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**1905th**  
**PLENARY MEETING**

*Friday, 13 November 1970,*  
*at 3 p.m.*

**NEW YORK**

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**President: Mr. Edvard HAMBRO (Norway).**

**AGENDA ITEM 3**

**Credentials of representatives to the twenty-fifth session of the General Assembly (*continued*):\***

**(b) Report of the Credentials Committee**

1. The PRESIDENT: A large number of delegations have asked to explain their vote before the voting. I shall call on them in order.

2. Mr. MAUNG MAUNG (Burma): The delegation of Burma would like to place on record its reservations regarding the credentials of the representative of China. To the Government of Burma, the legal government of China is the Government of the People's Republic of China, and, as such, only the representatives appointed by that Government can be the legal representatives of China in the Assembly.

3. It is with that reservation that our delegation will vote for the report of the Credentials Committee contained in document A/8142.

4. Mr. EILAN (Israel): For the last decade, and even longer, Israel has consistently supported every resolution adopted by the General Assembly on the question of human rights in Africa. In doing so my delegation has merely given expression to the attitude of public opinion in Israel, where opposition to racial discrimination is axiomatic.

5. Like so many other delegations which have consistently opposed *apartheid* in the Assembly but are going to cast their votes against the nine-Power amendment, Israel cannot support the proposal regarding the credentials of the South African delegation [A/L.608/Rev.1 and Add.1]—and this for two main reasons. Firstly, we cannot support the proposition that when the credentials of a delegation have been found by the Credentials Committee to be in good and proper order the General Assembly can, by simple vote, reverse that finding. In this connexion we have noted the statement of the Legal Counsel in document A/8160.

6. Secondly, like so many other delegations which have consistently in this Assembly opposed racial discrimination, Israel feels that by depriving South Africa of its rights in the General Assembly we would be not only acting against a democratic principle on which the United Nations was founded, but also destroying the hope, however tenuous and remote, that the very presence of a South African delegation in the United Nations will one day offer us the opportunity to bring about a change of heart.

7. Mr. GARCIA DE SOUZA (Brazil): The delegation of Brazil wishes to explain very briefly why it cannot support the amendment submitted in document A/L.608/Rev.1 and Add.1. My country abhors and detests racial discrimination, and nowhere is racial discrimination more clear, visible and discernible than in the shameful policies of *apartheid* in South Africa—policies which we have no hesitation in identifying as a crime against humanity. In this connexion, we have made clear our opinion and points of view. We therefore understand the motivation of the delegations of Cameroon, the Democratic Republic of the Congo, Ghana, Guinea, Mauritania, Nigeria, the People's Republic of the Congo, Senegal, Somalia, and the United Arab Republic.

8. We feel, however, that under the Charter and the rules of procedure of the General Assembly there is no legal or juridical basis for the action now contemplated. As a matter of fact, we agree with the statement of Legal Counsel submitted to the President of the General Assembly at his request, that "Suspension of this right through the rejection of credentials would not satisfy the [existing] requirements and would therefore be contrary to the Charter" [A/8160. para.6].

9. Action taken in the manner proposed would set aside the requirements and the procedure envisaged in Article 5 of the Charter and would establish a precedent which might have undesirable consequences for the future. The adoption of this course would be tantamount to adding a new element of instability to the proceedings of the General Assembly and would encourage actions of a purely political nature which might be devoid of a legal or juridical basis.

10. Mr. KASPRZYK (Poland): As one of the members of the Credentials Committee, the Polish delegation already had an opportunity, during the meeting of that Committee, to express its view on the credentials of the South African delegation. The position of my delegation is reflected in paragraph 13 of document A/8142. Our attitude towards the racist practices of the Pretoria régime is well known, and I do not think

\* Resumed from the 1901st meeting.

it is necessary to repeat it now. Our attitude towards the Government of the Republic of South Africa, which represents only a small minority of the population and deprives about three fourths of its people of their political and economic rights, is also well known. For those reasons my delegation will support the amendment submitted by a group of African countries and contained in document A/L.608/Rev.1 and Add.1.

11. At the same time, permit me to recall that at the meeting of the Credentials Committee, held on 26 October 1970, my delegation was among those which objected to the approval of the credentials of the representatives of the Chiang Kai-shek régime. In spite of our opposition, the Committee decided then to approve those credentials and to recommend to the General Assembly that it adopt a draft resolution approving the first report of the Credentials Committee. Since our objections in this regard have not been taken into account, the Polish delegation will not be in a position to vote in favour of the draft resolution contained in document A/8142, and will abstain.

12. Mr. ORTIZ DE ROZAS (Argentina) (*interpretation from Spanish*): The delegation of Argentina on a number of occasions has said that it completely rejects the policy of *apartheid* and we denounce the continuing presence of South Africa in Namibia, in as much as it places in jeopardy the authority of the United Nations. Our position is, of course, unchanged. Like many other delegations which have taken the rostrum before us and, in particular, the delegations of France and Venezuela, we sympathize with and support the sponsors in their condemnation of the racist policies of Pretoria. But, like them, we feel that there are other principles which are at issue now.

13. The specific task of the Credentials Committee is to determine solely whether the credentials of representatives have been sent in by the appropriate authorities of the State to which the representatives belong. In other words, the purpose is to assess the validity of the credentials and not to judge the politics of the country. Still less is it to judge the legitimacy or illegitimacy of Member States by accepting or rejecting credentials. We are convinced that legally this would be wrong.

14. Furthermore, from another point of view we believe that if that were to be done it would have serious political implications and might leave some with discretionary powers to decide which Governments are legitimate and which are not. On the basis of such a precedent the credentials of the representatives of any country whose régime or activities are controversial could be rejected at some time in the future. I should like to draw the attention of the Assembly to the seriousness and the implications of such a situation.

15. For this reason my delegation is obliged to vote against the amendment appearing in document A/L.608/Rev.1 and Add.1.

16. Mr. OFWONO (Uganda): I should like to recall what you said, Mr. President, at the 1901st meeting of the General Assembly. You said then:

“... a vote in favour of the amendment would mean, on the part of this Assembly, a very strong condemnation of... South Africa. It would also constitute a warning to that Government as solemn as any such warning could be.” [1901st meeting, para. 286].

17. We would also like to add to your very wise opinion, Sir, that in our view a vote against the amendment would mean condoning and encouraging *apartheid*. The United Nations Secretary-General, U Thant, in 1967 had this to say on the subject:

“The doctrines and the practice of race supremacy in the world of today are not only wrong, they are also incalculably dangerous. In an age in which it is imperative to reduce tensions and promote the concept of one human family, none may safely indulge in race hate and race injustice. The brotherhood of man proclaimed by the Universal Declaration of Human Rights nearly twenty years ago is today the equivalent of a declaration of survival itself.”<sup>1</sup>

18. We will support the amendment and we request a roll-call vote.

19. Mr. AKE (Ivory Coast) (*interpretation from French*): My delegation wishes to explain its vote on the draft amendment [A/L.608/Rev.1 and Add.1] submitted by various African countries and calling for rejection of the credentials of representatives of the South African Government.

20. As we have said in previous statements, the Ivory Coast is fiercely opposed to racial discrimination in all its forms, particularly in its most hateful and inhuman form which has been made into a political system, namely *apartheid*, in whose name millions of our brothers are subjugated, exploited and enslaved by a minority of white racists and denied their right to be free in their own country. We categorically reject this policy and condemn it as contrary to the United Nations Charter and the Universal Declaration of Human Rights.

21. The Ivory Coast, like all other Members, is concerned at the stubbornness of the Pretoria authorities which prevents them from hearing the voice of reason. All the efforts of our Organization to secure the elimination of *apartheid* have been in vain and we wonder what further measures could be taken to bring the adherents of that system to reason and justice.

