

Repertory of Practice of United Nations Organs

Supplement No. 7

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ARTICLE 9

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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 six previous *Supplements*. Decisions are grouped under the name of the State whose membership or credentials were 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. During the period under review, no issue arose with respect to the application of Article 9(1).
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 Afghanistan, Chile, Democratic Kampuchea, Grenada and Israel.
4. Following the practice from the thirty-fourth to the thirty-ninth sessions of the General Assembly, the Credentials Committee met twice during each session. The Committee issued 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.
5. The credentials of the representatives of Afghanistan and 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. 13-14 and para. 16).

6. In the Credentials Committee, the validity of the credentials of Chile continued to be questioned. However, no amendments were ever proposed to the resolutions on the reports of the Credentials Committee at each session (see para. 16).

7. During the period under review, the credentials of Israel continued to be questioned when the reports of the Credentials Committee were considered in the plenary. A 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 the motion be immediately put to the vote. The motion of no action would be adopted by an overwhelming majority (see para.18).

8. Following the practice starting from the thirty-fifth session, the Credentials Committee continued to include, in its resolutions accepting the credentials of Member States, a preambular paragraph taking into account the reservations that had been expressed by members of the Committee during its debate.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Practice relating to Article 9(1)

9. During the period under review, which covers the fortieth to forty-third regular sessions and the thirteenth to fifteenth special sessions, no new member was admitted to the United Nations,¹ and no issue arose with respect to the application of Article 9(1).

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

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

¹ See also this *Supplement* under Article 4.

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

11. 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.

12. While, during the sessions covered by previous *Supplements*, proposals had been made for inclusion in the agenda of items regarding the representation of certain Member States in the General Assembly, no such proposal was made during the period under review.

2. CONSIDERATION BY THE GENERAL ASSEMBLY OF CREDENTIALS OF REPRESENTATIVES

(a) *Procedure for examination and approval*

(i) Afghanistan

13. During the fortieth session, at the meetings of the Credentials Committee, the delegations of China and the United States of America stated that, in their view, the fact that no objection had been raised to the participation of the delegation of Afghanistan should in no way be interpreted as acquiescence in the situation created by the armed intervention in Afghanistan. In contrast, the Union of Soviet Socialist Republics indicated that the statements made in the Credentials 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 interference in the internal affairs of Afghanistan. Other delegations expressed the opinion that the task of the Credentials Committee was a technical one and did not involve approval of the policies of the countries concerned. The draft resolution by which the Credentials Committee accepted the credentials of Member States, including those of Afghanistan, took into account the “various reservations made by delegations during the debate”.² In the plenary, reservations were expressed by delegations with regard to the credentials of Afghanistan.³ However, the Assembly approved the report of the Credentials Committee without a vote.⁴

14. During the forty-first to forty-third sessions, at the meetings of the Credentials Committee, the delegations of China, the United States of America and the Union of Soviet Socialist Republics made statements similar to those already made at the fortieth session regarding the credentials of

² See First Report of the Credentials Committee, Credentials of Representatives to the Fortieth Session of the General Assembly, A/40/747, paras. 10, 13 and 17.

³ See A/40/PV.37, para. 37.

⁴ Since the Credentials Committee would submit two reports at each session, it was common practice that the General Assembly, during the sessions covered by the present *Supplement*, approved the two reports in one resolution, which was divided into part A and part B with each part approving one report. See GA Resolution 40/2 of 16 October 1985 and A/40/PV.37, para. 37.

Afghanistan.⁵ Again, such reservations were taken into account in the preamble of the resolutions by which the Credentials Committee accepted the credentials of Member States, including those of Afghanistan. In the plenary, similar reservations were expressed by delegations with regard to the credentials of Afghanistan.⁶ However, the General Assembly approved the reports of the Credentials Committee without a vote.⁷

(ii) Chile

15. During the fortieth to forty-third sessions, at the meetings of the Credentials Committee, the delegation of the Union of the Soviet Socialist Republics expressed reservations as to the credentials of the delegation of Chile.⁸ Again, such reservations were taken into account in the resolutions by which the Credentials Committee accepted the credentials of Member States, including those of Chile.⁹ No reservations were expressed in the plenary at these sessions.

