ARTICLE 9

CONTENTS

Text of Article 9

Introductory note ...................................................... 1

I. General survey ..................................................... 2–13

II. Analytical summary of practice ..................................... 14–66

A. Practice relating to Article 9(1) ................................... 14–16

B. Practice relating to Article 9(2) ................................... 17–66

1. Composition of delegations to the General Assembly ........... 17–19

**(a) Number of representatives

(b) Accreditation by Governments of their representatives: issuance of credentials ................................................ 17

(c) Representation of a Member State in the General Assembly ....... 18–19

2. Consideration by the General Assembly of credentials of representatives ........................................... 20–66

(a) Procedure for examination and approval ............................ 20–65

(i) Democratic Kampuchea .............................................. 20–39

(ii) Chile .................................................................. 40

(iii) Afghanistan .......................................................... 41–43

(iv) Viet Nam .............................................................. 44

(v) South Africa .......................................................... 45–48

(vi) Israel .................................................................. 49–64

(vii) Grenada ............................................................... 65

(b) Provisional admission of representatives to a session .......... 66

**(c) Statement on the scope of credentials
TEXT OF ARTICLE 9

1. The General Assembly shall consist of all the Members of the United Nations.
2. Each Member shall have not more than five representatives in the General Assembly.

INTRODUCTORY NOTE

1. The present study of Article 9 follows the pattern adopted in the Repertory and in the five previous Supplements. Decisions are grouped under the name of the State whose membership is called into question by other Member States, first in the Credentials Committee, if applicable, and then in the plenary. If a pattern or trend is detected, it is described in detail and all the sessions in which it was applied are noted.

I. GENERAL SURVEY

2. The application of Article 9(1) was mainly the same as in previous years.

3. The application of Article 9(2) gave rise to discussions similar to those reported in the previous Supplements regarding the representation of a Member State in the General Assembly and the recognition of credentials to which objections had been raised by other Member States. This was the case in respect of Democratic Kampuchea, Chile, Afghanistan, Viet Nam, South Africa, Israel and Grenada.

4. From the thirty-fourth to the thirty-ninth session, the Credentials Committee met primarily twice during each session. The Committee issued at least two reports to be considered by the General Assembly. The first report of the Committee was considered mainly after the conclusion of the general debate and the second report later in the session. During the thirty-fifth session, the Committee issued three reports; the third report was considered by the Assembly at the second resumed session.

5. The above constituted a departure from the previous practice of the Credentials Committee, which had issued one report per session through the twenty-seventh session and was considered by the Assembly towards the end of the session.

6. In two cases during the thirty-fourth and thirty-sixth sessions, the Assembly considered the first report of the Credentials Committee before the opening of the general debate.

7. The credentials of the representatives of Democratic Kampuchea continued to be the subject of reservations during the sessions of the General Assembly covered by the present Supplement (see paras. 20-39).

8. In the Credentials Committee, starting with the thirtieth session, the validity of the credentials of Chile was questioned. However, no amendments were ever proposed to the resolutions on the reports of the Committee at each session.

9. The General Assembly, on two occasions, was requested to convene the Credentials Committee for the purpose of acting solely on the credentials of specific countries. In the first instance, at the thirty-fourth session, the delegation of Viet Nam (see para. 20) questioned the credentials of Democratic Kampuchea and in the other, at the thirty-fifth session, the delegation of Cameroon (see para. 45) questioned the credentials of South Africa.

10. The credentials of South Africa were challenged by a Member State and, on two separate occasions, were rejected in the Credentials Committee and in the General Assembly (see paras. 45-48).

11. As of the thirty-sixth session, as well as at the emergency special sessions covered in the present Supplement, the Credentials Committee included a preambular paragraph in its resolutions which reflected the reservations that had been expressed by members of the Committee during its debates.

12. During the period under review, the credentials of Israel were questioned when the reports of the Credentials Committee were considered in the plenary. Beginning with the thirty-seventh session, a member of the Group of Arab States would introduce an amendment by which the Assembly would approve all credentials except those of the representatives of Israel. A member of the five Nordic countries, on a point of order, would move, under rule 74 of the rules of procedure, that no action be taken on the proposed amendment and would request that its motion be immediately put to the vote. The motion of no action would be adopted by an overwhelming majority (see paras. 51-64).