22. We believe that the way should still be sought in dialogue and persuasion. The Pretoria authorities, it is true, have remained deaf to our appeals thus far and have ignored the Lusaka Manifesto<sup>2</sup> which advocated dialogue.

23. Despite this *a priori* negative attitude, we believe one must persist in this course because it is the only

<sup>1</sup> Message from the Secretary-General on the International Day for the Elimination of Racial Discrimination, 21 March.

<sup>2</sup> Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.

one that can bring about happy, just and peaceful solution to this painful problem, a solution which whatever happens, must underwrite the absolute equality of all citizens of South Africa, be they black or white, yellow or coloured, in order to give its citizens an equal chance of life in harmony and social justice.

24. The recent suggestion of my Government, which rejects any forcible solution which might perpetuate the situation and prefers a solution based on dialogue and persuasion, should be viewed in that context. My Government, which respects the opinion of others, believes that we are not going to solve the problem of *apartheid* by force. That is why it believes we must start a dialogue with South Africa.

25. In view of certain tendentious and malicious rumours deliberately circulated following the suggestion made by the President of the Ivory Coast, we should like to state that it is not the Ivory Coast's intention either to recognize or to institute diplomatic relations with the Pretoria régime, and still less to jeopardize the legitimate struggle of our African brothers to recover their freedom and dignity. We therefore agree with the other African countries on the objective; it is just that our approach to the problem is somewhat different. We shall have the opportunity in due course and in the appropriate place to state our views on that subject.

26. Coming back to the draft amendment, we should like to emphasize that we share the concern of the sponsors but that from the legal point of view we have certain reservations about it since the credentials of the representatives of the South African Government do appear, in the present state of things, to be in accordance with rule 27 of the rules of procedure.

27. We recognize, of course, that the South African Government represents only the white minority in power, not the African population which constitutes the vast majority of the country, a majority unfortunately reduced to silence. But we have to face facts and recognize that the South African delegation has been duly appointed by its Government and that nobody can question that Governments' status as a Member State.

28. The problem with the amendment, then, is that it casts doubt on the representative character of that Government in regard to the South African population as a whole. In the circumstances the method chosen does not seem to us very appropriate, because it does not help to clarify the situation. Moreover, it may create an awkward precedent and open the way to initiatives all the consequences of which we cannot determine at this stage. For if we decide not to recognize the validity of the South African delegation's credentials, what legal consequences do we mean to draw from such a decision? Do we wish to suspend that country's rights and privileges by preventing its participation in our work, or do we wish to expel it from our Organization? If this were the objective, would its consequences be in accordance with the pertinent provisions of the Charter? We do not think so; neither, for that matter, do the sponsors of the

amendment themselves. And would the expulsion of South Africa, or the suspension of its rights and privileges, bring us closer to our objective and help solve the problem of *apartheid*? Again we think not. Indeed, we fear that such a step would only encourage South Africa to persist in its error and its attitude of defiance, even to harden its hateful policies and intensify its repression of our African brothers.

29. From the consultations which have taken place on the motion for adjournment submitted by our colleague from Mexico [*1901st meeting*] it appears that the sponsors do not wish to use the procedural device of verification of credentials to deprive South Africa of its rights and privileges. At most, they wish by this action, to express their feelings, to reaffirm their condemnation of *apartheid* and to warn the South African Government that its obstinacy may lead them to consider other actions through the appropriate channel. If that is the construction which the sponsors wish to be placed upon their amendment, it is in line with the interpretation given by the President of the General Assembly, when in response to a question from the Ambassador of Saudi Arabia he stated:

"After listening very carefully to this extremely important and at times passionate debate, after having read and reread several times the text of the amendment proposed, and after having studied very carefully the opinion given by my learned friend here on the rostrum, I reach the conclusion that a vote in favour of the amendment would mean, on the part of this Assembly, a very strong condemnation of the policies pursued by the Government of South Africa. It would also constitute a warning to that Government as solemn as any such warning could be. But, apart from that, the amendment as it is worded at present would not seem to me to mean that the South African delegation is unseated or cannot continue to sit in this Assembly; if adopted it will not affect the rights and privileges of membership of South Africa." [*1901st meeting, para. 286.*]

30. If the sponsors of the amendment and the President agree on that interpretation, my delegation would have no difficulty in voting for the amendment since we too would like to indicate our disapproval of *apartheid*. Nevertheless we would like to enter the most definite reservations about the form used to express these feelings, since the wording of the amendment seems ambiguous and controversial. We would have much preferred a draft resolution based on the President's statement. But failing such a draft resolution, we shall stand by his interpretation. Thus, our affirmative vote will not mean that we accept the legal implications of the amendment if adopted.

31. The PRESIDENT: Am I to take it that the representative of Saudi Arabia wishes to introduce a sub-amendment at this stage? I now call on him.

32. Mr. BARODY (Saudi Arabia): If I have come to this rostrum for the third time on the seemingly simple amendment before the Assembly—an amendment which my colleagues have scrutinized very care-

it is necessary to repeat it now. Our attitude towards the Government of the Republic of South Africa, which represents only a small minority of the population and deprives about three fourths of its people of their political and economic rights, is also well known. For those reasons my delegation will support the amendment submitted by a group of African countries and contained in document A/L.608/Rev.1 and Add.1.

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31. The PRESIDENT: Am I to take it that the representative of Saudi Arabia wishes to introduce a sub-amendment at this stage? I now call on him.

32. Mr. BAROODY (Saudi Arabia): If I have come to this rostrum for the third time on the seemingly simple amendment before the Assembly—an amendment which my colleagues have scrutinized very care-

fully during the last three days or so—it is because I do not want us to be hasty and to take a decision which we may later regret. We will regret it because it will open the door in future for many of us who may be at loggerheads with any State to resort to such a procedure. That is where the danger lies. However, I am at one with my African brothers, as well as with a number of other brothers and colleagues, who have expressed their attitude towards *apartheid* and the failure to respect the right of self-determination in South Africa. There can be no worse form of racial discrimination nor, for that matter, of colonialism. I need hardly apologize for my stand on *apartheid* nor for my vehement stand against any metropolitan Power that has no respect for the right of self-determination.

33. This question has been with me for the last three days. I have given it all the attention it deserves and I believe I now have a formula that will satisfy everybody concerned. It is in the form of a sub-amendment. Because there has been no time to circulate this sub-amendment I am not going to read out the words we propose to delete and the words we propose to add. I will simply read out the text of the sub-amendment, which would absorb the amendment of our colleagues from Africa. That will save time. It is not a very involved sub-amendment; it is a statement of fact.

34. My text, which incorporates the amendment in the form of a sub-amendment, would come after the words “*Approves* the first report of the Credentials Committee” and reads as follows:

“*Notes* that, notwithstanding the authenticity of the credentials of the representatives of the Government of South Africa, the authorities of South Africa who issued those credentials do not represent a large segment of the population of South Africa which the said authorities claim to represent”.

35. May I draw to your attention the fact that in the first part of the paragraph I use the words “the credentials of the representatives of the Government of South Africa”? They have been with us for many years and their credentials have been authenticated and the signatures that are in the archives of the United Nations have been found to be the true signatures. Therefore in the first part of the sentence we cannot use the words “the authorities” because in previous years those credentials have been accepted as such. Again, I am not talking about the juridical, substantive question as to whether the Government of South Africa or any other Member State is representative of its population.

36. Then I use the words “the authorities of South Africa” in the second part of the sentence because many of us here do not wish to call them a constituted Government; they are *de facto* authorities to some of us, although the word “authorities” may be used both legally in the sense of *de jure* and also in the sense of *de facto*. However, to satisfy those who do not wish to recognize the Government of South Africa I have used here the phraseology “authorities of South Africa which issued those credentials do not represent

a large segment of the population of South Africa which the said authorities” I used “the said authorities” because I did not want to use the pronoun “they”, so that there would be no confusion—“claim to represent”. That segment is made up of the blacks, the mulattos and those of a colour other than white against whom discrimination is practised and also those who should have been free by this time, namely, the inhabitants of the erstwhile Mandated Territory of South West Africa, called Namibia.

