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 seven 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. The application of Article 9 (1) was primarily the same as in previous years. Thirty new members were admitted to the United Nations.

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, Democratic Kampuchea, Israel, Panama and Zaire.

4. The Credentials Committee met twice during each session for the period under review, except for the forty-eighth session, in which the Committee met three times. The Committee issued two reports per session, and three reports during the forty-eighth session, for consideration by the General Assembly. The Assembly considered the first report of the Credentials Committee after it had concluded its general debate and considered the second report later in the session, except at the forty-fifth through forty-seventh sessions, at which it did not consider the Committee reports.

5. The Credentials Committee met once during the sixteenth to eighteenth special sessions and issued one report per session for consideration by the General Assembly.

6. The credentials of the representatives of Afghanistan, Democratic Kampuchea and Israel continued to be the subject of reservations during the sessions of the General Assembly covered by the present Supplement (see paras. 12-29). The credentials of Chile and Grenada were not questioned in Credentials Committee reports or General Assembly discussions.

7. Following the practice established at the thirty-fifth session, the Credentials Committee of the forty-fourth and forty-eighth sessions included, in its resolutions accepting the credentials of Member States, which were reproduced in the Committee’s reports, a preambular paragraph reflecting reservations that had been expressed by members of the Committee during its debate. In contrast, the resolutions contained in the reports of the Credentials Committee from the forty-fifth to forty-seventh sessions and at the forty-ninth session did not include such a paragraph.

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1 A/44/639, para. 13.
2 A/48/512, para. 8.
II. Analytical summary of practice

A. Practice relating to Article 9 (1)

8. During the period under review, which covers the forty-fourth to forty-ninth regular sessions and the sixteenth to eighteenth special sessions, 30 new Members were admitted to the United Nations, as follows:

3 See also Repertory, Supplement No. 9, vol. 1, under Article 4.

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<tr>
<th>Member State</th>
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<th>Date</th>
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<tr>
<td>Namibia</td>
<td>S-18/1</td>
<td>23 April 1990</td>
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<td>Liechtenstein</td>
<td>45/118</td>
<td>18 September 1990</td>
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<td>Democratic People’s Republic of Korea</td>
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<td>46/3</td>
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<td>Georgia</td>
<td>46/241</td>
<td>July 1992</td>
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<tr>
<td>Czech Republic</td>
<td>47/221</td>
<td>19 January 1993</td>
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<td>Slovakia</td>
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<td>19 January 1993</td>
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Chapter IV. The General Assembly

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<td>28 May 1993</td>
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<td>Andorra</td>
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<td>Palau</td>
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<td>15 December 1994</td>
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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

9. 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

10. 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.

11. Whereas during the sessions covered by previous Supplements proposals had been made for the 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

Forty-fourth session

12. At the 1st meeting of the Credentials Committee, the representative of China expressed reservations about the participation of the Afghan delegation in the current session of the General Assembly. The representative of the United States of America indicated that his delegation had not objected to the credentials of the Afghan delegation because of the technical nature of the credentials exercise. The representative of the Union of Soviet Socialist Republics stated that statements questioning the credentials of the Afghan delegation were attempts to distort historical and political realities.

13. At the Chairman’s proposal, the Committee adopted a draft resolution accepting the credentials of the Member States concerned while “taking into account the various reservations expressed by delegations during the debate”.

14. At the 32nd plenary meeting of the forty-fourth session, during the General Assembly’s consideration of the first report of the Credentials Committee, the representative of Pakistan expressed reservations about the credentials of Afghanistan. The representative of Afghanistan responded that its credentials were in order.

Sixteenth to eighteenth special sessions

15. The representative of Pakistan objected to the credentials of Afghanistan during the plenary meetings of the seventeenth special session of the General Assembly. The representative of Afghanistan responded that its credentials were in order, and expressed outrage over Pakistan’s questioning of its

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4 A/44/639, para. 13.
5 Ibid., para. 14.
6 Ibid., para. 15.
7 Ibid., para. 16.
8 A/44/PV.32.
9 Ibid.
10 GA resolution 44/5 A.
11 A/S-17/PV.7.
credentials. The General Assembly approved the report of the Credentials Committee without a vote. 13

16. At the 9th plenary meeting of the General Assembly during its eighteenth special session, the representative of Pakistan and Belgium expressed reservations about the credentials of Afghanistan, and the representative of Belgium stated that his country did not recognize the Afghan regime.14 The representative of Afghanistan responded that its credentials were in order and expressed outrage over Pakistan’s questioning of its credentials.15 The General Assembly approved the report of the Credentials Committee without a vote.16

(ii) Democratic Kampuchea

*Forty-fourth session*

17. At the forty-fourth session of the General Assembly, during the 1st meeting of the Credentials Committee, the representative of the Union of Soviet Socialist Republics opposed acceptance of the credentials of the representatives of Democratic Kampuchea.17 The Union of Soviet Socialist Republics recommended that Democratic Kampuchea’s seat remain vacant pending completion of the intra-Khmer dialogue and formation of a new Government in that country.18

18. The representative of the United States of America stated that the credentials of Democratic Kampuchea were in order, satisfied the requirements of rule 27 of the rules of procedure, had already been accepted by the General Assembly for a number of years, and should therefore be accepted at the current session.19

19. The representative of the Philippines stated that the Kampuchean question was a political issue beyond the competence of the Credentials Committee, which had no authority under rules 27 and 28 of the rules of procedure of the General Assembly to issue credentials or debate the representation of States. The representative therefore found the proposed empty-seat solution unacceptable.20

