

# General Conference

**GC(67)/GEN/OR.1**

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## Sixty-seventh regular session

# General Committee

## Record of the First Meeting

*Held at Headquarters, Vienna, on Monday, 25 September 2023, at 2 p.m.*

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<sup>1</sup> GC(67)/24

## **Attendance**

### Chair

Ms MANGKLATANAKUL (Thailand), President of the General Conference

### Members

Mr BIGGS (Australia), Vice-President of the General Conference

Mr WANG Chang, representing Mr LI Song (China), Vice-President of the General Conference

Ms GIL (Colombia), Vice-President of the General Conference

Ms HOURNAU-POUËZAT (France), Vice-President of the General Conference

Ms MUGWANJA (Kenya), Vice-President of the General Conference

Mr USTINOV (Russian Federation), Vice-President of the General Conference

Ms HOLGATE (United States of America), Vice-President of the General Conference

Mr SHOJA'AADIN (Yemen), Vice-President of the General Conference

Mr CSERVENY (Hungary), Chair of the Committee of the Whole

Mr LULASHNYK (Canada), Additional Member

Ms CALLESEN, representing Mr RASMUSSEN (Denmark), Additional Member

Ms FREIJE MURILLO, representing Mr RODRÍGUEZ (Honduras), Additional Member

Ms KROIS (Poland), Additional Member

Mr MOFADAL EL NOUR (Sudan), Additional Member

Mr ALZAABI, representing Mr ALKAABI (United Arab Emirates), Additional Member

### Chair of the Board of Governors

Mr ŠRÁMEK (Czechia)

### Secretariat

Ms DOANE, Deputy Director General, Department of Management

Ms JOHNSON, Director, Office of Legal Affairs

Ms RAYOS NATIVIDAD, Secretary of the Committee

– **Adoption of the agenda for the meeting**  
(GC(67)/GEN/1)

1. The CHAIR said that the provisional agenda for the meeting contained two sub-items under the item ‘Arrangements for the Conference’, namely ‘Adoption of the agenda and allocation of items for initial discussion’ and ‘Closing date of the session and opening date of the next session’.
2. It also contained an item entitled ‘Examination of delegates’ credentials’, which would be considered by the General Committee meeting as a credentials committee.
3. The agenda was adopted.

#### **4. Arrangements for the Conference**

**(a) Adoption of the agenda and allocation of items for initial discussion**  
(GC(67)/1 and Add.1 to 6)

4. The CHAIR reminded the Committee that it was considering only the question of whether or not to recommend the inclusion of items in the agenda, their allocation for initial discussion and the suggested order of the items. In accordance with Rule 42 of the Rules of Procedure, members of the Committee should not engage in a discussion of the substance of any item, except in so far as it was relevant to the question of whether to recommend that item’s inclusion in the agenda.
5. If there were no objections, she would take it that the Committee wished to recommend to the General Conference that the agenda for the current session should consist of all the items listed in document GC(67)/1 — with the exception of item 2, ‘Applications for membership of the Agency’, since there were no applications — and the supplementary items contained in documents GC(67)/1/Add.1, Add.2, Add.3, Add.4 and Add.5.
6. It was so decided.
7. The CHAIR took it that the Committee wished to recommend to the General Conference the suggested allocation of items for initial discussion as contained in documents GC(67)/1 and Add.1, Add.2, Add.3, Add.4 and Add.5.
8. It was so decided.
9. The CHAIR took it that the Committee agreed with the order of items suggested in documents GC(67)/1 and Add.1, Add.2, Add.3, Add.4 and Add.5.
10. It was so decided.

**(b) Closing date of the session and opening date of the next session**

11. The CHAIR suggested that the Committee recommend to the General Conference a closing date for the current session of Friday, 29 September 2023.
12. It was so decided.

13. The CHAIR proposed that the Committee recommend to the General Conference an opening date for the next regular session of Monday, 16 September 2024.

14. It was so decided.

## **28. Examination of delegates' credentials**

15. The CHAIR proposed that the General Committee meet as a credentials committee and take up the examination of delegates' credentials.

16. Ms JOHNSON (Director, Office of Legal Affairs) said that the Agency had once again received conflicting credentials from Myanmar.

17. At the sixty-fifth regular session, the sixty-sixth regular session and the third special session of the General Conference, and noting the practice of the UN General Assembly and the decisions of other UN organizations, the General Committee had decided not to accredit any delegate for Myanmar and to recommend to the Conference that it defer a decision on the credentials of Myanmar pending guidance from the Credentials Committee of the UN General Assembly, thereby leaving the seat empty. The same approach had recently been taken by the credentials committees of the UN Conference on the Least Developed Countries, the UN Water Conference, the World Health Assembly, the International Labour Conference and the Food and Agriculture Organization Conference, among others.