37. I believe it will be possible for all concerned to adopt this formula and I submit it forthwith as a sub-amendment, incorporating the amendment in the text without going through the mechanism of saying “add, delete”, following what usually is considered as the right procedure in submitting a sub-amendment.

38. Having said this, I do hope that this formula will satisfy all concerned because otherwise before the vote I may have to take measures—and I do not like to resort to such measures—to see whether it is permissible to submit an amendment which is very just if it applies to the substance but which may throw us into turmoil and interminable difficulties were we to adopt it even procedurally.

39. Mr. President, may I ask you kindly to request the Under-Secretary-General, after I leave this rostrum, to read out my sub-amendment once again so that there will be no misunderstanding about its wording or its purpose?

40. The PRESIDENT: I will ask the Under-Secretary-General to read the Ambassador's proposal.

41. Mr. STAVROPOULOS (Under-Secretary-General for General Assembly Affairs): The text of the amendments [A/L.613] to the draft resolution submitted by the Credentials Committee [A/8142, para.19] is the following: “Add an operative paragraph 2 as follows:

“ ‘*Notes* that, notwithstanding the authenticity of the credentials of the representatives of the Government of South Africa, the authorities of South Africa who issued those credentials do not represent a large segment of the population of South Africa which the said authorities claim to represent.’ ”

42. The PRESIDENT: Two delegations have asked for the floor on the proposal of the Ambassador of Saudi Arabia.

43. Mr. IDZUMBUIR (Democratic Republic of the Congo) (*interpretation from French*): The Ambassador of Saudi Arabia came to this rostrum and proposed a sub-amendment to the amendment introduced by my delegation, with a number of others. May I say straightway that I have great respect for the age and the ability of the Ambassador of Saudi Arabia, but I hope he will forgive me if I show even greater respect for the rules of procedure of the General Assembly and for the General Assembly itself.

44. In opening this meeting, Mr. President, you made the point that a number of representatives had asked to be allowed to explain their votes before the vote, and so it was in fact that you did give the floor to a number of delegations that have already explained their votes. You asked the representative of Saudi Arabia if it was his intention to submit a sub-amendment. I must say that I for one heard no reply. My understanding was then that he was coming to the rostrum to explain his vote. Now, had I known that his intention was to present a sub-amendment I would have raised a point of order and would have asked that that should not be allowed. But as you have not yet decided whether the sub-amendment can be accepted, I would simply ask you, Mr. President, to allow us to continue our debate and to give the floor only to those who have expressed a wish to explain their votes before the vote, in accordance with the decision taken.

45. Mr. ENGO (Cameroon): My delegation has already expressed in the fullest measure the views which it holds, not only with regard to the policies of racialism and *apartheid* in South Africa but also on the issue now before the General Assembly, which touches upon the so-called credentials of a group of individuals who purport to represent the peoples and the Government of the State of South Africa.

46. We have been compelled to take the floor once again this afternoon as a result of the proposal which has been placed before the General Assembly by a man for whom we have considerable respect and who, as I said yesterday, has attempted to establish himself as one of the greatest voices for freedom in the United Nations. The representative of Saudi Arabia has proposed to the General Assembly a text which—and I say this with the deepest regret—does not satisfy my delegation. It does not solve the basic issues that are before the international community today. We have been told by speaker after speaker that we must be satisfied with wrong precedents, that is, the precedents set for recognizing the so-called representatives of the so-called Government of the great people of South Africa. As a result, it would be dangerous to the United Nations, it would be dangerous to the international community, if we in fact reject those credentials at this time.

47. I think the time has come—and this is something we have been reiterating in the strongest terms—when the international community should recognize that it cannot afford to pursue the road of complacency concerning situations which are likely to provoke breaches of international peace. All across the globe we have found conflagrations, disagreements and wars. If one looks back to the facts of history, one finds that the problems which gave rise to the immediate causes, and the remote causes, that brought about warfare could have been avoided if the international community as it then existed had stood firmly for that which is right, and if it had been possible for us to read the lessons of history and to take the correct stand.

48. There are two points that make it tremendously difficult, if not absolutely impossible, for my delegation to accept the proposed sub-amendment of the representative of Saudi Arabia. First of all, that sub-amendment speaks of the credentials of the representatives of the Government of South Africa. With all due respect, my delegation does not believe, in the light of all the explanations it has given on various occasions and yesterday in particular, that the men who sit in the place reserved for South Africa are representatives of a Government of the people of South Africa. I do not need to repeat the argument here.

49. Secondly, that proposed sub-amendment says that those credentials do not represent a large segment of the population of South Africa. I am sure it was not intended, but I think that, in a way, it does in fact place a screen before the truth. It is not a large segment of the population of South Africa, it is the vast majority of the population of South Africa. The people which form that vast majority has not in fact exercised their right to self-determination and has never been allowed to do so.

50. Briefly, my delegation finds it difficult in any way to lend support or encouragement to the sub-amendment that has been proposed to us. Accordingly, if it is put to the vote, we shall in fact reject it.

51. Mr. OGBU (Nigeria): I have asked to speak because I think that this august Assembly runs the risk of being confused or, possibly, being led on in a course that may result in complications.

52. If I recall correctly the proceedings of the Assembly on Wednesday last [*1901st meeting*], when I came to the rostrum I said that I was going to propose formally a closure of the debate. But I duly deferred to you, Mr. President, when you indicated that the debate on this item should continue until the end of the day and should then be postponed, on the suggestion and appeal of the representative of Mexico, and we would resume discussion today by listening to those who would wish to explain their vote before the voting.

53. Purely on those technical grounds my delegation considered that the debate had been formally closed by you, Mr. President, and that we were now considering explanations of vote before the voting. In accordance with rule 90 of the rules of procedure, the so-called sub-amendment proposed by the representative of Saudi Arabia is, in the view of my delegation, out of order, and we would ask for a ruling. In so doing we support the representative of the Democratic Republic of the Congo, who said that we have now proceeded to the voting and that it is, in fact, in the exercise of their right to explain their vote before the voting that representatives may come to the rostrum, and not to propose any amendment.

54. Therefore, my delegation, which is a sponsor of the original amendment, finds it utterly unacceptable to consider the proposed sub-amendment of our brother, the representative of Saudi Arabia, for whom we have very great respect.



55. The PRESIDENT: There are five more speakers who have asked to explain their vote before the voting. I shall now call on them in order.

56. Mr. TSURUOKA (Japan): Japan has always been most strongly opposed to the policies of *apartheid*, and will ever remain opposed to them.

57. My delegation has therefore the greatest sympathy for the motives of the African delegations which presented the proposal for an amendment to the report of the Credentials Committee. Let there be no doubt about that.

58. However, I am obliged to make quite clear the firmly held view of my delegation that it is outside the competence of the Credentials Committee to examine the legitimacy of the Government of a Member State.

59. Therefore, my delegation has serious difficulty in accepting this amendment on constitutional grounds. Indeed, as many delegations have already pointed out, this procedure has wider implications which may go beyond the credentials of the South African delegation. It cannot but open a dangerous precedent for allowing any Member States to challenge the credentials of other Member States whose policies they oppose. This might cause a chain reaction whereby this Organization would be reduced to a forum of mutual apologies and accusations. My delegation is unable to support the African proposal contained in document A/L.608/Rev.1 and Add.1 because of our doubts as to its constitutionality. However, in view of its basic sympathy with the motives that have prompted the sponsors of this amendment, my delegation does not wish to stand in its way. For this reason it will not participate in the voting on the proposed African amendment. At the same time, it will vote in favour of the draft resolution contained in the Credentials Committee's report, whatever the outcome of the vote on the African proposal.

