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CREDENTIALS OF REPRESENTATIVES TO THE THIRTY-THIRD
SESSION OF THE GENERAL ASSEMBLY

Report of the Credentials Committee

Chairman: Mr. Henricus A. F. HEIDWEILLER (Suriname)

1. At its 1st plenary meeting, on 19 September 1978, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed for its thirty-third session a Credentials Committee consisting of the following Member States: China, Denmark, India, Sierra Leone, Suriname, Thailand, Union of Soviet Socialist Republics, United States of America and Zaire.
2. The Credentials Committee held its 1st meeting on 25 October 1978.
3. Mr. Henricus A. F. Heidweiller (Suriname) was unanimously elected Chairman.
4. The Committee had before it a memorandum by the Secretary-General, dated 23 October 1978, indicating that, as of that date, communications had been received from 149 Member States participating in the session. Credentials issued by the Head of State or Government or by the Minister for Foreign Affairs, as provided for by rule 27 of the rules of procedure of the General Assembly, had been submitted by 133 Member States (Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain,

Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia). The appointment of the representatives of the Central African Empire had been communicated to the Secretary-General by a cable from the Minister for Foreign Affairs. The appointment of the representatives of 15 Member States (Angola, Djibouti, Egypt, Grenada, Guinea, Guinea-Bissau, Lao People's Democratic Republic, Lebanon, Lesotho, Morocco, Philippines, Samoa, Sao Tome and Principe, Syrian Arab Republic and Turkey) had been communicated to the Secretary-General by letter or note verbale from the permanent representatives or permanent missions concerned. Of these, the permanent representatives of seven Member States (Angola, Egypt, Grenada, Guinea, Samoa, Syrian Arab Republic and Turkey) had been empowered to represent their respective Governments without limitation as to session in one or more or in all organs of the United Nations, including the General Assembly. No communication had been received from South Africa.

5. The Legal Counsel informed the Committee that, since the preparation of the memorandum by the Secretary-General, credentials in the form provided for by rule 27 of the rules of procedure had been received from Lesotho. The Legal Counsel also informed the Committee that it would be in accordance with past practice for the Committee to accept the credentials of all the Member States referred to in the Secretary-General's memorandum as participating in the session, on the understanding that, in the case of the representatives of Member States for whom formal credentials in accordance with rule 27 of the rules of procedure had yet to be submitted - except for the permanent representatives who were in possession of credentials expressly authorizing them, without limitation as to session, to represent their State in the General Assembly - formal credentials would be communicated to the Secretary-General as soon as possible.

6. The representative of the Union of Soviet Socialist Republics, referring to paragraph 2 of the memorandum of the Secretary-General, stated that his delegation did not recognize the credentials of the delegation of the fascist régime of Chile and requested that this view be reflected in the report of the Committee to the General Assembly.

7. The representative of the United States of America stated that issues of the nature of the one raised by the representative of the Union of Soviet Socialist Republics were not properly before the Credentials Committee and that the credentials of the delegation in question were in accordance with the provisions of rule 27 of the rules of procedure and obviously in order, as had been reported by the Secretary-General. In the view of his delegation, there was no basis in law or in fact for questioning the validity of those credentials and it would be a violation of the Committee's mandate and of the provisions of the Charter of the United Nations to do so.

8. The representative of Suriname stated that the argument put forward by the representative of the Union of Soviet Socialist Republics went beyond the competence

and scope of the Credentials Committee, for which the only criterion on which to base its examination of credentials was the question whether the credentials had been signed by the Head of State or Government or by the Minister for Foreign Affairs. If that requirement had been fulfilled, then the credentials were in order. The representative of Suriname requested that his statement be reflected in the report of the Committee.

9. The representative of Sierra Leone stated that, while the Group of African States viewed with reservations the credentials of the representatives of the Comoros, the delegation of Sierra Leone wished to have it reflected in the report of the Committee that Sierra Leone objected to those credentials on the ground that the present Head of State or Government had been installed by the use of force from outside that State by foreign mercenaries, who had invaded the country and eliminated the properly constituted authority, replacing it by those of their choice. It would create a dangerous precedent if the Credentials Committee were to accept the credentials issued by a Government that had thus come to power.

10. The representative of the United States of America stated that his remark made with regard to the statement by the representative of the Union of Soviet Socialist Republics applied, mutatis mutandis, also to the statement made by the representative of Sierra Leone. It was not proper for the Credentials Committee to look into the question of how a Government came to power, as there were other appropriate organs in which this question could be considered. In this particular case, the formal requirements for the credentials as provided by the rules of procedure had been fulfilled and consequently the credentials had to be accepted.

11. The Chairman then proposed that, in the light of the remarks made by the Legal Counsel and taking into account the statements made, the Committee should decide to accept the credentials of representatives of all Member States participating in the thirty-third session of the General Assembly, on the understanding that formal credentials of representatives of those Member States not referred to in paragraph 2 of the memorandum by the Secretary-General, as orally amended by the Legal Counsel, and except with respect to permanent representatives who had standing full powers, would be communicated to the Secretary-General as soon as possible. The Committee decided accordingly, without a vote.

12. In the light of this decision, the Chairman then proposed the following draft resolution for adoption by the Committee:

"The Credentials Committee,

"Having examined the credentials of the representatives to the thirty-third session of the General Assembly,

"Accepts the credentials of all representatives to the thirty-third session of the General Assembly."

The draft resolution was adopted without a vote. However, the representative of Sierra Leone stated that in the light of his earlier statement in the Committee with regard to the credentials of the representatives of the Comoros, his delegation was unable to support the resolution.

13. The Chairman then proposed that the Committee should recommend to the General Assembly the adoption of a draft resolution (see para. 15 below). The proposal was approved by the Committee without a vote.

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

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

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

Credentials of representatives to the thirty-third session
of the General Assembly

The General Assembly

Approves the report of the Credentials Committee.
