



International Atomic Energy Agency

GENERAL CONFERENCE

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Agenda item 28

GC(43)/27)

EXAMINATION OF DELEGATES' CREDENTIALS

Report of the General Committee

1. At its second meeting, on 30 September 1999, the General Committee examined the credentials of delegates to the session, as provided for in Rule 28 of the Conference's Rules of Procedure.

2. At the outset, the Chairman of the Committee mentioned Rules 27, 28 and 29 of the Rules of Procedure, and read out the following points of Rule 27 regarding credentials for the General Conference:

- (a) Credentials designate the delegate of a Member State to a given session of the General Conference;
- (b) They are submitted to the Director General; and
- (c) They are issued by the Head of State or Government or by the Minister of Foreign Affairs.

3. Credentials satisfying the requirements of Rule 27 of the Rules of Procedure have been submitted to the Director General for the delegates of the following 100 Members:

Albania	Benin	Costa Rica
Algeria	Bolivia	Cote d'Ivoire
Argentina	Brazil	Croatia
Armenia	Bulgaria	Cuba
Australia	Burkina Faso	Cyprus
Austria	Canada	Czech Republic
Bangladesh	Chile	Denmark
Belarus	China	Ecuador
Belgium	Colombia	Egypt

Estonia	Madagascar	Sri Lanka
Ethiopia	Malaysia	Sudan
Finland	Malta	Sweden
France	Mexico	Switzerland
Georgia	Monaco	Syrian Arab Republic
Germany	Mongolia	Thailand
Ghana	Morocco	The Former Yugoslav Republic of Macedonia
Holy See	Myanmar	Tunisia
Hungary	Namibia	Turkey
Iceland	Netherlands	Ukraine
India	New Zealand	United Arab Emirates
Indonesia	Nigeria	United Kingdom of Great Britain and Northern Ireland
Iran, Islamic Republic of	Norway	United Republic of Tanzania
Iraq	Pakistan	Uruguay
Ireland	Panama	Venezuela
Israel	Paraguay	Viet Nam
Italy	Peru	Yemen
Japan	Philippines	Zambia
Jordan	Poland	Zimbabwe
Kenya	Portugal	
Korea, Republic of	Romania	
Kuwait	Russian Federation	
Latvia	Saudi Arabia	
Lebanon	Singapore	
Liechtenstein	Slovakia	
Lithuania	Slovenia	
Luxembourg	Spain	

4. Various official communications, which do not constitute formal credentials under Rule 27 of the Rules of Procedure have been received by the Secretariat. Telefax copies of original credentials have been received for the delegates of the following 5 Members: Afghanistan, Greece, Republic of Moldova, South Africa and Uzbekistan. Communications in the form of notes or letters or telefax copies thereof emanating from Permanent Missions or other authorities have been received for the delegates of the following 8 Members: Cameroon, Guatemala, Kazakhstan, Libyan Arab Jamahiriya, Nicaragua, Senegal, Sierra Leone and the United States of America.

5. The Chairman of the Committee pointed out then that the Committee had received a document (GC(43)/31) submitted by Kuwait on behalf of the Arab States which are participating in the 43rd regular session of the General Conference, containing a statement of delegations of Arab States concerning their reservations about the credentials of the Israeli delegation to the Conference. The Chairman also pointed out that the Committee had also received a document (GC(43)/32) submitted by the delegation of Israel which set out its position with regard to the reservations expressed by Kuwait on behalf of the Arab States participating in the Conference.

6. Further, the Legal Adviser provided the following legal opinion: "Rule 27 of the Rules of Procedure provides that credentials designating the representatives of a Member State to the General Conference are to be issued by the Head of State or Government or by the Minister for Foreign Affairs. The same rule does not require that credentials must be issued in the capital of the issuing State. In fact it makes no reference to the place where such credentials are to be signed at all. Nor does international law impose any requirements regarding the place of signature of credentials. Therefore, the place of signature is irrelevant to the validity of the credentials, such validity depending solely upon whether they have been signed by the proper authority. Likewise, the acceptance of credentials does not mean that the accepting authority takes in any way a position with respect to the status of the place of signature either under international or national law."

7. An extensive discussion took place on the above-mentioned documents in which statements were made by the Chairman of the Committee of the Whole, the representatives of Belgium, the United States of America and the Republic of Korea. On the invitation of the Chairman of the Committee, the representative of Israel also spoke on the matter. These statements are fully reflected in the records of the Committee's meeting (GC(43)/GEN/OR).

8. The representative of the Republic of Korea suggested that, in order to avoid prolonged debate in the Committee in considering delegates' credentials and to make the work of the General Committee more efficient in that regard, the Secretariat should for the future prepare a formulation which would assist the Committee in adopting a generally acceptable decision.

9. Further, the Chairman of the Committee proposed that, in accordance with past practice, those delegates for whom proper credentials had not been received should, nevertheless, be allowed to participate in the work of the Conference on the understanding that they would submit credentials in due form as soon as possible, preferably before the end of the current session of the Conference.

10. Finally, the Chairman read the following draft of a resolution:

"Examination of delegates' credentials

The General Conference

Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference's forty-third regular session which is set forth in document GC(43)/...".

11. The Committee agreed to recommend that the Conference adopt the draft resolution contained in paragraph 10, with the reservations and position expressed above.