60. Mr. DAHMOUCHE (Algeria) (*interpretation from French*): My delegation will vote in favour of the African amendment submitted by ten delegations. Our position should be no matter for surprise since we have never let an opportunity pass of emphasizing to what extent the policy of *apartheid* of South Africa is contrary to the very foundations of the United Nations.

61. The so-called civilized authorities of Pretoria, who base their constitutional system upon racial discrimination, contempt for man and at the same time issue daily appeals for understanding on the part of African States and of world opinion, should be outlawed from mankind.

62. The States Members of this Organization had better realize as of now that the racist authorities of Pretoria will inevitably be compelled to change their policies or suffer the logical consequences of their stubbornness and withdraw, voluntarily or under pressure from outraged international opinion, from all the organizations set up to promote development and

co-operation among States and men, organizations in which they no longer have any place.

63. That is the essential meaning of the amendment submitted to us by a number of African delegations which, during the debate in which we have the honour to participate, have not failed to emphasize that the effects of the South African gangrene are already making themselves felt in this Organization, where the advantages of co-operating with Pretoria in conditions humiliating to us are sometimes urged.

64. We expect all delegations here present, with the exception of course of the usual friends of Pretoria or of imperialism, to adopt an attitude in conformity with the principles they have always defended and which our delegation, for its part, will defend without fail. We must take the opportunity of this vote to reaffirm our dedication to the purposes and principles of the Charter, on which there can be no compromise.

65. Finally, if our delegation feels that it must once again abstain on the report [A/8142] as a whole, this is to show the consistency of its attitude on the validity of certain beliefs. We cannot recognize in any way whatsoever the validity of the alleged credentials held by the representatives of the authorities of Tel-Aviv, Phnom Penh, and Taipeh. Finally, I think I may state that the debate in which we are now taking part has given all delegations a fair opportunity to express their views. We are now at the stage of explanations of vote and it is my understanding that, after our delegation, there are two or three more speakers. I should therefore like formally to request that we proceed to vote on the amendment and on the report as soon as we have heard the few speakers who are already on the list.

66. Mr. MOLEFHE (Botswana): My delegation is satisfied that the Credentials Committee has performed its function within its capacity to do so, even if it has been suggested that the Committee did not do what it was specifically requested to do. If we were to vote separately on the draft resolution presented by the Credentials Committee and the amendment, my delegation would vote for the adoption of the report.

67. The full intention of the amendment is not clear, nor are the consequences which may flow from its acceptance. Despite this, grave concern has been expressed from this rostrum about the policy of *apartheid* and all delegations are fully aware of that. My Government shares that concern. However, it has advocated negotiations as a means of arriving at peaceful understanding and my delegation is guided by this consideration. It will therefore abstain on the amendment.

68. Mr. SHAHI (Pakistan): The Pakistan delegation will support the amendment proposed by Somalia, Nigeria and several other African States in document A/L.608/Rev.1 and Add.1 to the recommendation in paragraph 19 of the first report of the Credentials Committee in document A/8142. The intention and purport of the ten-Power amendment, it seems to us, have not



been faithfully interpreted in document A/8160, which states that the adoption of this ten-Power amendment would be tantamount to suspending a Member State from the exercise of the rights and privileges of membership in a manner not foreseen by the Charter and therefore contrary to the Charter.

69. On the other hand, you, Mr. President, in your answer to the representative of Saudi Arabia on Wednesday, 11 November, stated as your opinion: "that a vote in favour of the amendment would mean, on the part of this Assembly, a very strong condemnation of the policies pursued by the Government of South Africa". You went on to say: "It would also constitute a warning to that Government as solemn as any such warning could be." [1901st meeting, para.286.]

70. Your opinion, Mr. President, is a reasonable and valid construction of the ten-Power amendment and circumvents the legal and constitutional objections raised by the Legal Counsel in his interpretation of the scope of "credentials" in rule 27 of the rules of procedure of the General Assembly and, consequently, it circumvents the obstacles to the adoption of the ten-Power amendment. My delegation will accordingly vote for that amendment.

71. The action proposed by Somalia, Nigeria and eight other sponsors is admittedly unprecedented, but so is the record of the *apartheid* Republic of South Africa, which for more than twenty-five years has persistently violated the principles of the Charter and can be protected from the consequences of having done so only by the exercise of a privilege accorded to certain major Powers that should be restricted to matters which pertain to their special responsibility for the maintenance of international peace.

72. My delegation would like to take this opportunity to reiterate also its well-known position that the delegation of the so-called Republic of China does not represent the people of China. The people of China can be represented in the United Nations only by the Government of the People's Republic of China.

73. Mr. BENITES (Ecuador) (*interpretation from Spanish*): As Ecuador is a member of the Credentials Committee, which has submitted the present report and proposed a draft resolution, I feel obliged to explain the views of the Ecuadorean delegation on the various proposals.

74. I wish first to explain that we are not, as someone said we were, in a dilemma, in which on one side there are those who are opposed to *apartheid* and on the other those who are friends of South Africa. Ever since this problem arose in 1952 Ecuador has been firmly and constantly opposed to the inhuman and extremely cruel policy of *apartheid* in South Africa. We were opposed to that policy when very few of us took that stand—not at a time when it was easy to take that position because of the large numbers opposed to it. Once again, therefore, the delegation of Ecuador would like to say that the Government of South Africa is not a democratic Government; it does not correspond

to the modern concept of a State, which must be based on the will of the majority. It is a racist, minority Government, where a white minority stifles, by the most brutal means, the thinking of the majority that is, the will of the true owners of the African soil there.

75. But that is not the matter at issue at all; it is a strictly legal point that is at issue. And on that score I would say that my Government, my delegation and I would never sacrifice a legal principle for a political manoeuvre. Some may say that that is a mistake, but I believe that to be a sound position.

76. What I have just said was an introduction to the Ecuadorean position. I wish also to state that we believe that the Credentials Committee has very definite limits laid down in the rules of procedure. Rule 27 states:

"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."

Rule 28 then points out what the powers and duties of the Credentials Committee are:

"A Credentials Committee shall be appointed at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report without delay."

77. When rules 27 and 28 are read together it is clear that the only power the Credentials Committee has is to determine whether the credentials have been issued by a competent authority. It is not its business to consider the legitimacy of the Government concerned. Hypothetically, if the Credentials Committee had been given the power to determine the legitimacy of Governments, that would have led to a very dangerous situation indeed.

78. In addition, let me say that in the course of the 25 years of the existence of the United Nations similar situations have arisen: the Soviet Union brought up the issue of the credentials of the representatives of China; later, the question of the credentials of the representatives of Hungary was raised. Today, in roughly the same terms, the question of the credentials of the representatives of the Republic of South Africa is being raised. In respect of the earlier cases the decision was that the Credentials Committee could not go beyond its legal terms of reference. In the present case my delegation believes that the Committee must not go beyond its legal framework.

79. Our opposition to the policies of the Republic of South Africa which are inhumane and cruel remains and, without changing that position in any way, we

will vote against the amendment contained in document A/L.608/Rev.1 and Add.1. We have very serious doubts about the possible implications for the present and the future, if this amendment is adopted.

80. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translated from Russian*): The delegation of the Soviet Union fully shares the feelings of indignation expressed from this rostrum by a large group of delegations concerning the criminal policy of *apartheid* pursued by the Pretoria racists. We also share and support their desire for new and positive measures which would constitute one more serious political warning by the United Nations to the racists of South Africa.

81. The Soviet delegation also supports the proposal by a group of African States contained in the amendment to the draft resolution in the first report of the Credentials Committee.

82. The adoption of this amendment would be a decisive condemnation of the policy pursued by the Government of South Africa, and would force the Pretoria leaders to reflect once again on the consequences of their inhuman policies.