13. During the period under review, Member States sought the advice of the Legal Counsel who, on two separate occasions, addressed the Assembly on specific questions and practices of the Assembly relating to points of order, the nature of amendments and other procedural questions and practices (see paras. 23-25, 52-55 and 60).
II. ANALYTICAL SUMMARY OF PRACTICE

A. Practice relating to Article 9(1)

14. During the period under review, which covers the thirty-fourth to thirty-ninth regular sessions, the sixth to ninth emergency special sessions and the eleventh and twelfth special sessions, the membership of the United Nations was enlarged through the admission of eight new members, as follows:

<table>
<thead>
<tr>
<th>Member State</th>
<th>Resolution No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saint Lucia</td>
<td>34/1</td>
<td>18 September 1979</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>A/S-11/1</td>
<td>25 August 1980</td>
</tr>
<tr>
<td>Saint Vincent and the Grenadines</td>
<td>35/1</td>
<td>16 September 1980</td>
</tr>
<tr>
<td>Vanuatu</td>
<td>36/1</td>
<td>15 September 1981</td>
</tr>
<tr>
<td>Belize</td>
<td>36/3</td>
<td>25 September 1981</td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td>36/26</td>
<td>11 November 1981</td>
</tr>
<tr>
<td>Saint Kitts and Nevis</td>
<td>38/1</td>
<td>23 September 1983</td>
</tr>
<tr>
<td>Brunei Darussalam</td>
<td>39/1</td>
<td>21 September 1984</td>
</tr>
</tbody>
</table>

5. See para. 16 below.

15. As in the past, membership became effective on the date on which the General Assembly took its decision on the application, in accordance with the rules of procedure of the Assembly. Zimbabwe was admitted as a new Member during the eleventh special session of the General Assembly.

16. Belize was admitted as a new Member of the United Nations at the thirty-sixth session of the General Assembly, following a recorded vote that had been requested by the delegation of Guatemala. The draft resolution was adopted by 144 votes to 1. This was the only instance of voting on the admission of a new Member State in the period covered by the present Supplement.

B. Practice relating to Article 9(2)

1. COMPOSITION OF DELEGATIONS TO THE GENERAL ASSEMBLY

   (a) Number of representatives

   (b) Accreditation by Governments of their representatives: issuance of credentials

17. The practice regarding the issuance of the credentials of representatives to the General Assembly remained unchanged.

(c) Representation of a Member State in the General Assembly

18. As had been the case during the periods covered by the previous Supplements, objections were raised both in the Credentials Committee and in the plenary as to the validity of the credentials of the representatives of some Member States.

19. While proposals had been made for inclusion in the agenda of items regarding the representation of certain Member States in the General Assembly during the sessions covered by previous Supplements, none were proposed during the period under review.

2. CONSIDERATION BY THE GENERAL ASSEMBLY OF CREDENTIALS OF REPRESENTATIVES

   (a) Procedure for examination and approval

   (i) Democratic Kampuchea

Thirty-fourth session

20. At the thirty-fourth session, during the 2nd plenary meeting, the representative of Viet Nam, on a point of order, questioned the validity of credentials of Democratic Kampuchea. The President, citing rules 71 and 29 of the rules of procedure of the General Assembly, ruled that Democratic Kampuchea should be seated provisionally and requested the Credentials Committee to meet and to submit its first report to the Assembly on 21 September 1979.

21. At the 1st meeting of the Credentials Committee, the delegate of China formally proposed that the Committee should accept the credentials of Democratic Kampuchea. The proposal was adopted by 6 votes to 3. The Committee decided to recommend that the Assembly adopt the draft resolution (A/34/L.3) contained in its report.

22. In the plenary, in introducing the report of the Credentials Committee, the Chairman noted that those members who had voted in favour of the draft resolution had stated that for the most part their acceptance of the credentials of Democratic Kampuchea did not mean agreement with the past policies of its leaders. The representative of Bulgaria introduced a draft resolution (A/34/L.2) by which the report of the Credentials Committee would be disregarded. The representative of India, on behalf also of six other sponsors, submitted an amendment (A/34/L.3 and Add.1) to the draft resolution contained in the Committee’s report. By the amendment, the Assembly would decide, without prejudice to the positions of other Member States, to suspend consideration of the report of the Credentials Committee.
and to keep the seat of Democratic Kampuchea vacant for the time being.

