of China stressed once again his position that the Royal Government of National Union of Cambodia was the sole legitimate Government of Cambodia.
35. The representative of Senegal then proposed that the Committee should conclude its work at this stage and report to the General Assembly, since rule 28 of the rules of procedure did not require the Committee to make recommendations to the Assembly. That proposal was supported by the delegations of China and the Union of Soviet Socialist Republics.
36. The Chairman then said that, unless a vote was requested, the proposal would be regarded as accepted without the need for putting it to the vote.
37. At the request of the representative of the Union of Soviet Socialist Republics and in the absence of any objection, it was decided that the names of the delegations voting for and against the draft resolution submitted by Senegal should appear in the report.
38. The representative of the United States of America, while regretting that the Committee had been unable to agree on a compromise text, requested that his delegation's position concerning the credentials of the Khmer Republic should be reflected in the report. He considered that the credentials of the Khmer Republic were in conformity with rule 27 of the rules of procedure, and he rejected all the allegations made concerning the legitimacy of the Government of the Khmer Republic, particularly those concerning the role of his Government.
39. The representative of Japan reiterated his remarks concerning the Committee's function. With regard to the credentials of the representatives of the Khmer Republic, the Japanese delegation had no doubts concerning the validity of the credentials issued by the Government of the Khmer Republic, the only legitimate Government of that country. As far as Portugal was concerned, the Japanese delegation deplored the intransigent attitude of the Portuguese Government, but the fact remained that the credentials of the representatives of Portugal had been submitted in the form prescribed by rule 27 of the rules of procedure.
40. The representative of the Union of Soviet Socialist Republics requested that the report should reflect the fact that, at the twenty-eighth session, his Government had voted against the motion to defer to the twenty-ninth session consideration of the item "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations".
41. The representative of Nicaragua, after noting that the proposal submitted by a group of delegations had best reflected his own delegation's view, said that the Committee would not be fulfilling its mandate if it acted in the manner suggested by the representative of Senegal. He was therefore unable to support that proposal.
42. The representative of Greece said that he shared the point of view of the representative of Japan on the procedural aspect of the matter: the Committee was not called upon to discuss problems with which the General Assembly and the Security

Council had been occupied for many years. As to his Government's position on apartheid, it had long been well known, but the Committee was not empowered to make decisions on the legitimacy of governments.

43. The Chairman, speaking as the representative of Uruguay, said that his delegation endorsed the view that the credentials of the representatives of the Khmer Republic were in order.

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44. In the light of the foregoing, the present report is submitted to the General Assembly.