83. The position of the Soviet Union with regard to the South African racist régime is well known and has frequently been stated from this rostrum. On the basis of this position, the Soviet delegation will vote for the amendment of the group of African States contained in document A/L.608/Rev.1 and Add.1.

84. However, as the report of the Credentials Committee contains an acceptance of the credentials of the representatives of the Chiang Kai-shek régime, the Soviet delegation will abstain from voting on the draft resolution as a whole.

85. The PRESIDENT: That was the last speaker inscribed to explain his vote before the vote, so the Assembly should now be ready to proceed to the vote.

86. I call on the representative of Saudi Arabia, who wishes to speak on a point of order.

87. Mr. BAROODY (Saudi Arabia): I have been challenged by two of my African brothers who feel that I should not have submitted a sub-amendment or amendment because we are, after all, dealing with substance here, rather than procedure.

88. I should like to say that I have been very attentive and, in accordance with rule 90 of the rules of procedure, inasmuch as there was a long list of explanations of vote the President did not indicate to us that the debate was over or that amendments were not receivable. And, after all, if he did, I could introduce a procedural draft resolution to the effect that, if it is for the good of the house, any Member has the right to introduce a procedural amendment to see whether we could introduce amendments even at the last minute, instead of committing a grave mistake. After all, with all due regard to the rules of procedure, we

are the masters of our own procedure, in the last resort. Of course, you already have copies of my amendment.

89. Having said that, I should like to draw the attention of my colleagues to the crux of the question, which I said I would refer to before the voting, and which is divided into two parts: first, it is a question that I will put to the President; and, secondly, it is a question of priority which has to be debated, since I have finally submitted my sub-amendment as an amendment.

90. I should like the President, in unequivocal terms, to rule without any reservations, and taking into account not only the rules of procedure, but past practice, whether or not the Credentials Committee is competent to deal with legal matters relating to the authenticity or non-authenticity, the "justicity" or "non-justicity" of membership of this Organization—I repeat: whether the Credentials Committee is competent to pronounce itself as the arbiter of who should or should not be a Member, and whether it can receive complaints as to membership and decide thereon.

91. Our illustrious jurist, Mr. Stavropoulos—or his department, the Legal Department—submitted a document not only containing juridical considerations, but citing examples—and I was here in this United Nations and I fought the United States of America at that time—and you can go to the records—for trying to disqualify Hungary from sitting with us, on the same basis as my African brothers are resorting to.

92. Now, finally, graciously, the United States withdrew its claim that Hungary had no right to sit—or, rather, that its credentials were not authentic, since at one time the United States considered that Hungary had been occupied by a foreign army.

93. In spite of that, we opted that if the people of Hungary wanted an army it was their privilege to have it, and that if they did not want an army it was their privilege to fight it and we would not interfere in the domestic affairs of a State. That had to do with a State Member of the United Nations, Hungary, in November 1956, if my memory serves me correctly. For three years attempts were made by the United States to disqualify the Hungarian representatives, and finally they thought it was a political question and should not be made a legal question with which the Credentials Committee should be engaged, and I believe the United States showed sagacity in that.

94. Of course, I do not go into the motives of States. Perhaps they wanted to make political capital. Every State—not only the United States—makes political capital of a situation once in a while. I believe my African friends have made political capital during this Credentials Committee debate and should be satisfied. But I, for one, who have served here for 25 years, would not admit, as during the Hungarian incident, that a State could be disqualified by another State or group of States through the back door of the Credentials Committee, which is no door whatsoever.

95. This is a vital issue, and I need a ruling, and I wish to have the ruling deleted and not voted upon

immediately. The ruling is to be made with that proviso. Since I submitted this amendment about half an hour ago I have received comments from my African friends that the word "authenticity" might give the impression of juridical recognition. I was ready to meet them, to make things clearer by consultation, rather than arbitrarily as some of us do. Not only our African brothers but all of us once in a while forget that we have here to deal with 126 other nations and cannot be arbitrary and take a stubborn stand on any issue for that matter, even though we may be almost right.

96. So I should like my colleagues to note a change that will satisfy some of my African brothers, if not all of them: "Notes that, notwithstanding the authenticity of the signature appended to the credentials of the representatives of the Government of South Africa".

97. By what logic does the word "authenticity" have any juridical significance any more? It is the authenticity of the signature. My amendment, I think, merits some debate. I know, Mr. President, that you want to finish with this question as soon as possible, but here a basic principle is involved. If we let the cat out of the bag, do not blame me. I can assure you that immediately after, or perhaps before, the vote, there would be something wrong. I will not disclose it now. Either we maintain our conviction based on logic and the right procedure or we opt to vote by solidarity, which is wrong on such juridical and legal questions.

98. Therefore I come to my third request. My first was with regard to competence, and the second to take note of the little amendment I made to my amendment, with regard to "authenticity". Furthermore, at least my amendment should be given a little consideration, by an exchange of views and debate, and we should not hasten to a vote. However, if this house prefers to vote forthwith, I wish, before the voting, to ask you to give me the floor again in order to submit some facts to you, after you make your ruling on the competence. After having cited Hungary, I will cite other States, and it will be very embarrassing indeed, but for the sake of clarity we have to be frank with one another here.

99. The PRESIDENT: I should like to state, first of all, that the debate on the report of the Credentials Committee is closed. It was stated quite clearly at the beginning of this meeting that the President would give the floor to representatives who wanted to explain their votes. That is the first thing. Secondly, the President is under no obligation at all to give any ruling of the kind demanded by the representative of Saudi Arabia. We are not discussing here today the general competence of the Credentials Committee. That is a very interesting question which, I can quite see, could give rise to debate, and it might possibly be debated in the framework of the thirty-one-nation Committee which has been established by the Assembly to go through the procedures of the General Assembly.<sup>3</sup>

100. What we have before us now is the report of the Credentials Committee and the amendment submitted by certain delegations concerning South Africa. After this meeting began and after it was made clear that representatives were being called upon to explain their votes, the President received an intimation—which might have been wrong—that the representative of Saudi Arabia wanted to offer what I heard called a sub-amendment in order to find a formula that would be pleasing to all the Members of the Assembly. In spite of the fact that the voting had really started, inasmuch as the representatives had begun to explain their votes, the President wanted to give the floor to the representative of Saudi Arabia, whom we all respect and admire and to whom we all listen with keen interest, because this time he hoped to make a proposal that would obtain the agreement of all factions. That has not happened. His proposal has not elicited the approval of the representatives who had submitted an amendment to the report of the Credentials Committee. The President would still be willing to stretch a point and also submit to the vote of the Assembly the proposal of the representative of Saudi Arabia.

101. It seems to me that the following procedure is now called for. First, a vote will be taken on the amendment contained in document A/L.608/Rev.1 and Add.1. After that vote has been taken, the other amendment, proposed by the representative of Saudi Arabia [A/L.613], will be put to the vote. After that the whole report of the Credentials Committee [A/8142] will be put to the vote, with or without the amendments according to whether or not they have been adopted.

*[The President continued in French.]*

102. The representative of the Ivory Coast has asked for the floor on a point of order.

103. Mr. AKE (Ivory Coast) (*interpretation from French*): Mr. President, before you put the report of the Credentials Committee to the vote, as well as the amendments presented by the African group and by the representative of Saudi Arabia, I should like to ask one of the sponsors to say—since the vote of my delegation depends on the interpretation of the amendment presented by the African delegations—whether they can accept the interpretation which you gave forty-eight hours ago [1901st meeting] at the request of the representative of Saudi Arabia. We think that that explanation is indispensable before the vote on the amendment they have submitted.

