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Held at Headquarters, New York,  
on Tuesday, 5 November 1985, at 10.30 a.m.

President: Mr. DE PINIÉS (Spain)

- The situation in Kampuchea [22] (continued)
  - (a) Report of the Secretary-General
  - (b) Draft resolution
  - (c) Report of the Fifth Committee

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 22 (continued)

THE SITUATION IN KAMPUCHEA

- (a) REPORT OF THE SECRETARY-GENERAL (A/40/759)
- (b) DRAFT RESOLUTION (A/40/L.4 and Corr.1)
- (c) REPORT OF THE FIFTH COMMITTEE (A/40/846)

Mr. WASIUDDIN (Bangladesh): This body has been considering the problem of Kampuchea as an agenda item since 1979. Over the past six years it has been adopting resolutions rejecting foreign armed intervention and calling for the withdrawal of all foreign forces from Kampuchea so as to enable the people of Kampuchea to exercise their inalienable right to choose freely their own form of political, social and economic system, without any outside interference or intervention. Each year support for the resolutions has become progressively wider, from 91 in favour in 1979 to 110 last year. This should serve as incontrovertible testimony to the international community's rejection of the policy of military intervention in Kampuchea by foreign forces, as well as an expression of international concern for the plight of the Kampuchean people.

The continued military presence of foreign forces in Kampuchea only indicates intransigence with regard to seeking a peaceful solution of the problem through a process of national reconciliation among the Kampuchean people, under the auspices of the United Nations. Almost all the preceding speakers have expressed their grave concern at the prevailing situation in Kampuchea and its serious implications for the peace and stability of the region. The more the parties procrastinate in the search for a genuine process of negotiation aimed at the resolution of the conflict, the worse the plight of the Kampuchean people becomes. A large proportion of the population is already in exile in neighbouring countries, particularly Thailand. My delegation believes that we should also look into this

(Mr. Wasiuddin, Bangladesh)

humanitarian aspect of the problem with a renewed sense of concern and urgency.

The Kampuchean humanitarian assistance programmes carried out by the United Nations relief agencies must therefore continue to receive the support of the international community, particularly the donor countries.

(Mr. Wasiuddin, Bangladesh)

The position of Bangladesh on the question of Kampuchea has all along been a principled one. It stems from our deep commitment to the principles of the United Nations Charter and that of the Non-aligned Movement. Threat or use of force, armed intervention and interference by one State in the internal affairs of another are in direct contravention of these principles. Therefore, withdrawal of all foreign forces from Kampuchea is the primary condition, a sine qua non, for a genuine resolution of the Kampuchean problem. Any attempt to justify such armed intervention or interference must be rejected in clear and categorical terms. We believe that peace and confidence in the region can be restored only if all parties to the conflict adhere to the principles of international law concerning friendly relations and co-operation amongst States, particularly the principle of the right of peoples to choose freely their own form of political, social and economic systems. It is in this context that we have firmly and consistently called for the withdrawal of all foreign forces from Kampuchea so that the people of that country are left free to determine their own destiny. The draft resolution, as contained in document A/40/L.4 and Corr.1, which is before this Assembly, dwells on various aspects of the question and underlines the components of a comprehensive settlement of the problem. Bangladesh, as in previous years, is a sponsor of the draft resolution.

It is rather disappointing to note that there has been very little progress in the Kampuchean situation. It is a matter of deep concern that the unfortunate people of Kampuchea are still denied their inalienable right to decide upon their own future because of the presence of foreign military forces in their country. Regrettably, efforts to seek a military solution to the problem continue, by and large generating tension in the region. The much needed sustained dialogue on the basic elements of a comprehensive political settlement is yet to come about due primarily to the difficulty that lies, according to the Secretary-General, "in the

(Mr. Wasiuddin, Bangladesh)

designation of mutually-acceptable participants". The Secretary-General's report, contained in document A/40/759 dated 17 October 1985, which we have before us, gives an outline of his endeavours towards a peaceful resolution of the conflict. My delegation commends the Secretary-General for his continued and steadfast efforts at bringing the parties, through the framework of his good offices, to initiate such a dialogue. In this connection, we would like to express our deep appreciation of the significant role played by the Ad Hoc Committee of the International Conference on Kampuchea, particularly its distinguished Chairman, Ambassador Sarré of Senegal, and the Rapporteur, Mr. Zain of Malaysia, and the Special Representative of the Secretary-General, Mr. Rafeuddin Ahmed.

My delegation shares the perception of the Secretary-General that:

the problems of the region cannot be solved by military means and that protracted confrontation can only generate further tension and enhance risk of escalation". (A/40/759, para. 21)

Recent developments in the region have demonstrated once again the urgency of adopting concrete measures to initiate a process of negotiation. We are gratified to note the optimistic observation made by the Secretary-General in paragraph 13 of his report suggesting that a convergence of opinion is emerging on the main elements of a comprehensive political settlement. In the same vein, the Foreign Ministers of the countries members of the Association of South-East Asian Nations countries called upon Viet Nam, in a joint statement issued on 8 July 1985, to participate in proximity talks with the Government of Democratic Kampuchea on the following basic elements for an enduring solution of this issue: first, withdrawal of foreign forces from Kampuchea; secondly, a United Nations control and supervision commission; thirdly, national reconciliation; and lastly, exercise of the right to self-determination of the Kampuchean people through a United Nations-supervised election.