18. In accordance with UN General Assembly resolution 396 (V) of 1950, cases where more than one authority claimed to represent a member State in the UN system were to be considered in the light of the purposes and principles of the UN Charter, and the attitude adopted by the General Assembly should be taken into account by other UN bodies and the specialized agencies.

19. On 12 December 2022, the Credentials Committee of the seventy-seventh session of the UN General Assembly had once again decided to postpone its consideration of the credentials pertaining to the representatives of Myanmar. Furthermore, no meeting of the Credentials Committee of the seventy-eighth session, currently in progress, was foreseen.

20. In that context, the General Committee might wish to adopt the same approach as during the sixty-fifth and sixty-sixth regular sessions and the third special session of the General Conference, following the practice of the United Nations and other UN system organizations, and to not accredit at the current stage any delegate for Myanmar, and to recommend to the Conference that it defer a decision on the credentials of Myanmar, pending guidance from the Credentials Committee of the UN General Assembly, thereby leaving the seat empty for the conference.

21. Mr WANG Chang (China), while recognizing that there was an established practice at the Agency with regard to the issue under discussion, said that perhaps the time had come to consider a more flexible approach to the matter and allow the Ambassador and Resident Representative of Myanmar in Vienna to participate in the General Conference.

22. Ms JOHNSON (Director, Office of Legal Affairs) said that her oral report had aimed to bring current practice within the UN system, in particular at UN Headquarters in New York, to the attention of Member States. Other UN organizations were not taking action with regard to Myanmar's credentials, instead deferring to New York, in accordance with UN General Assembly resolution 396 (V), as the question was seen to be a political one. Ultimately, though, it was for the Member States to decide how to proceed.

23. Mr WANG Chang (China), acknowledging the legal aspects of the issue, said that he understood that a flexible arrangement had been made at UN Headquarters, where the Permanent Representative of Myanmar was able to participate in all General Assembly activities apart from the high-level segment. Perhaps a similar approach could also be taken at the Agency's General Conference.
24. Mr USTINOV (Russian Federation) said that, as he understood it, Myanmar had voting rights at the UN General Assembly but did not participate in the high-level segment; further information would be welcomed in that regard. He also requested more information on the procedure to be followed in order for the General Conference to reach a decision on recognizing the credentials of the Ambassador and Resident Representative of Myanmar in Vienna.
25. Ms JOHNSON (Director, Office of Legal Affairs) said that Myanmar's Permanent Representative in New York remained the same as before the change in government in 2021; the relevant credentials had previously been signed by the authorities of Myanmar reflected in the list of heads of State and Government and ministers of foreign affairs maintained by the Protocol and Liaison Service in New York. Whereas the Ambassador and Resident Representative of Myanmar in Vienna had been duly accredited to the Agency and the other international organizations in Vienna before the change of government in Myanmar, the Rules of Procedure of the General Conference stipulated that credentials must be formally submitted in advance of each session. The credentials submitted by the mission in Vienna had not been signed by the authorities reflected in the above list, but rather by those in place following the change in government in 2021. Across the UN system, when they had received dual credentials, Member States had decided — with rare exceptions — to postpone any decision on Myanmar's credentials pending guidance from New York.
26. While the General Committee could vote on such matters, it had typically avoided doing so in the interests of efficiency and had instead taken decisions by consensus, with any reservations included in its report to the General Conference.
27. The CHAIR suggested that the Committee submit to the General Conference a report, in document GC(67)/25, stating that it had met to examine the credentials of the delegation of Myanmar in accordance with Rule 28 of the Rules of Procedure, and stating the relevant past practice at the Agency and other UN system organizations regarding the credentials of the delegation of Myanmar, as contained in the statement made by the legal adviser concerning those credentials. Lastly, the report should state that the Committee had agreed to recommend that the General Conference adopt the following draft resolution:

“Examination of delegates’ credentials

“The General Conference,

“Accepts the report by the General Committee on its examination of the credentials of Myanmar to the Conference's sixty-seventh regular session, which is set forth in document GC(67)/25”.
28. She asked whether the Committee wished that a report on the lines she had described be prepared and submitted to the General Conference.
29. It was so decided.

**The meeting rose at 2.30 p.m.**