104. The PRESIDENT: The representative of Saudi Arabia wishes to speak on a point of order.

105. Mr. BAROODY (Saudi Arabia): Sir, if you do not think that it would be wise and appropriate for the President to make a ruling, as I have asked you to do, on the question of competence, I shall take into account the delicate position in which you find yourself. I am one of those who have always fought anyone who asked the President, or the Chairman of a Committee for that matter, to make a ruling, because, after all, our rules of procedure are provisional and, as you

<sup>3</sup> Special Committee on the Rationalization of the Procedures and Organization of the General Assembly.

mentioned, there is a Committee, called the Committee of Thirty-one, which is seized of such matters and has not yet finished its work. However, I think I have the right to ask for a candid legal opinion—not a political opinion—from the jurist. Not a political opinion, because, after all, he has been exposed, like myself, for 25 years to the stresses and strains of political undercurrents and it is only human sometimes to find a way that may be wise but not right, as far as juridical or legal matters are concerned. That is the first point.

106. Now, we have to vote. But before we vote, let us have a candid, non-political opinion, a legal opinion based also on practice—and he has presented us with a comprehensive document on what happened in questions of credentials. I do not have it before me, but I believe it has already been circulated.

107. Mr. President, first I no longer ask you to make a ruling. Secondly, I want an opinion from the Legal Department. Thirdly, my amendment was submitted only an hour ago, but its purpose and its goals are very clear. It encompasses all that our colleagues from Africa would like to see done—with the sub-amendment to my amendment, or rather the revision of my amendment, after authentication of the signature appended to the credentials; this is to be understood.

108. I would like, before the voting, to ask the Assembly whether or not my amendment should be voted on first. Now, somebody might go to the provisional rules of procedure. But whenever it suits them, they disregard the provisional rules of procedure, and when it suits them to do so they cite the provisional rules of procedure. But my amendment is not as precise as the one that has preceded it, and therefore, I submit, because it is not as precise in what it demands, it is further removed than the first amendment, which is succinct and clear; my own has a larger concept with regard to the report of the Credentials Committee. If no priority is given—and I maintain that priority should be given—I reserve my right to debate this point before the vote.

109. Lastly, if what I fear may take place does take place and the amendment of my African brothers obtains a majority, may I, Mr. President, ask you whether you will be willing to revise part of the statement you made in reply to a question I put to you. You graciously said, in part, the following:

“It”—meaning the amendment—“would also constitute a warning to that Government as solemn as any such warning could be. But that, apart from that, the amendment as it is worded at present would not seem to me to mean that the South African delegation is unseated or cannot continue to sit in this Assembly; if adopted it will not affect the rights and privileges of membership of South Africa. That is my understanding.” [1901st meeting, para. 286.]

110. May I ask you, Sir, whether you are willing to remove the words “not seem to me to”. “Would not seem” leaves the door open; “the amendment as it is worded at present would not seem to me to

mean”—they might say the President was not sure of himself; “would not seem to me” casts a doubt. I want a formulation that would be clear-cut, that would say “would not mean that the South African delegation is unseated”. Then the gentleman at your left would be responsible, because he is the one who should coach the President whenever there are intricate things like this—in spite of the fact, Sir, that you are a jurist in your own right.

111. Furthermore, I would like to know from the President whether or not, after the amendment is adopted, in case it obtains a majority, our colleagues from South Africa may participate in the vote because what would prevent anyone among those who voted for the amendment of our brothers from Africa from saying that the credentials were wrong?

112. These are the implications. It is with that understanding that the amendment should be voted upon: that it will not in any way affect the right of a Member State to continue to sit, to participate in the deliberations, and to vote in the General Assembly and other bodies of the United Nations.

113. Before we vote, we should know what we are voting for, without leaving any possibility for misinterpretation or for anyone, on the grounds of the vote, to challenge a Member State as to its rights in this very Assembly and in other organs of the United Nations.

114. I await, Sir, your reply and that of our distinguished Under-Secretary-General in charge of legal affairs.

115. The PRESIDENT: As far as my own interpretation is concerned, I see no reason to change it. When I said “does not seem to me to be”, that means that I think it is not. That is my opinion. The expression “does not seem to me” is an expression of legal modesty which comes more naturally to some than to others. The Legal Counsel has already stated his opinion in the paper that has been circulated. I wonder whether it is not time now to go to the vote on these proposals. I understand that the representative of Saudi Arabia has made a formal proposal that his amendment should have priority. Does anybody wish to speak before I put that proposal to the vote?

[The President continued in French.]

116. I understand that the representatives of the Democratic Republic of the Congo and Cameroon have asked for the floor on a point of order.

117. I call on the representative of the Democratic Republic of the Congo.

118. Mr. IDZUMBUIR (Democratic Republic of the Congo) (*interpretation from French*): I think we are all a bit tired. I do not know whether we should congratulate ourselves on having emerged proudly from the ordeal of endurance imposed upon us by the representative of Saudi Arabia or whether, like Cicero, we should ask how long our patience is going to be abused.

119. The representative of Algeria, speaking from this rostrum, proposed a formal motion—and I believe I quote him when I say “formal” that, after hearing the speakers who were already on the list to explain their vote, we should proceed to vote on the amendment and the resolution.

120. I would ask you to put that motion to the vote, since it was submitted first, before that of the representative of Saudi Arabia.

121. The PRESIDENT (*interpretation from French*): The representative of Cameroon asked to speak on a point of order before the representative of the Democratic Republic of the Congo made his proposal.

122. I call on the representative of Cameroon.

123. Mr. ENGO (Cameroon): Thank you very much for giving me the floor. The representative of the Democratic Republic of the Congo has adequately expressed all I wanted to say. May I just say first of all that I share your view that it is undesirable and, in fact, with all due respect, I would say that the President is not competent in this case to pass judgement on a matter which is not truly before the General Assembly. There is no issue before the General Assembly as to the competence of the Credentials Committee and, therefore, that would not be properly before us. Again, I would like to thank you for giving me the floor and encourage you to proceed with the vote.

124. The PRESIDENT: A motion has been made under rule 77 for the closure of the debate. Could we vote on that now?

125. Mr. AKE (Ivory Coast) (*interpretation from French*): I do not intend to delay the work of the Assembly, but I did ask to have an explanation of the amendment by one of the sponsors. I think that is very important and it should be made before we vote.

126. The PRESIDENT: I thought several representatives had already expressed clearly what they had in mind on this matter; it was the general sense of the Assembly that it accepted the ruling of the President on this question.

127. There is a formal motion under rule 77 of the rules of procedure to close the debate and proceed immediately to the vote. May we take a vote on that?

*The motion was adopted by 105 votes to none, with 3 abstentions.*

128. We shall now put to the vote the request by the representative of Saudi Arabia to have his amendment voted upon first.

*The request was rejected by 66 votes to 1, with 21 abstentions.*

129. We shall now proceed immediately to vote on the amendment submitted in document A/L.608/Rev.1 and Add.1. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*Senegal, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Senegal, Sierra Leone, Somalia, Southern Yemen, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Barbados, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Congo (Democratic Republic of), Cuba, Czechoslovakia, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Liberia, Libya, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Niger, Nigeria, Pakistan, People's Republic of the Congo, Poland, Romania, Rwanda.

*Against:* South Africa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Honduras, Iceland, Iran, Ireland, Israel, Italy, Luxembourg, Malawi, Malta, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Portugal.

*Abstaining:* Thailand, Turkey, Botswana, Ceylon, Chile, Dahomey, Fiji, Lebanon, Lesotho, Nepal, Peru, Philippines.

*The amendment was adopted by 60 votes to 42, with 12 abstentions.*

130. The PRESIDENT: We can now vote on the proposal of the representative of Saudi Arabia.

131. Mr. BAROODY (Saudi Arabia): I should like to state that I have withdrawn my proposal.

132. The PRESIDENT: We will then vote on the draft resolution, as amended, contained in paragraph 19 of the first report of the Credentials Committee [A/8142].