(iii) Democratic Kampuchea

16. During the fortieth to forty-third sessions, at the meetings of the Credentials Committee, the delegation of the Union of the Soviet Socialist Republics opposed the acceptance of the credentials of the representatives of “Democratic Kampuchea”.¹⁰ Again, such reservations were taken into account in the resolutions by which the Credentials Committee accepted the credentials of Member States, including those of Democratic Kampuchea.¹¹

⁵ See First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, paras. 11, 15 and 25; First Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630, paras. 13, 15 and 16; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, paras. 11, 16 and 17.

⁶ See A/41/PV.45, para. 21; A/42/PV.36, para. 26; and A/43/PV.33, para. 59.

⁷ See GA resolution 40/2 of 16 October 1985, GA resolution 41/7 of 21 October 1986, GA resolution 42/2 of 13 October 1987, and GA resolution 43/10 of 18 October 1988. See also A/40/PV.37, para. 37; A/41/PV.45, para. 23; A/42/PV.36; para. 26; and A/43/PV.33, para. 53.

⁸ See First Report of the Credentials Committee, Credentials of Representatives to the Fortieth Session of the General Assembly, A/40/747, para. 8; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first of the General Assembly, A/41/727, para. 9; First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/42/630, para. 8; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 8.

⁹ See First Report of the Credentials Committee, Credentials of Representatives to the Forties Session of the General Assembly, A/40/747, para. 17; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, para. 27; First Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630, para. 17; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 18.

¹⁰ See First Report of the Credentials Committee, Credentials of Representatives to the Fortieth Session of the General Assembly, A/40/747, para. 7; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, para. 8; First Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630, para. 7; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 7.

¹¹ See First Report of the Credentials Committee, Credentials of Representatives to the Forties Session of the General Assembly, A/40/747, para. 17; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, para. 27; First Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630, para. 17; and First

17. At those sessions, reservations regarding the credentials of Democratic Kampuchea were also expressed by delegations in the plenary.¹² However, as already recalled, the Assembly approved the reports of the Credentials Committee without a vote.¹³

(iv) Grenada

18. During the fortieth to forty-third sessions, at the meetings of the Credentials Committee, the delegation of the Union of the Soviet Socialist Republics expressed reservations as to the credentials of the delegation of Grenada.¹⁴ Again, account was taken of such reservations in the resolutions by which the Credentials Committee accepted the credentials of Member States, including those of Grenada,¹⁵ Reservations were also expressed by delegations in the plenary at the forty-first and forty-second sessions with regard to the credentials of Grenada.¹⁶ However, the reports of the Credentials Committee were adopted by the General Assembly without a vote.¹⁷

(v) Israel

19. During the Assembly's consideration of the first report of the Credentials Committee at the fortieth session, eighteen Arab States submitted an amendment (A/40/L.3) to the draft resolution contained in paragraph 17 of the report, whereby the phrase "except with regard to the credentials of Israel" would be added at the end of the operative paragraph 17 on the grounds that "Israel is in opposition to the United Nations, its Charter and its resolutions."¹⁸ A similar amendment was

Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 18.

¹² See A/40/PV.37, paras. 21-28; A/41/PV.45, paras. 12-18; A/42/PV.36; paras. 21-25; and A/43/PV.33, paras. 49-52.

¹³ See GA resolution 40/2 of 16 October 1985 and of 17 December 1985, GA resolution 41/7 of 21 October 1986 and of 11 December 1986, GA resolution 42/2 of 13 October 1987 and of 11 December 1987; and GA resolution 43/10 of 18 October 1988 and 9 December 1988. See also A/40/PV.37, para. 37; A/41/PV.45, para. 23; A/42/PV.36, para. 26; and A/43/PV.33, para. 53.