20. The representative of China stated that the United Nations had for years made correct decisions regarding the credentials of Democratic Kampuchea and recommended that the Committee accept Democratic Kampuchea’s credentials.21

21. At the Chairman’s proposal, the Committee adopted a draft resolution accepting the credentials of the Member States concerned while “taking into account the various reservations expressed by delegations during the debate”.22

22. The General Assembly considered the Credentials Committee’s first report at its 32nd plenary meeting, at which time the representative of the Lao People’s Democratic Republic expressed reservations about accepting Democratic Kampuchea’s credentials and expressed support for leaving the country’s seat temporarily vacant.23 The representative of the Byelorussian Soviet Socialist Republic also spoke in favour of leaving Democratic Kampuchea’s seat vacant.24 The General Assembly then approved the report of the Credentials Committee without a vote.25

*Eighteenth special session*

23. The General Assembly considered the report of the Credentials Committee, which had accepted the credentials of Member States, including those of Democratic Kampuchea, at the 9th plenary meeting of the General Assembly’s eighteenth special session, at which time the representative of the Netherlands stated that approval of the Committee’s report did not indicate that the Netherlands supported a “Government of which Khmer Rouge forms a part”.26 The representative of Ireland stated that he believed that the question of Cambodia’s credentials would be best addressed during the regular session of the General Assembly.27 The General Assembly then approved the report of the Credentials Committee without a vote.28

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12 Ibid.
13 GA resolution S-17/1.
14 A/S-17/PV.9.
15 Ibid.
16 GA resolution S-18/2.
17 A/44/639, para. 9.
18 Ibid.
19 Ibid., para. 10.
20 Ibid., para. 11.
21 Ibid., para. 12.
22 Ibid., para. 16.
23 A/44/PV.32.
24 Ibid.
25 GA resolution 44/5 A.
27 Ibid.
28 GA resolution S-18/2.
(iii) Israel

Forty-fourth session

24. The General Assembly considered the first report of the Credentials Committee at its 32nd plenary meeting, at which time the representative of the Libyan Arab Jamahiriya proposed an amendment opposing and rejecting the credentials of the Israeli delegation. The representative of Denmark, on behalf of the five Nordic countries, Finland, Iceland, Norway, Sweden and Denmark, moved under rule 74 that no action be taken on the proposed amendment. The no-action motion was adopted by 95 votes to 37, with 15 abstentions.

Forty-fifth session

25. Forty-three countries moved to insert the following phrase after the end of the draft resolution recommended for adoption by the Credentials Committee: “on the understanding that the credentials of Israel do not relate to or cover the Palestinian and other Arab territories occupied by Israel since 1967, namely, Jerusalem, the West Bank, the Gaza Strip and the Syrian Arab Golan”. The General Assembly did not consider the amendment or take any action on the Credentials Committee’s reports, deciding to retain them on the agenda of the forty-fifth session.

Seventeenth and eighteenth special sessions

26. At the 7th plenary meeting of the General Assembly’s seventeenth special session, the representative of Democratic Yemen objected to the credentials of Israel. The Assembly then approved the report of the Credentials Committee, in which the credentials of Israel had been accepted, without a vote.

27. At the 9th plenary meeting of the eighteenth special session, the representative of the United Arab Republic expressed reservations about the credentials of Israel. The Assembly then approved the report of the Credentials Committee, in which the credentials of Israel had been accepted, without a vote.

(iv) Panama

29. At the 40th plenary meeting of the General Assembly’s forty-ninth session, the representative of the Libyan Arab Jamahiriya stated that approval of the Credentials Committee report did not mean acceptance of Israel’s credentials. The General Assembly then approved the report of the Credentials Committee without a vote.

30. At the 7th plenary meeting of the General Assembly’s seventeenth special session, the representative of Cuba objected to the credentials of Panama. However, the General Assembly approved the report of the Credentials Committee without a vote.

31. At the 9th plenary meeting of the General Assembly’s eighteenth special session, the representative of Cuba stated that Cuba did not recognize the Government of Panama. However, the
General Assembly approved the report of the Credentials Committee without a vote.\textsuperscript{47}

(v) Zaire

\textit{Forty-eighth session}

32. During the 1st meeting of the Credentials Committee, the Legal Counsel explained that two communications listing different purported representatives of Zaire had been submitted, but that only one of these had been signed by the Head of State of Zaire.\textsuperscript{48} In keeping with past practice of the General Assembly and the Committee, the credentials signed by the Head of State were to be regarded as formally correct.\textsuperscript{49}

33. The representative of Austria stated that, while his delegation did not wish to formally challenge the credentials of Zaire, it did wish to record its position that acceptance of the credentials of a Zaire delegation headed by the Minister for Foreign Affairs of the Government of Mr. Faustin Birindwa in no way implied that Austria accepted that Government.\textsuperscript{50} The representative of the United States of America stated that, while aware of the technical nature of the task of the Credentials Committee, he wished to associate himself with the disclaimer made by the representative of Austria.\textsuperscript{51}

34. At the Chairman’s proposal, the Committee adopted a draft resolution accepting the credentials of the Member States concerned while “taking into account the statements made during the debate”.\textsuperscript{52}

35. At its 43rd plenary meeting, the General Assembly considered and approved without a vote the report of the Credentials Committee.\textsuperscript{53}

\textit{(b) Provisional admission of representatives to a session}

36. During the period under review, 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.

\textit{**(c) Statement on the scope of credentials}