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CREDENTIALS OF REPRESENTATIVES TO THE FORTY-SECOND SESSION OF THE GENERAL ASSEMBLY

First report of the Credentials Committee

Chairman: Mr. Marcelo E. R. DELPECH (Argentina)

1. At the 1st plenary meeting, on 15 September 1987, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its forty-second session consisting of the following Member States: Argentina, Barbados, Cape Verde, China, Germany, Federal Republic of, Kenya, Singapore, Union of Soviet Socialist Republics and United States of America.
2. The Credentials Committee held its first meeting on 7 October 1987.
3. Mr. Marcelo E. R. Delpech (Argentina) was unanimously elected Chairman.
4. The Committee had before it a memorandum by the Secretary-General, dated 6 October 1987, on the status of credentials of representatives to the forty-second session. The memorandum indicated that, as at 6 October 1987, credentials issued by the Head of State or Government or by the Minister for Foreign Affairs, as provided in rule 27 of the rules of procedure of the General Assembly, had been submitted by 109 Member States (Afghanistan, Albania, Australia, Austria, Bahamas, Bahrain, Barbados, Belize, Bhutan, Botswana, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Czechoslovakia, Democratic Kampuchea, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman,

Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe). The Legal Counsel informed the Committee that, subsequent to the preparation of the memorandum, additional credentials in due form had been received in respect of the representatives of six Member States (Bolivia, Djibouti, Ecuador, Lebanon, Papua New Guinea and Suriname).

5. The Legal Counsel explained to the Committee that the Secretary-General's memorandum, as supplemented by the additional information he had provided to the Committee, related solely to the Member States that had submitted formal credentials for their representatives in accordance with rule 27 of the rules of procedure of the General Assembly. The Legal Counsel indicated also that at a later stage the Secretary-General would report to the Committee on the credentials of representatives of other Member States participating in the forty-second session whose formal credentials had not yet been received at the time of the Committee's first meeting.

6. Statements relating to the credentials of the representatives of Member States referred to the Committee for its consideration were made by the representatives of the Union of Soviet Socialist Republics, China, the United States of America, the Federal Republic of Germany and Singapore.

7. The representative of the Union of Soviet Socialist Republics stated that the Soviet delegation strongly objected to acceptance of the credentials of the so-called delegation of "Democratic Kampuchea". There was no doubt as to the artificiality of the presence in the United Nations of representatives of a régime overthrown by the Kampuchean people. No efforts to conceal the Pol Pot clique, which was responsible for the mass genocide of the population of Kampuchea, under the designation of "coalition" could cover up its crimes and justify its presence in the United Nations, which was not in keeping with either the spirit or the letter of the Charter and could only make a Kampuchean settlement more difficult. Favourable conditions were emerging for the unification of all patriotic forces in Kampuchea in the cause of building in that country a progressive and just society on the basis of national reconciliation, as had been proposed by the leadership of the People's Republic of Kampuchea. Only the Government of the People's Republic of Kampuchea and the representatives appointed by it have the right to represent the Kampuchean people in the United Nations. The Soviet delegation urged that they be accorded an opportunity to occupy their legitimate place in the Organization.

8. The same representative added that the Soviet delegation also wished to reconfirm its non-acceptance of the credentials of the delegation of Chile.

9. The representative of China stated that previous sessions of the General Assembly had taken correct decisions on the legality of the credentials of the delegation of Democratic Kampuchea. However, as a delegation in the Committee had expressed reservations on that point, he wished to reiterate the Chinese

delegation's position that the coalition Government of Democratic Kampuchea was the sole legal Government of Kampuchea and was extensively recognized and supported by the international community. Successive General Assembly resolutions on Kampuchea had fully confirmed that fact. In accordance with the United Nations Charter and principles of international law, the legal status of a country must not be altered on the ground that it was under foreign aggression. The so-called "Government of the People's Republic of Kampuchea" was merely a product of foreign aggression and a proxy of foreign authorities and it could in no way represent the Kampuchean people. The Chinese delegation was therefore of the view that the credentials of the delegation of Democratic Kampuchea were absolutely in order.

10. The representative of the United States of America said that the credentials of the representatives of Democratic Kampuchea were clearly in order, fulfilled the requirements of rule 27 of the rules of procedure, had already been accepted by the General Assembly in the past and should be accepted at the current session. The suggested alternative was a régime brought to power by a foreign military invasion and one that was clearly not representative in any way, shape or form of the Kampuchean people.

11. The same representative noted that the credentials of the representatives of Chile were also in order, submitted in accordance with rule 27 of the rules of procedure, and there was no possible basis for their being called into question.

12. The representative of the Federal Republic of Germany stated that it was important to note that the function the Credentials Committee had to exercise was not political, and it was not one of making political judgements about the Governments that issued the credentials. Its task under rules 27 and 28 of the rules of procedure of the General Assembly was rather to perform a technical function: to examine whether the credentials submitted for representatives of Member States met the formal requirements stipulated in rule 27 of the rules of procedure. That being so, on the basis of the Secretary-General's memorandum as well as the additional information provided to the Committee by the Lega' Counsel, his delegation concluded that the credentials of the representatives of all the Member States listed in the memorandum and in the additional information provided to the Committee fulfilled those requirements, accordingly are in order and, therefore, should be accepted.

13. The representative of the United States stated that, in view of the technical nature of the credentials exercise, the United States delegation was not raising any objection to the acceptance of the credentials of the representatives of Afghanistan, even though that country's Government had been installed as a result of foreign aggression from the north.

14. The representative of Singapore said that his country and the vast majority of the international community fully recognized the legitimacy of the Government of Democratic Kampuchea and found the credentials of its representatives in order; he expected the General Assembly to do so again at the present session.

15. The representative of China reiterated the Chinese delegation's position that the fact that the representatives of Afghanistan were permitted to participate in

the current session of the General Assembly should in no way be interpreted as an acquiescence in the situation created by foreign armed invasion and occupation of Afghanistan.

16. The representative of the Union of Soviet Socialist Republics stated that the statements made by two delegations about the credentials of the Democratic Republic of Afghanistan were a deliberate attempt to distort historical and political realities. Such statements could not change the fact of the existence of the Democratic Republic of Afghanistan, which was a sovereign and non-aligned State and a fully-fledged Member of the United Nations; nor did they help to normalize the situation in South-West Asia. They amounted in fact to an intolerable attempt to interfere in the internal affairs of the Democratic Republic of Afghanistan.

17. The Chairman proposed that, taking into account the statements made by the Legal Counsel and by members of the Committee, which would be reflected in the Committee's report, the Committee should adopt the following draft resolution:

"The Credentials Committee,

"Having examined the credentials of the representatives to the forty-second session of the General Assembly of the Member States referred to in paragraph 4 of this report,

"Taking into account the various reservations expressed by delegations during the debate,

"Accepts the credentials of the representatives of the Member States concerned."

18. The draft resolution proposed by the Chairman was adopted without a vote.

19. The Chairman then proposed that the Committee should recommend to the General Assembly the adoption of a draft resolution (see para. 21). The proposal was adopted without a vote.

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

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

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

Credentials of representatives to the forty-second
session of the General Assembly

The General Assembly

Approves the first report of the Credentials Committee.