23. A discussion ensued as to whether the proposal to leave the seat vacant was to be considered an amendment within the meaning of rule 90 of the rules of procedure. The representative of Thailand proposed that the Legal Counsel address the Assembly on whether document A/34/L.3 and Add.1 was an amendment or a new proposal. The representative of Singapore then requested a separate vote on the proposal to invite the Legal Counsel. The representative of Algeria expressed opposition to the proposal. The President, citing rule 71 of the rules of procedure, called for a recorded vote on the proposal by Singapore. By 81 votes to 31, with 26 abstentions, the Assembly decided to invite the Legal Counsel to address the Assembly. The President requested the Legal Counsel to prepare a legal opinion prior to taking a decision on the Indian amendment (A/34/L.3 and Add.1).

24. The Legal Counsel stated that A/34/L.3 and Add.1 did not seem to fall within the definition of an amendment as described in rule 90 of the rules of procedure. He noted, however, that the Assembly had always been extremely flexible on such matters and thus it would be entirely within its past practice to determine for itself the nature of document A/34/L.3 and Add.1. The representative of Bulgaria withdrew draft resolution A/34/L.2 and stated that his delegation and those of the other sponsors would instead support A/34/L.3 and Add.1, on the understanding that that should not be taken in any way as implying a change in the position of principle.

25. The President put to the vote the question whether the text contained in A/34/L.3 and Add.1 constituted an amendment. By 80 votes to 43, with 19 abstentions, the Assembly decided that the text did not constitute an amendment. The President then put to a vote the proposal of the delegate of India to give a priority vote to document A/34/L.3 and Add.1, which was rejected by 76 votes to 39, with 23 abstentions. The Assembly then adopted by 71 votes to 35, with 34 abstentions, the draft resolution recommended by the Credentials Committee in paragraph 26 of its report. The Assembly did not take action on document A/34/L.3 and Add.1.

Sixth, seventh, eighth and ninth emergency special sessions

Eleventh and twelfth special sessions

26. At the meetings of the Credentials Committee at the respective sessions, several delegations stated their opposition to the credentials of Democratic Kampuchea. In all cases, the Committee adopted a resolution by which it took into account the different reservations expressed by delegations in the debate.

27. At the eleventh and twelfth special sessions, in explanation of their positions in the plenary, delegations expressed reservations regarding the credentials of Democratic Kampuchea.

Thirty-fifth session

28. The delegation of Viet Nam requested the circulation of two documents to the General Assembly which in effect questioned the validity of the credentials of the representative of Democratic Kampuchea.

29. The following day, the Permanent Representative of Democratic Kampuchea, in a letter addressed to the Secretary-General and the President of the General Assembly, requested the Credentials Committee to examine the credentials of representatives to the thirty-fifth session which had been received by the Secretary-General up to that date (17 September 1980), including those of Democratic Kampuchea.

30. Subsequently the Credentials Committee was convened at the request of the General Assembly to consider that challenge and to submit recommendations thereon to the Assembly.

31. At the 1st meeting of the Credentials Committee, several members expressed reservations regarding the credentials of the delegation of Democratic Kampuchea. The Chairman made a statement concerning the mandate of the Committee and proposed to reflect the reservations expressed by delegations in the text of the draft resolution as follows:

“The Credentials Committee,

“Having examined the credentials of the representatives to the thirty-fifth session of the General Assembly of the Member States referred to in paragraphs 4 and 5 of this report,

“Taking into account the different reservations expressed by delegations during the debate,

“Accepts the credentials of the representatives of the Member States concerned.”

32. The Credentials Committee adopted the draft resolution without a vote.

33. In the plenary, the Chairman drew attention to the report of the Credentials Committee as well as to a number of communications. The delegation of the Lao People's Democratic Republic expressed reservations regarding the credentials of the delegation of Democratic Kampuchea and introduced an amendment by which the credentials of all representatives would be accepted “except with regard to the credentials of the representatives of Democratic Kampuchea”. The amendment was rejected by 74 votes to 35, with 32 abstentions. The General Assembly then adopted the
draft resolution recommended by the Credentials Committee in paragraph 18 of its report.31

**Thirty-sixth session**

34. Four communications32 were circulated as documents of the General Assembly at the request of a Member State, effectively challenging the validity of the credentials of the delegation of Democratic Kampuchea. Similar communications were circulated at the thirty-seventh session. No action was taken on any of the communications.

35. At the 3rd plenary meeting of the thirty-sixth session, during the Assembly’s consideration of the report of the Credentials Committee33 the representative of the Lao People’s Democratic Republic34 submitted an amendment35 to the draft resolution contained in paragraph 22 of the report, by which the credentials of all representatives would be accepted “except with regard to the credentials of Democratic Kampuchea”. In accordance with rule 90 of the rules of procedure of the General Assembly, the President put the amendment to the vote. The amendment was rejected by 77 votes to 37, with 31 abstentions36 the General Assembly then adopted the draft resolution recommended by the Credentials Committee in paragraph 22 of its report.37

**Thirty-seventh session**

36. Prior to the adoption of the draft resolution in the Credentials Committee, the delegation of Seychelles asked the Chairman for clarification regarding the credentials of Democratic Kampuchea. The Chairman stated that the questions raised by the delegation could not be dealt with at the current stage, as some went beyond the issue as stated in the memorandum by the Secretary-General on the status of representatives to the thirty-seventh session. He added that the General Assembly would only be asked to approve the first report of the Committee and that the matters raised by the delegation could be considered at subsequent meetings, if required. The Committee approved its report.38

37. In the plenary, the representative of the Lao People’s Democratic Republic39 introduced an amendment40 regarding the credentials of Democratic Kampuchea.

38. The Assembly rejected the amendment by 90 votes to 29, with 26 abstentions.41 The following day,42 the Assembly adopted the draft resolution recommended by the Credentials Committee without a vote.43

**Thirty-eighth and thirty-ninth sessions**

39. At the thirty-eighth44 and thirty-ninth45 sessions, reservations were expressed in the plenary by delegations with regard to the credentials of Democratic Kampuchea.

The Assembly adopted the resolutions46 contained in the respective reports of the Credentials Committee.47

(ii) Chile

40. At the second meeting of the Credentials Committee during the thirty-fourth session,48 the delegation of the Union of Soviet Socialist Republics expressed reservations regarding the credentials of the delegation of Chile. This trend had begun at the thirtieth session49 and continued at the thirty-fifth to thirty-ninth sessions,50 as well as at the sixth to eighth emergency special sessions51 and at the eleventh and twelfth special sessions.52

(iii) Afghanistan

41. During the sixth emergency special session on the question of Afghanistan, at the meeting of the Credentials Committee,53 the delegations of China, Ecuador, Pakistan, Panama and the United States of America stated that, in the view of their delegations, the fact that no objection had been made to the participation of the Afghan delegation should in no way be interpreted as acquiescence in the situation created by the armed intervention in Afghanistan. On the other hand, the Union of Soviet Socialist Republics indicated that statements made within the Committee questioning the credentials of the delegation of Afghanistan reflected a desire by some delegations to use the Credentials Committee for improper purposes and that those statements constituted an interference in the internal affairs of Afghanistan. Other delegations expressed the opinion that the Committee’s task was a technical one and did not involve approval of the policies of the countries concerned. The draft resolution adopted by the Committee reflected the “different reservations expressed by delegations during the debate”. In the plenary, the draft resolution was adopted without a vote.54

42. At the seventh to ninth emergency special sessions55 and at the thirty-fifth to thirty-ninth sessions,56 similar reservations to the credentials of Afghanistan were expressed by delegations.

