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CREDENTIALS OF REPRESENTATIVES TO THE FIFTEENTH
SESSION OF THE GENERAL ASSEMBLY

Second Report of the Credentials Committee

Chairman: Mr. Foss Shanahan (New Zealand)

1. The Credentials Committee, appointed by the General Assembly at its 864th plenary meeting on 20 September 1960, reconvened on 20 April 1961.
2. The representatives of the following Member States on the Committee participated in the meeting: Costa Rica, Haiti, Morocco, New Zealand, the Philippines, Spain, the Union of Soviet Socialist Republics, the United Arab Republic and the United States of America.
3. The Chairman drew the attention of the Committee to the memorandum by the Secretary-General on the status of credentials of representatives to the fifteenth session of the General Assembly, according to which the credentials of some representatives did not conform to rule 27 of the rules of procedure of the General Assembly in that they had not been issued by the Head of the State or Government or by the Minister for Foreign Affairs. He also noted that in some instances the credentials, while emanating from the proper authority, had been submitted in the form of a cable and thus did not conform to the established practice according to which, with the exception of emergency sessions, they should be drawn up in the form of a written document bearing the signature of the issuing authority. Nevertheless, taking into account the fact that the length of the session had compelled many Governments to make changes in the original compositions of their delegations, which in some instances might have caused a difficulty in submitting in time the proper credentials, and bearing in mind the imminence of the closing date of the session, the Chairman proposed that, as an exceptional measure, the Committee might find these credentials in order.
4. The Chairman also proposed that, to ensure orderly procedure in the future, the Committee might wish to recommend that the General Assembly call the attention of Member States to the necessity of complying with the requirement of rule 27 of

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the rules of procedure of the General Assembly. A draft resolution to that effect might be submitted for the consideration of the General Assembly and if approved could be communicated to all Member States.

5. Both proposals were adopted unanimously.

6. The representative of the Union of Soviet Socialist Republics introduced a draft resolution providing that the Committee decide "to regard as invalid the credentials to the fifteenth session of the General Assembly of the United Nations of persons describing themselves as 'representatives of the Government of the Republic of China', in view of the fact that those credentials are inconsistent with the provisions of rule 27 of the rules of procedure of the General Assembly". He stated that the continued refusal to allow the rightful representatives of a great Power such as the People's Republic of China to participate in the work of the United Nations was damaging to the Organization in that it reduced its sphere of action and prevented the proper consideration of international questions which required the co-operation of all States.

7. The Chairman, basing himself on resolution 1493 (XV), adopted by the General Assembly at its 895th plenary meeting on 8 October 1960, and on the established precedents in the Credentials Committee, ruled that the USSR draft resolution was out of order, since the General Assembly had already taken a decision on the matter.

8. The representative of the USSR, in challenging the ruling of the Chairman, stated that the resolution adopted by the General Assembly at the present session related to an entirely different question, namely, the inclusion of an item on the agenda and that now the Committee was discussing the subject of credentials and was perfectly entitled to take decision on the matter.

9. The Chairman's ruling was upheld by 5 votes to 3.

10. The representative of the United States of America introduced a motion that the Committee "take no decision concerning the credentials submitted on behalf of the representative of Hungary". He recalled that the report of the United Nations Representative on Hungary (A/4606) showed conclusively the continued disregard by the Hungarian authorities of resolutions passed by an overwhelming majority in the General Assembly. The representative of the United States further

stated that, at every session since 1956, the General Assembly had refused to accept the credentials of the representatives of the present Hungarian régime by taking no decision on them. Since the present régime continued to disregard the resolution of the General Assembly, the Committee should adopt the same attitude.

11. The representative of the USSR stated that his delegation strongly objected to the further attempts that were being made to question the credentials of the representatives of the Government of the Hungarian People's Republic, the only legitimate Government which had been established in accordance with the Hungarian Constitution and enjoyed the support of the people. He added that the adoption of the United States proposal would constitute an interference in the internal affairs of a sovereign State in violation of the provisions of Article 2 of the Charter. The Soviet delegation, therefore, proposed that those credentials, submitted in due form in accordance with the Charter and with the rules of procedure, should be approved.

12. The United States motion was adopted by 5 votes to 3.

13. The representative of the United Arab Republic stated, in explanation of his delegation's vote, that he voted against the Chairman's ruling on the USSR draft resolution concerning the credentials of China because the United Arab Republic recognized the Central People's Government of China as the only Government that could rightfully represent the Chinese people. He voted against the motion of the United States since his delegation considered the credentials of the representatives of Hungary as perfectly in order.

14. The representative of Morocco, explaining his vote, stated that Morocco recognized the People's Republic of China. The absence of representatives of that Government in the United Nations had led to an abnormal and artificial situation that was not conducive to international peace. As regards Hungary, he stated that the situation in that country had been restored to normal and that the Government was exercising its functions in accordance with generally accepted rules. He, therefore, voted against the ruling of the Chairman concerning the credentials of China and against the motion of the United States concerning Hungary.

15. The representatives of Haiti and the Philippines, in explanation of their votes, stated that their countries did not maintain diplomatic relations with either the People's Republic of China or the Hungarian People's Republic. Accordingly, they voted to uphold the Chairman's ruling on the USSR draft resolution

on the credentials of representatives of China and for the motion of the United States regarding the credentials of the representatives of Hungary.

16. The representative of the USSR stated that his Government did not recognize as valid the credentials of the representatives of Laos and of the Republic of the Congo (Leopoldville) since they had not been issued by the legitimate Governments of those States.

17. The Chairman pointed out that the credentials of the Republic of the Congo (Leopoldville) had already been reported on by the Credentials Committee and approved by the General Assembly. Consequently the Committee was not seized of the question now and discussion of the question was not in order.

18. The representative of the United States pointed out that the present Government of the Kingdom of Laos had been given a unanimous vote of confidence by the National Assembly in January 1961 and, therefore, there could be no question concerning the legitimacy of that Government.

19. A proposal was submitted by the Chairman that, subject to the decision relating to Hungary, the Credentials Committee find the credentials of all representatives in order and recommend that the General Assembly approve its report.

20. This proposal was adopted unanimously.

Recommendation of the Credentials Committee

21. The Credentials Committee therefore recommends that the General Assembly adopt the following draft resolution:

The General Assembly

1. Approves the report of the Credentials Committee;
2. Calls the attention of Member States to the necessity of complying with the requirements of rule 27 of the rules of procedure of the General Assembly which provides that:

"The credentials of representatives, and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs."