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GENERAL COMMITTEE

RECORD OF THE FORTY-THIRD MEETING

Held at the Neue Hofburg, Vienna,
on Thursday, 13 October 1983, at 5.15 p.m.

CONTENTS

<u>Item of the agenda**</u>		<u>Paragraphs</u>
17	Examination of delegates' credentials	1 - 20

*/ A provisional version of this document was issued on 17 October 1983.

**/ GC(XXVII)/700.

ATTENDANCE AT THE MEETING

Chairman

Mr. KEBLŮŠEK (Czechoslovakia), President of the General Conference

Members

Mr. CAMPBELL, representing Mr. BRENNAN (Australia), Vice-President of the General Conference

Mr. SINGH, representing Mr. RAMANNA (India), Vice-President of the General Conference

Mr. MATSUMURA, representing Mr. YASUTA (Japan), Vice-President of the General Conference

Mr. BADDOU (Morocco), Vice-President of the General Conference

Mr. TIMERBAEV, representing Mr. PETROSYANTS (Union of Soviet Socialist Republics), Vice-President of the General Conference

Mr. WILMSHURST, representing Mr. HENDERSON (United Kingdom of Great Britain and Northern Ireland), Vice-President of the General Conference

Mr. KENNEDY, representing Mr. HODEL (United States of America), Vice-President of the General Conference

Mr. TAYLHARDAT (Venezuela), Vice-President of the General Conference

Mr. SINGH (Malaysia), Chairman of the Committee of the Whole

Mr. SHASH (Egypt), Additional Member

Mr. THABAULT, representing Mr. RENON (France), Additional Member

Mr. SCHEEL, representing Mr. SITZLACK (German Democratic Republic), Additional Member

Mr. HOFFMANN, representing Mr. HAUNSCHILD (Federal Republic of Germany), Additional Member

Mr. AL-KITAL (Iraq), Additional Member

Mr. PECCI (Paraguay), Additional Member

Secretariat

Mr. SANMUGANATHAN, Secretary of the Committee

EXAMINATION OF DELEGATES' CREDENTIALS

1. The CHAIRMAN, after referring to Rules 27, 28 and 29 of the Rules of Procedure and summarizing Rule 27 on the basis of an opinion given by the United Nations Legal Counsel some years previously, said that at present the situation was as follows: 79 delegates had submitted credentials complying with Rule 27 of the Rules of Procedure; 13 delegates had submitted credentials in the proper form; and, lastly, for the delegates of four Member States attending the session, no credentials or letter of accreditation had reached the Secretariat.
2. Mr. AL-KITAL (Iraq) expressed his delegation's reservation regarding the credentials submitted by Israel on the grounds that it did not recognize the annexation by Israel of Jerusalem or its designation of the latter as its capital, that it did not recognize Israel's annexation of the Golan Heights and that it rejected the practices and policies of the Israeli Government with regard to the annexation of the West Bank and the Gaza Strip.
3. Mr. BADDOU (Morocco) said that, in contrast to the previous year, the Committee was now simply hearing a statement expressing the reservations of some representatives regarding the validity of Israel's credentials, for the reasons given by the delegate of Iraq. That statement would be brought to the attention of the United Nations General Assembly in accordance with the procedure followed the previous year by the United Nations Secretariat.
4. Mr. TIMERBAEV (Union of Soviet Socialist Republics) stated that his delegation could not accept the credentials submitted by Israel for the same reasons as those set out by the delegate of Iraq and supported by the delegate of Morocco.
5. Mr. SHASH (Egypt) reaffirmed his country's position on the issue, namely that it did not recognize Israel's occupation of the Arab territories of Gaza, the West Bank (including Arab Jerusalem and the Golan Heights) and the territories occupied by Israel in Lebanon. Its occupation and annexation of those territories was illegal and contrary to international law and the United Nations Charter.

6. Mr. SINGH (Chairman of the Committee of the Whole), speaking as the delegate of Malaysia, said that his delegation wished to express its reservation regarding the credentials of Israel on the same grounds as those listed by the delegate of Iraq.

7. Mr. SINGH (India) supported the views expressed by the previous speakers regarding the credentials of Israel and stated that his country had consistently taken a very serious view of Israel's action against the Iraqi nuclear facility in 1981.

8. Mr. KENNEDY (United States of America) said that the Committee's task was simply to examine whether the delegates' credentials were valid under Rule 27 of the Rules of Procedure. Its responsibility was considerable because, by fulfilling its mandate, it protected the right of each Member State to be represented in accordance with Article V of the Statute. The principle of universality was crucial to the entire United Nations system.

9. It was regrettable that some Members objected to the credentials of others on political grounds. It was beyond the Committee's mandate to make judgements on different social systems, political programmes or territorial disputes. Despite the different views held by Members, they must at all costs continue to speak to one another. His delegation urged that the Committee accept all the credentials submitted to it unless they clearly failed to meet the requirements of the Rules of Procedure. He requested that the report submitted by the Committee to the General Conference contain a reference to the specific criteria listed by the Chairman for the legitimacy of credentials and to the opinion given by the United Nations Legal Counsel on similar Rules.

10. Mr. WILMSHURST (United Kingdom) also regarded the question of credentials as a technical and legal matter; the Committee was an inappropriate forum for political gestures unrelated to technical matters. He supported the request made by the representative of the United States to include in the Report to the General Conference a reference to the opinion of the United Nations Legal Counsel.

11. Mr. HOFFMANN (Federal Republic of Germany) said that the Committee's task was to examine whether the delegates' credentials conformed to Rule 27 of the Rules of Procedure. His Government interpreted that mandate very strictly and therefore supported the views expressed by the representatives of the United Kingdom and the United States.

12. Mr. CAMPBELL (Australia) and Mr. PECCI (Paraguay) supported the views expressed by the representatives of the United States, the United Kingdom and the Federal Republic of Germany.

13. Mr. MATSUMURA (Japan) said that the purpose of the examination of credentials was to ascertain whether the form of each set of credentials satisfied the requirements specified in the relevant Rules of the Agency and that any consideration extraneous to that purpose had no place in such examination.

14. Mr. SCHEEL (German Democratic Republic) supported those speakers who had expressed reservations concerning the credentials under discussion.

15. Mr. THABAULT (France) felt that the question of Israel's credentials should be discussed at the strictly legal level.

16. Mr. TIMERBAEV (Union of Soviet Socialist Republics), referring to the question of the credentials submitted by Chile, said that his country's position had already been stated on a number of occasions and had not changed. It did not recognize Chile's credentials and requested that that position be appropriately reflected in the Committee's report to the General Conference.

17. Mr. SCHEEL (German Democratic Republic) supported the view expressed by the previous speaker.

18. Mr. KENNEDY (United States of America) said that the statement he had made earlier with respect to Israel's credentials applied equally to the question of the credentials submitted by Chile.

19. The CHAIRMAN suggested that, following the practice of previous years, he should submit to the General Conference a report of the discussion that had just taken place in connection with the examination of delegate's credentials, together with a draft resolution reading as follows:

"The General Conference

Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference's twenty-seventh regular session, which is set forth in document GC(XXVII)/ ."

20. It was so decided.

The meeting rose at 5.40 p.m.