43. At the thirty-sixth session, during the General Assembly’s consideration of the second report of the Credentials Committee,57 reservations were once again expressed regarding the credentials of Afghanistan.58

(iv) Viet Nam

44. At the eleventh59 and twelfth60 special sessions, following the adoption of the report of the Credentials Committee, the delegation of Democratic Kampuchea questioned the credentials of Viet Nam.
Chapter IV. The General Assembly

(v) South Africa

Thirty-fifth session

45. At the start of the debate on the question of Namibia in the General Assembly, the delegation of Cameroon challenged the credentials of South Africa. The President immediately requested the Credentials Committee to meet. At the following meeting, on a motion by the delegation of Cameroon, which was adopted by 113 votes to 23, with 1 abstention, the Assembly decided not to hear the representative of South Africa before taking action on the third report of the Credentials Committee. The Chairman of the Committee presented an oral report and stated that it was clear from the discussion in the Committee that there was no consensus on the matter. The Credentials Committee, by 6 votes to 1, with 2 abstentions, decided to reject the credentials of South Africa. The draft resolution in the plenary was adopted by 112 votes to 22, with 6 abstentions. Fifteen delegations took the floor in explanation of vote.

Eight emergency special session

46. At the 1st plenary meeting of the eighth emergency special session on the question of Namibia, the representative of Algeria, speaking on a point of order, requested that the Credentials Committee be convened immediately so that it might submit its report to the Assembly as soon as possible. He also presented a motion for the adjournment of the plenary meeting under rule 76 of the rules of procedure, pending receipt of the Committee's report. The motion to adjourn the meeting was adopted by 139 votes to none, with 1 abstention.

47. At the 1st meeting of the Credentials Committee, the Chairman informed the members that only three credentials had been received, namely, those of Guinea, South Africa and Yemen. Following a discussion during which no consensus was reached, the Committee rejected the credentials of South Africa by 6 votes to 1, with 2 abstentions.

48. In the plenary, after the Chairman of the Credentials Committee presented the report of the Committee, the representative of South Africa asked to speak on a point of order under rule 29 of the rules of procedure. As the representative of South Africa commenced his statement, the President interrupted him and recognized the delegate of Algeria, also on a point of order. Following an exchange between the President and the representative of Algeria, the representative of Algeria appealed against the decision of the President in accordance with rule 71 of the rules of procedure. The appeal against the President's ruling was sustained by 113 votes to 24, with 6 abstentions. The report of the Credentials Committee was adopted by 117 votes to 22, with 6 abstentions.

(vi) Israel

Thirty-fifth to thirty-ninth sessions

49. At the thirty-fifth to thirty-ninth sessions, Member States requested the circulation of communications conveying their reservations regarding the credentials of the delegation of Israel. No action was taken on any of the communications.

50. At the thirty-sixth to thirty-ninth sessions, reservations relating to the credentials of Israel were expressed by delegations in the plenary.

Thirty-seventh session

51. During the Assembly's consideration of the report of the Credentials Committee, the delegation of the Islamic Republic of Iran proposed an oral amendment to the draft resolution contained in paragraph 19 of the report, by which the phrase "except the credentials of the representatives of Israel" would be added at the end of the operative paragraph. The delegation of Singapore requested that the amendment be circulated before a vote was taken in accordance with rule 78 of the rules of procedure. The Assembly decided to circulate the amendment in document form.

52. At the request of the President for a legal opinion on the proposed amendment by the Islamic Republic of Iran, the representative of the Legal Counsel stated that the Assembly could not amend the resolution contained in paragraph 19 of the report since it had already been adopted. The sponsor of the amendment subsequently corrected his earlier proposal and requested that the amendment should be to the resolution contained in paragraph 25 of the report.

53. As the voting process had commenced, the representative of Spain on a point of order, pointed out that in effect the Assembly would be splitting its vote, contrary to rule 88 of the rules of procedure, if it were to vote on the amendment submitted by the Lao People's Democratic Republic (A/37/L.8 and Add.1) relating to the credentials of Democratic Kampuchea (see paras. 37-38) at the current meeting and on the amendment submitted by the Islamic Republic of Iran, relating to the credentials of Israel, at the following meeting.

54. Although a decision had been taken by the Assembly to circulate the Iranian amendment, the President asked whether the Assembly was ready to proceed with the voting on both amendments and referred...
the question concerning the procedure for the application of rule 88 to the Legal Counsel.

55. The representative of the Legal Counsel\(^{96}\) stated that the reference to rule 88 had been correct in the normal practice of the Assembly. However, he noted that it was not an invariable practice as long as the Assembly completed a particular voting process, which had been deemed sufficient in the past. He also reminded the Assembly that it had accepted the President’s proposal to dispose of amendment A/37/L.8 and Add.1 at the current meeting and of the amendment by the Islamic Republic of Iran the following day.

56. At the 45th plenary meeting, the Assembly had before it amendment A/37/L.9, submitted by the Islamic Republic of Iran. The representative of Finland,\(^{87}\) on behalf of the Nordic countries and speaking on a point of order, formally moved that no action be taken on the amendment. He further requested that his motion\(^{88}\) be immediately put to a vote in accordance with rule 74 of the rules of procedure. The motion\(^{89}\) was adopted by 74 votes to 9, with 32 abstentions.\(^{90}\)

57. The Assembly then adopted the draft resolution recommended by the Credentials Committee in paragraph 25 of its report without a vote.\(^{91}\)

**Thirty-eighth session**

58. As at the thirty-seventh session, the delegation of the Islamic Republic of Iran\(^{92}\) proposed an oral amendment to the draft resolution in paragraph 11 of the report of the Credentials Committee\(^{93}\) by which the phrase “except with regard to the credentials of Israel” would be added at the end of the operative paragraph.

59. The representative of Norway,\(^{94}\) speaking on behalf of the five Nordic countries, formally moved, under rule 74 of the rules of procedure, that no action be taken on the amendment proposed by the Islamic Republic of Iran and requested that his motion be put to the vote immediately. In clarification of a member’s request as to the scope of the motion, the representative of Norway\(^{95}\) stated that he had requested that no action be taken at any time during the current session of the Assembly.

60. At the request of the President, the Legal Counsel\(^{96}\) stated that rule 74 had been used in the recent past to refer either to an item as a whole, to a specific question or to a text under consideration. It was his view that the motion was receivable from a legal standpoint. Further questions were raised, to which the Legal Counsel responded. He stated\(^{97}\) that there had been precedents for such motions at the thirty-fourth, thirty-sixth and thirty-seventh sessions. The only precedent for a motion for no action applied to the report of the Credentials Committee had occurred at the thirty-seventh session. As to whether the motion for no action was unconstitutional, the Legal Counsel\(^{98}\) stated that similar motions had been presented and acted upon in the past and cited such an instance at the 111th meeting of the thirty-seventh session.

61. The President then put to the vote the motion by Norway for no action on the amendment. The motion was adopted by 79 votes to 43, with 19 abstentions.\(^{99}\)

62. The Assembly adopted the draft resolution recommended by the Credentials Committee in paragraph 23 of its report\(^{100}\) without a vote.

**Thirty-ninth session**

63. As at the thirty-seventh and thirty-eighth sessions, an identical amendment\(^{101}\) was proposed by the delegation of the Islamic Republic of Iran. Speaking on behalf of the Nordic countries, the representative of Denmark\(^{102}\) moved that no action be taken on the amendment and that the motion be put to a vote immediately in accordance with rule 74 of the rules of procedure of the General Assembly. The motion was adopted by 80 votes to 41, with 22 abstentions.\(^{103}\)

64. The Assembly adopted the draft resolution recommended by the Credentials Committee in paragraph 24 of its first report.\(^{104}\)

(vii) Grenada

65. At the 2nd meeting of the Credentials Committee during the thirty-ninth session\(^{105}\) the delegations of Cuba and the Union of Soviet Socialist Republics expressed reservations regarding the credentials of the delegation of Grenada. No reservations were expressed in the plenary.

(b) **Provisional admission of representatives to a session**

66. During the period under consideration, the Credentials Committee continued its practice of recommending to the General Assembly that representatives who did not have credentials in conformity with rule 27 of the rules of procedure should be seated with the same rights as other representatives pending the receipt of formal credentials.

**Notes**

---

1. See *Repertory, Supplement No. 4, Article 9,* para. 8.
2. G A (34), Plen., 3rd and 4th mtgs.
4. See *Repertory, Supplement No. 5, vol. 1,* under Article 9, paras. 19 and 20.
5. See also this *Supplement* under Article 4.