¹⁴ See Second Report of the Credentials Committee, Credentials of Representatives to the Fortieth Session of the General Assembly, A/40/747/Add.1, para. 6; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, para. 9; Second Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630/Add.1, para. 7; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 8.

¹⁵ See First Report of the Credentials Committee, Credentials of Representatives to the Forties Session of the General Assembly, A/40/747, para. 17; First Report of the Credentials Committee, Credentials of Representatives to the Forty-first Session of the General Assembly, A/41/727, para. 27; First Report of the Credentials Committee, Credentials of Representatives to the Forty-second Session of the General Assembly, A/42/630, para. 17; and First Report of the Credentials Committee, Credentials of Representatives to the Forty-third Session of the General Assembly, A/43/715, para. 18.

¹⁶ See A/41/PV.45, para.21; and A/42/PV.36, para. 26. No reservation as to the credentials of Grenada was made at the fortieth and forty-third sessions.

¹⁷ See GA resolution 41/7 of 21 October 1986 and of 11 December 1986, and GA resolution 42/2 of 13 October 1987 and of 11 December 1987.

¹⁸ See Amendment to Draft Resolution Recommended by the Credentials Committee (A/40/741, para. 17) on Credentials of Representatives to the fortieth session of the General Assembly, A/40/L.3. This amendment was submitted jointly by Algeria, Bahrain, Democratic Yemen, Djibouti, Iraq, Kuwait, Lebanon, Libyan, Arab Jamahiriya, Mauritania, Morocco, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

proposed during the forty-first to forth-third sessions.¹⁹ At the same sessions, the representative of one Nordic country, on behalf of the Nordic countries and speaking on a point of order, would formally move that no action be taken on the amendment. The representative of that Nordic country would further request that the motion be immediately put to the vote in accordance with rule 74 of the Rules of procedure.²⁰ At the fortieth session,²¹ the motion was adopted in the plenary by 80 votes to 41, with 20 abstentions; similar motions were adopted at forty-first, forty-second and forth-third sessions.²²

20. Again, account was taken of such reservations in the resolutions by which the Credentials Committee accepted the credentials of Member States, including those of Israel, and the reports of the Credentials Committee, containing those resolutions, were approved by the General Assembly without a vote.²³

(b) Provisional admission of representatives to a session

21. 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.

*** (c) Statement on the scope of credential*

¹⁹ See Amendment to Draft Resolution Recommended by the Credentials Committee (A/41/727, para. 27) on the Credentials of Representatives to the forty-first session of the General Assembly, A/41/L.8; Amendment to Draft Resolution Recommended by the Credentials Committee (A/42/630, para. 21) on Credentials of Representatives to the forty-second session of the General Assembly, A/42/L.3; and Amendment to Draft Resolution Recommended by the Credentials Committee (A/43/715, para. 22) on the Credentials of Representatives to the forty-third session of the General Assembly, A/40/L.3.

²⁰ See A/40/PV.37, para. 11; A/41/PV.45, para. 8; A/42/PV.36, paras. 11-13; and A/43/PV.33, para. 47.

²¹ See A/40/PV.37, para. 18.

²² At the forty-first session, the motion was adopted by 77 votes to 40, with 16 abstentions; see A/41/PV.45, para. 11. At the forty-second session, the motion was adopted by 80 votes to 39, with 10 abstentions; see A/42/PV.36, para. 18. At the forty-third session, the motion was adopted by 95 votes to 41, with 7 abstentions; see A/43/PV.33, para. 49.

²³ See GA resolution 40/2 of 16 October 1985, GA resolution 41/7 of 21 October 1986, GA resolution 42/2 of 13 October 1987, and GA resolution 43/10 of 18 October 1988. See also A/40/PV.37, para. 37; A/41/PV.45, para. 23; A/42/PV.36; para. 26; and A/43/PV.33, para. 53.