



GC

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Item 25 of the agenda
(GC(44)/21)

EXAMINATION OF DELEGATES' CREDENTIALS

Report of the General Committee

1. At its second meeting, on 21 September 2000, 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 86 Members:

Albania	Canada	Ethiopia
Angola	Chile	Finland
Australia	China	France
Austria	Colombia	Georgia
Bangladesh	Costa Rica	Germany
Belarus	Croatia	Ghana
Belgium	Cuba	Guatemala
Bolivia	Cyprus	Holy See
Brazil	Czech Republic	Hungary
Bulgaria	Denmark	Iceland
Burkina Faso	Estonia	India

Indonesia	Mongolia	Spain
Iran, Islamic Republic of	Morocco	Sudan
Ireland	Myanmar	Sweden
Israel	Namibia	Switzerland
Italy	Netherlands	Thailand
Japan	New Zealand	The former Yugoslav Republic of Macedonia
Jordan	Nigeria	Tunisia
Kenya	Norway	Turkey
Korea, Republic of	Pakistan	Uganda
Kuwait	Peru	United Kingdom of Great Britain and Northern Ireland
Latvia	Philippines	Uruguay
Libyan Arab Jamahiriya	Poland	Uzbekistan
Liechtenstein	Romania	Viet Nam
Lithuania	Russian Federation	Yemen
Luxembourg	Saudi Arabia	Zambia
Madagascar	Singapore	
Malaysia	Slovakia	
Malta	Slovenia	
Monaco	South Africa	

4. Various official communications, which do not constitute formal credentials under Rule 27 of the Rules of Procedure have been received by the Secretariat. Copies of original credentials have been received for the delegates of the following 9 Members: Algeria, Côte d'Ivoire, Egypt, Greece, Iraq, Lebanon, Panama, Portugal and Ukraine. 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 19 Members: Argentina, Armenia, Benin, Bosnia and Herzegovina, Ecuador, Kazakhstan, Mali, Mexico, Nicaragua, Republic of Moldova, Senegal, Sierra Leone, Sri Lanka, Syrian Arab Republic, United Arab Emirates, United Republic of Tanzania, United States of America, Venezuela and Zimbabwe.

5. The Chairman of the Committee pointed out then that the Committee had received a document (GC(44)/23) submitted by the Libyan Arab Jamahiriya on behalf of the Arab States which are participating in the 44th 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(44)/24) submitted by the delegation of Israel which set out its position with regard to the reservations expressed by the Libyan Arab Jamahiriya on behalf of the Arab States participating in the Conference.

6. A statement was made by the representative of Morocco. 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(44)GEN/OR.2).

7. It was recalled that at the 43rd session the following legal opinion was provided by the Legal Adviser: "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.”

8. 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.

9. 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-fourth regular session which is set forth in document GC(44)/25”.

10. The Committee agreed to recommend that the Conference adopt the draft resolution contained in paragraph 9, with the reservations and position expressed above.