*The draft resolution, as amended, was adopted by 71 votes to 2, with 45 abstentions (resolution 2636 A (XXV)).*

133. We come now to the last part of the voting procedure, that is, the explanation of votes after the voting. I shall call in turn on those representatives who have indicated a desire to explain their votes at this time, beginning with the representative of the United States.

134. Mr. FINGER (United States of America): The United States voted against the amendment in document A/L.608/Rev.1 and Add.1 for the reasons I expressed on 11 November [1900th meeting]. For the

same reasons we regret its adoption. We have nevertheless voted in favour of the resolution as a whole because it involves the credentials of 108 other delegations. We have thereby indicated our approval of those credentials.

135. Mr. SILWAL (Nepal): My Government recognizes the Government of the People's Republic of China as the only Government of China. My Government's views with regard to the proper representation of China in the United Nations are well known. In the course of the debate that is going on concerning the question of the restoration of the rights of the People's Republic of China in the United Nations we shall again set forth our views in detail. My affirmative vote on the report of the Credentials Committee is subject to those views. May I also say that we abstained on the proposal contained in document A/L.608/Rev.1 and Add.1.

136. Mr. RYDBECK (Sweden): The delegations of Denmark, Finland, Iceland, Norway and Sweden have voted against the proposed amendment contained in document A/L.608/Rev.1 and Add.1. This stand which is in conformity with the position taken traditionally by the five delegations is based on reasons of principle which pertain to the orderly application of certain basic provisions of the rules governing the work of the General Assembly. What we think of various aspects of the policies of the Governments concerned is an entirely different matter which is irrelevant in the present context and one on which we have not expressed ourselves through the vote just taken.

137. The five Nordic delegations subsequently voted for the amended resolution concerning the approval of the report of the Credentials Committee as a consequence, *inter alia*, of the fact that the report deals with, among others, our own credentials.

138. Mr. CASTALDO (Italy): My delegation has voted in favour of the resolution now adopted because it felt it should not act in such a way as to render more difficult the approval of this year's report of the Committee which contains acceptance of the credentials of the majority of Member States, and of the credentials of my delegation as well. Its affirmative vote should not, however, be construed as an acceptance of all the credentials examined by the Committee, since we have reservations on certain credentials.

139. Mr. CREMIN (Ireland): My delegation voted against the amendment contained in document A/L.608/Rev.1 and Add.1 and, when it was adopted, we abstained on the draft resolution as a whole.

140. In the view of the Irish delegation the essential question on which the General Assembly was required to pronounce itself was whether the Credentials Committee had acted correctly in finding, on the basis of the memorandum by the Secretary-General, that with the exception of eighteen Member States, all Member States including South Africa had submitted credentials in due form as provided in rule 27 of the rules of procedure. My delegation believes that the Credentials

Committee took a correct decision by reference to the rules of procedure which govern the Committee's mandate. Consequently, we hold that the General Assembly should have approved the first report of the Committee as submitted in document A/8142. Naturally, our voting on this issue in no way implies approval of the policies and practices of the Government of South Africa in the matter of *apartheid* and in regard to Namibia. As is well known, Ireland is entirely opposed to those policies and practices.

141. Mr. FACK (Netherlands): My delegation would like very briefly to explain the vote it has just cast.

142. The sub-item before the Assembly was called "Report of the Credentials Committee" and it dealt with the verification of credentials of Member States represented here. The credentials of more than 100 Member States had been examined by the Assembly's Credentials Committee and found to be in order—all of them—in accordance with the well-established practice of twenty-five years and with the agreed rules of procedure of the Assembly. We were prepared to vote for the report of the Credentials Committee as it stood, thus endorsing and approving the work of verification carried out by the Committee.

143. However, a number of African Member States proposed an amendment to the Committee's recommendation with regard to the credentials of one Member State. My delegation voted against this amendment. We cast a negative vote because in our view the amendment was contrary to the relevant rules of procedure of the General Assembly. As many representatives have pointed out before the vote was taken, deviation from our rules would create a most unfortunate and dangerous precedent, especially if such deviations were based, as in the present case, on considerations unconnected with the formal verification of credentials.

144. Our total and unconditional rejection of the policy of *apartheid* of the Government of South Africa remains, of course, entirely beyond question. Today, however, we voted on credentials issued by the Governments of Member States, not on their policies.

145. In spite of the adoption of the amendment, we voted for the amended reports. Our affirmative vote was based on two considerations. In the first place, it seemed important to us that the credentials of more than 100 delegations in this hall were involved; and in the second place we could associate ourselves with the interpretation of the amendment given by the Legal Counsel in document A/8160, which makes it clear that the delegation referred to in the amendment retains all its rights and privileges of membership, notwithstanding the incorporation of the amendment in the Credentials Committee's recommendation.

146. Mr. MERCADO (Mexico) (*interpretation from Spanish*): As Member States are aware, the delegation of Mexico proposed at the twenty-fourth session of the General Assembly that the United Nations should consider applying enforcement action provided for in

Article 5 of the Charter, whereby any Member State which may be the subject of preventive action or enforcement action on the part of the Security Council may be suspended from the exercise of its rights and privileges of membership. We reiterated this proposal in the Special Political Committee in the course of the present session [693rd meeting] and we brought to bear a number of arguments, the legal foundation of which seemed to be unassailable. There can be no doubts in this Assembly about the enforcement action which Mexico considers is applicable to the Republic of South Africa, as long as the Republic of South Africa continues to make the policies of *apartheid* its national philosophy.

147. These procedures and sanctions are provided for in our Charter. The Government of Mexico has always had great respect for legal principles, convinced as we are that respect for law constitutes the best defence of the smaller countries who find there the greatest protection against the abuse of power.

148. We cannot fail to give our support to those measures if they are designed to prevent violations of the Principles that appear in our Charter. We cannot accept the virtual suspension of the rights of a Member State by measures other than those which appear in the multilateral treaty which is the Charter of our Organization.

149. We have listened very carefully to the arguments which were put forward in the course of debate and our proposals are based on them. We also studied very carefully the legal opinion which, at the request of the President was supplied by the Legal Counsel, reflected in document A/8160, and the considered opinion handed down by the President at the 1901st plenary meeting.

150. For those reasons we voted against the amendment proposed by a number of African representatives in document A/L.608/Rev.1 and Add.1. That is also why we abstained on the draft resolution in paragraph 19 of the report of the Credentials Committee [A/8142]. We are opposed to suspending the rights of a Member State by illegal means and inasmuch as the adopted amendment was included in the draft resolution, had we voted in favor, this would have meant that Mexico was supporting a measure which in fact we are opposed to.

151. Mr. TEJA (India): I should like to state on behalf of my delegation, that its vote in favour of the resolution that has just been adopted does not derogate from the well-known position of India on the representation of the People's Republic of China in the United Nations.

152. Mr. BEAULNE (Canada) (*interpretation from French*): Canada's vote in favour of the resolution approving the report of the Credentials Committee was prompted by two factors. First, the report approves the credentials of a large number of delegations, including those of the Canadian delegation. We also consider that the amendment just adopted by the Assembly concerning the credentials of the South African delegation

is entirely beside the point. It obviously has nothing to do with the policy of *apartheid*, which is condemned by the Government and people of Canada.

153. It follows that my delegation's vote for the draft resolution just adopted can be interpreted only as a vote in favour of the Credentials Committee's report in document A/8142, and cannot in any way be regarded as acceptance or support in any form of the amendment contained in document A/L.608/Rev.1 and Add.1.

154. Mr. LONGERSTAEY (Belgium) (*interpretation from French*): My delegation voted in favour of the draft resolution contained in paragraph 19 of document A/8142, although it was opposed to the amendment contained in document A/L.608/Rev.1 and Add.1, which was adopted.

