



UNITED NATIONS GENERAL ASSEMBLY



Distr.
GENERAL

A/8625
17 December 1971

ORIGINAL: ENGLISH

Twenty-sixth session
Agenda item 3

CREDENTIALS OF REPRESENTATIVES TO THE TWENTY-SIXTH SESSION OF THE GENERAL ASSEMBLY

Report of the Credentials Committee

Chairman: Mr. Cornelius CREMIN (Ireland)

1. At its 1934th plenary meeting, on 21 September 1971, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its twenty-sixth session consisting of the following Member States: Australia, Colombia, France, Ireland, Liberia, Mongolia, Somalia, Union of Soviet Socialist Republics and United States of America.
2. The Committee met on 17 December 1971.
3. Mr. Cornelius C. Cremin (Ireland) was unanimously elected Chairman.
4. The Chairman drew the attention of the Committee to the Secretary-General's memorandum of 17 December 1971 on the status of representatives to the twenty-sixth session of the General Assembly, from which it appeared that formal credentials had been submitted to the Secretary-General by all Member States except three. In those three instances, the credentials of the representatives 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 credentials 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. However, in view of the imminent closing date of the session and the assurances given by the delegations concerned that the credentials in due form had been established and

would be transmitted, the Chairman proposed, as an exceptional measure, the acceptance in lieu thereof of the communications referred to in paragraphs 2 and 3 of the Secretary-General's memorandum.

5. The representative of the United States of America proposed that the Committee approve the memorandum and relay the information contained therein to the General Assembly.

6. The representative of Somalia, noting that at its twenty-fifth session the General Assembly had approved the first report of the Credentials Committee with an exception regarding the representatives of South Africa, stated that, while his delegation would otherwise accept the United States proposal, the credentials of the representatives of South Africa should be singled out for special consideration by the General Assembly.

7. The representative of Liberia said that the fact that the People's Republic of China was now represented was a gratifying development. He then stated that the Committee had not in the past taken its full responsibilities. He noted, with reference to the recent negotiations between the United Kingdom and Southern Rhodesia, that the latter might well submit an application for United Nations membership, which, in the view of Liberia, should be rejected because of the policies that country had in common with South Africa. Such countries should adhere to United Nations principles if their credentials were to be accepted.

8. The representatives of Australia supported the proposal made by the United States. He fully understood the feeling which inspired the motion made by Somalia. The delegation of Somalia would always have the possibility of reopening the debate at a plenary meeting of the General Assembly. However, he hoped that the representative of Somalia would subscribe to the suggested report for the time being. With regard to Southern Rhodesia, that question would have to be tackled in due course.

9. The representatives of Mongolia and the Union of Soviet Socialist Republics expressed their support of Somalia's proposal.

10. The representative of Colombia emphasized that rule 27 of the rules of procedure of the General Assembly only called for the Committee to pronounce itself on whether the credentials had been submitted in due form. Independently of the abhorrence which his country felt towards colonialism and racial discrimination,

he was of the opinion that the Committee could not make a decision which would result in its assuming prerogatives properly belonging, under the Charter, to the General Assembly and the Security Council. Although Colombia did not object to having the credentials of the representatives of South Africa reported upon separately, the Committee could not refuse to recognize the credentials concerned.

11. The representative of France recalled that the position of France towards the policies followed by South Africa had been expressed last year in the General Assembly. However, the question before the Committee was not a political question, but a very simple one - whether or not the credentials of the representatives emanated from their Governments.

12. The representative of Somalia emphasized that South Africa's membership in the Organization was not in question. The question was that South Africa's whole posture towards the Organization had been changing since 1948 and that today its application for membership would be rejected, since that country did not follow the principles of the Charter. Somalia could not endorse as valid the credentials of the representatives of South Africa. The General Assembly had taken a position on that subject last year, a position that could not be ignored by the Committee, and the Secretary-General's memorandum should have taken it into account. The examination of credentials could not be reduced to the mere verification of a piece of paper.

13. The representative of the United States of America stressed that rule 27 laid down purely technical requirements for the verification of the credentials of representatives, and he recalled that the Committee had in the past rejected similar attempts to exclude representatives of Member States. He supported the views already expressed by Australia, Colombia and France.

14. In his capacity as the representative of Ireland, the Chairman recalled the position of his delegation, which was stated last year in the General Assembly.

15. The Chairman put to the vote Somalia's proposal that the credentials of the representatives of South Africa should be reported upon separately and that the Committee should not pronounce itself on the acceptability of those credentials. The proposal was rejected by 5 votes to 4.

16. In explanation of his vote, the representative of Colombia stated that despite his country's rejection of the policy of apartheid followed by the

Government of South Africa - with which Colombia had no relations whatsoever - it would have been unacceptable for the Committee to take upon itself prerogatives which were clearly conferred by the Charter upon the General Assembly and the Security Council and the exercise of which was governed by special procedures. In voting against the proposal, Colombia intended to safeguard the rights of all Member States.

17. The representative of Somalia stated that the Committee, having been established under the rules of procedure of the General Assembly, should feel bound by the latter's pronouncement. Somalia would take up the question of South Africa's credentials in the Assembly.

18. The Chairman, observing that all reservations expressed in the Committee concerning the representation of South Africa would be recorded in the Committee's report to the General Assembly, proposed the following draft resolution for adoption by the Committee:

"The Credentials Committee,

"Having examined the credentials of the representatives to the twenty-sixth session of the General Assembly,

"Recalling the different views expressed during the debate,

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

19. The draft resolution proposed by the Chairman was adopted by 5 votes to none, with 4 abstentions.

20. The Chairman then proposed that the Credentials Committee recommend to the General Assembly the adoption of the following draft resolution:

"The General Assembly

"Approves the report of the Credentials Committee."

21. The representative of Somalia stated that, in order not to pre-empt any decision by the General Assembly on the credentials of the representatives of South Africa, that recommendation should not be included in the Committee's report.

22. The Chairman observed that it had been the practice of the Committee to include such a recommendation in its report to the General Assembly.

23. The representative of Somalia stated that the resolution adopted last year by the General Assembly differed from the one recommended by the Committee. He would be in favour of recommending to the Assembly the adoption of a resolution identical to the one it adopted last year.

24. The representative of Mongolia thought that the report should reflect the views of those members of the Committee who felt that the credentials of the representatives of South Africa should be considered separately by the General Assembly.

25. The Chairman put to the vote his previous proposal to the effect that the Committee recommend to the General Assembly the adoption of the draft resolution set forth in paragraph 20 above. The proposal was adopted by 5 votes to 2, with 2 abstentions.

26. The representative of Somalia stated that he would have voted for the draft resolution if the wording had been like that of General Assembly resolution 2636 A (XXV) of 13 November 1970, the operative paragraph of which read:

"Approves the first report of the Credentials Committee except with regard to the credentials of the representatives of the Government of South Africa."

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

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

Credentials of representatives to the twenty-sixth session of the General Assembly

The General Assembly

Approves the report of the Credentials Committee.
