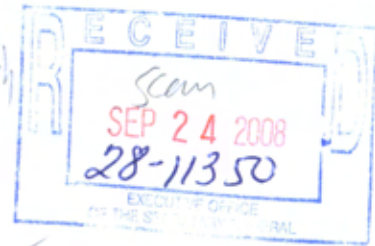


→ Central
copy CHRON

(OLA)
Myanmar

Note to Mr. Nambiar

VN
KWS
(Wlands)



Request from the Members of the Parliament Union (Burma)

Please find attached a copy of the response in the above matter for your information and records. The letter includes the comments by Messrs. Pascoe and Gambari. You had approved the final draft.

Patricia O'Brien
23 September 2008

cc.: Mr. Pascoe
Mr. Gambari
Mr. Shaaban
Mr. Kim
Ms. Montas
Ms. Hecht
Mr. Yeves

cc: NH



United Nations Nations Unies

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REFERENCE:

23 September 2008

Dear Ms. San San,

The Secretary-General has asked me to respond to your letter of 9 September, by which you inform us that you have appointed U Thein Oo “as Permanent Representative” to the United Nations. You state that U Thein Oo was “instructed to represent the people of Burma and the legitimate, democratically elected Members of Parliament in all organs of the United Nations.” Reference is also made to a number of documents that you have attached to this letter.

From your letter and its attachments we understand that you wish U Thein Oo to represent Myanmar in the General Assembly for its Sixty-third regular session.

The procedure for the execution, submission and examination of credentials of representatives is set out in rules 27 through 29 of the Rules of Procedure of the General Assembly as well as in relevant resolutions interpreting or applying these rules. Rule 27 provides, inter alia, that “[t]he credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General (...). The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.” Rule 28 provides, inter alia, that “[a] Credentials Committee (...) shall examine the credentials of representatives (...).”

The Secretary-General’s role is limited to a technical role, including a review of the formal criteria for credentials set forth in the Rules of Procedure.

As such, the Secretary-General has decided not to take action on your letter as it does not comply with the formal legal requirements set out in rule 27.

The Secretary-General has, however, taken note of the contents of your letter which, together with its attachments, will remain on file with the Office of Legal Affairs, available for the perusal of any member of the Credentials Committee, at their request.

Yours sincerely,



Patricia O'Brien
Under-Secretary-General for Legal Affairs
The Legal Counsel

Daw San San
14 Wall Street, 20th Floor
New York