155. We refuse to confuse the concept of the representative character of a delegation with the validity of credentials in accordance with rule 27 of the rules of procedure. The opinion of the Legal Counsel of our Organization [A/8160] does set our mind at rest because we believe that the conclusion of that opinion reserves the right of the Government of South Africa to continue to sit in the Assembly.

156. Our vote in no way affects the attitude of our delegation towards *apartheid*. My Government and public opinion in Belgium categorically reject the idea of racial superiority, which is at the very basis of the policy of *apartheid*.

157. Mr. SCOTT (New Zealand): The New Zealand delegation voted against the amendment submitted by Cameroon and a number of other States in document A/L.608/Rev.1 and Add.1 because, having regard to the statements of the co-sponsors and the supporters of that amendment, we considered it an improper and ineffective means of seeking a significant and different result.

158. The United Nations Charter, which is the sole source of authority on matters of expulsion or suspension from the privileges of membership, clearly provides the means to achieve those ends. In our view, if the co-sponsors of the amendment had those objectives in mind they would be obliged to follow the procedures prescribed in the Charter.

159. The New Zealand delegation notes that the credentials of the representatives of South Africa were shown to have been submitted in due form in accordance with the rules of procedure.

160. The New Zealand delegation voted in favour of the draft resolution as finally amended. In so doing we took note of the statement provided by the Under-Secretary-General, the Legal Counsel of the United Nations, in document A/8160. We also had regard to the statement that the President made at the 1901st meeting of the General Assembly on 11 November, in which he reached the conclusion that a vote in favour of the amendment would mean, on the part of the Assembly, a very strong condemnation of the policies



pursued by the Government of South Africa, that it would also constitute a warning to that Government as solemn as any such warning could be, but that if the amendment were adopted it would not affect South Africa's rights and privileges of membership.

161. My delegation would like to make it clear that in casting its vote in the manner described it affirmed the paramount necessity to uphold the Charter and the Assembly's rules of procedure. Our position against *apartheid*, which is a separate issue, has been stated in the Special Political Committee, where the debate on that item still continues.

162. Our vote on the report of the Credentials Committee was concerned solely with the question whether the credentials of the representatives of the large majority of Member States, including our own and those of the representatives of the Republic of China, had been properly submitted in accordance with the Charter and the rules of procedure of the General Assembly.

163. Mr. CUBILLOS (Chile) (*interpretation from Spanish*): The delegation of Chile abstained on the amendment contained in document A/L.608/Rev.1 and Add.1 principally, because, in spite of the fact that we believe that the credentials of the representatives of the Government of South Africa are in accordance with established legal procedures, the delegation of Chile is vigorously opposed to the policies of *apartheid* of the Government of South Africa and, consequently, fully supports the motives of the co-sponsors in presenting the amendment.

164. The delegation of Chile voted in favour of the amended draft resolution. However, that does not mean that it approves all the credentials contained in the first report of the Credentials Committee.

165. Sir Colin CROWE (United Kingdom): My delegation abstained from voting on the draft resolution as a whole. This abstention should not be interpreted as implying any doubt about the recommendation of the Credentials Committee since the United Kingdom delegation considers that that recommendation should have been adopted by the Assembly as presented in paragraph 19 of the Committee's report. It reflects our attitude to the amendment, which I explained earlier [1901st meeting], and our view that the Credentials Committee's report should not be used as a vehicle for what amounts to a political judgement on a Member State.

166. Mr. AMERASINGHE (Ceylon): The delegation of Ceylon abstained from the vote on the amendment regarding the credentials of the representatives of the Government of South Africa. We did so with the deepest regret, but because we had the gravest doubt in regard to the propriety of the procedure that was being followed or its consequences. This abstention should not, however, be understood as implying in the least any condonation of the policies of *apartheid* practised by the Government of South Africa. We have consistently acted and voted in condemnation of those policies, which we consider vicious and reprehensible.

167. My delegation voted in the affirmative on the draft resolution as amended. This affirmative vote must not however be construed as implying any acceptance of or concurrence in the Credentials Committee's recommendation on the credentials of those persons who claim to represent China. We see here a board with the word "China" on it and behind it some extremely able gentlemen are seated, but we do not recognize them as the lawful representatives of the only China we know and recognize, the People's Republic of China.

168. Mr. BARNES (Liberia): The delegation of Liberia voted in favour of the draft resolution approving the Credentials Committee's report, as amended by document A/608/Rev.1 and Add.1. It is our view that the amendment did not contemplate as an end the suspension of the membership of South Africa from the United Nations, or that the adoption of that amendment would have had that effect. We also took into account the statement of the President of the General Assembly relevant to this question which was made at the 1901st meeting of the Assembly.

169. Mr. MARQUEZ SERE (Uruguay) (*interpretation from Spanish*): For the reasons contained in the report of the Legal Counsel [A/8160], my delegation voted against the amendment. We abstained on the draft resolution recommended in the report of the Credentials Committee because it had been modified by an amendment which my delegation rejected.

170. Mr. FUENTES (Bolivia) (*interpretation from Spanish*): When the amendment to the draft resolution presented by the Credentials Committee was put to the vote we voted against it because we felt that it violates certain rules of procedure and principles of the Charter although perhaps only in a way that has transitory significance, and minor significance at that.

171. We believe that the Charter contains measures which can be applied in accordance with proper procedures, as is true of any organization which has a legal foundation. Disregarding these procedures would be a bad precedent which could have untoward effects on any State Member of the Organization, depending on the mood of the time and on whether the majority wished to seize absolute power.

172. We abstained in the vote on the draft resolution as amended because we did not wish to incorporate any political element alien to strictly procedural questions, no matter how appealing the result. And we voted against the amendment in question. All of this does not mean that we accept any policies based on racial discrimination, which we find odious because it is contrary to our traditions and principles.

173. Mr. VON HIRSCHBERG (South Africa): We voted against the amendment primarily because of its clearly illegal implications. It is our understanding that the opinion which you, Sir, gave as President at the 1901st meeting of the General Assembly of the interpretation to be placed on the resolution as amended has been formally accepted by the General Assembly. May

I take it that my understanding of the situation in this connexion is correct?

174. Mr. EHASSI (Iran): The position of my delegation with regard to *apartheid* and racial discrimination is well known. We have always vehemently condemned those policies and we shall continue to do so. Therefore, our vote against the amendment contained in document A/L.608/Rev.1 and Add.1 should not in any way be misinterpreted. We voted against the amendment as a matter of principle, following the report of the Credentials Committee which, as we believe, was proposed in line with the legal principles and procedures and the precedent established by this Assembly.

175. Mr. EREN (Turkey): My delegation abstained on the amendment and voted in favour of the draft resolution in the report of the Committee. We had difficulty with the constitutional problem which the amendment raised, but we were swayed to abstain by the explanation which you, Mr. President, so graciously offered. We were swayed by your explanation because of our well-known and oft-recorded stand against *apartheid*.

176. The PRESIDENT: We have now heard all the representatives who wished to explain their vote. I shall now call on the representative of Israel, who wishes to exercise the right of reply.

177. Mr. EILAN (Israel): In the exercise of my right of reply, I shall have to refer briefly to the statements made by the representative of Syria and others. Israel will not be drawn into a debate where we would be forced to explain away ridiculous charges known to be totally unfounded and thus be put in a position where, by merely answering them, we would appear to some extent to acknowledge their validity. That is precisely what we refuse to do.

178. In the view of the delegation of Israel, the statements of the representative of Syria and others, in so far as they purported to relate to my delegation, were completely out of order and uncalled for. The credentials of the delegation of Israel were duly issued and submitted in full conformity with the rules of procedure, as has been reported by the Credentials Committee. We categorically reject those statements and the right of the representatives to have made them.

179. I feel I should also state that if my intervention is followed by rights of reply Israel will not be drawn into debate which is extraneous to the matter under discussion.

*The meeting rose at 5.45 p.m.*