(Mr. Wasiuddin, Bangladesh)

Admittedly, these elements are the ones that enjoy the support of the international community. Recently the Government of Democratic Kampuchea has expressed its readiness to enter into such talks. It is our expectation that all parties will respond positively to these initiatives.

On the occasion of the fortieth anniversary of the United Nations, as we renew our pledge faithfully to uphold the principles and purposes of the Charter, it is incumbent upon us all to reaffirm our determination to seek a peaceful, just and lasting solution of the Kampuchean problem. For our part, we extend, as in the past, our full co-operation in your endeavour, Mr. President, for a solution of the problem. We earnestly hope that this Assembly will take decisive action by adopting the draft resolution with a resounding vote of confidence in the proposed modalities of a comprehensive settlement of the Kampuchean problem.

Mr. GOLOB (Yugoslavia): The fortieth anniversary of the United Nations and the statements pronounced in this hall by Heads of State or Government and by Foreign Ministers have very clearly expressed worldwide concern over the deterioration of the international situation, particularly regarding the absence of solutions to crises in the world.

The situation in Kampuchea falls entirely into this category. The foreign occupation of Kampuchea is in its seventh year. The struggle of the people of Kampuchea for their inalienable rights to independence, to sovereignty, to freedom and to independent choice of development has been going on for seven years. This is a period too long for a people to suffer injustice.

Their struggle is yet another proof that use of force is not able to deter people from fighting for freedom and for the exercise of their legitimate rights.

(Mr. Golob, Yugoslavia)

Moreover, there is nothing that attracts worldwide support more than a people fighting for independence and self-determination.

Their readiness to fight is constantly reminding the international community that it is indispensable to scrupulously observe the principles of the United Nations Charter. The most pertinent in this case are the principles of non-intervention and of the inadmissibility of use of force against sovereign and independent States. We believe that they should be respected without any reservation.

(Mr. Golob, Yugoslavia)

These principles and commitments were on the minds of the non-aligned countries when they elaborated the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States and submitted it to the General Assembly of the United Nations four years ago. Those that voted for the adoption of that Declaration did so in order to reaffirm the illegitimacy of the use of force and of intervention and interference. This continues to be the commitment of Yugoslavia with regard to all crises that are provoked by denying the right of a people to independence and self-determination.

There is no doubt that the overwhelming majority of Member States insist that the right of every nation to maintain its independence and to choose freely the course of its political and social development is and should be sacrosanct. In order effectively to maintain this, the results of the use of force and intervention should not be accepted, nor should the community of nations put up with a creeping legalization of faits accomplis.

The right of every people to decide independently on its political system and its way of life is supreme. This right cannot be applied selectively and differently in different parts of the world; nor can its application depend on who violates these principles. No licence can be given for so-called preventive interventions and preventive attacks. They cannot be justified on the ground that the perpetrator or the victim of aggression does or does not belong to one or other bloc or to a certain alliance.

It speaks well for the United Nations in its fortieth year that it has served time and again as a forum in which attempts to justify the use of force and intervention on ideological grounds have been rejected time and again. This gives full strength to the role of the United Nations in the solution of the problem of Kampuchea.

Guided by the principles of non-alignment and of the Charter of the United Nations, Yugoslavia supports the draft resolution on the situation in Kampuchea.



(Mr. Golob, Yugoslavia)

The resolutions of the United Nations and the decisions adopted at the International Conference on Kampuchea and the Conferences of non-aligned countries remain the framework for the settlement of this crisis. However, there are repeated attempts to make the role of the United Nations and the decisions of its bodies irrelevant.

At the same time, crises, among them the one in South-East Asia, are being pictured as having implications in a limited geographical area only. But so-called local interventions are not isolated events and have a direct bearing on the global situation. They represent the most direct threat to peace and security in the world, since they are an attack on sovereignty, an onslaught on independence, designed to rob the people of their right to self-determination. In this respect as well the struggle of the people of Kampuchea has global implications.

There are attempts to have these problems, including the problem of Kampuchea, resolved in small circles of big Powers and by those that occupy the privileged position at the centres of power. Whatever the meaning of these attempts, there is no doubt that the decisive factors in formulating the solution remain the Kampuchean people, their struggle, their courage and determination, and their Government, represented here in the General Assembly by Prince Norodom Sihanouk. Without them solutions are going to be short-lived and short of justice and will fall short of meeting the need that the world be more just and more secure for all.

There is no doubt that in Kampuchea the solution can be found only in the withdrawal of foreign troops and the elimination of foreign intervention. Lasting and stable peace and security in the region of South-East Asia require an independent and non-aligned Kampuchea, free from outside interference and pressure, and that the Kampuchean people be able to decide freely and in a democratic manner on its future and its way of life. This is the only way to bring peace, security, independence and stability to the South-East Asian region.

Mr. KASEMSRI (Thailand): This year, the year of the fortieth anniversary of the United Nations, once again witnesses the continuation of the Kampuchean problem. This year, when the States Members of the Organization have renewed their commitment to respect and adhere to the purposes and principles of the United Nations Charter, is the seventh consecutive year that the Charter obligations continue to be violated by the occupying forces in Kampuchea. Moreover, this year has seen the brutal Vietnamese attacks on the refugee encampments along the Thai-Kampuchean border, thus forcing a quarter of a million additional Kampuchean to flee their homeland to seek temporary refuge in neighbouring Thailand. This year has been marked by a series of blatant acts of aggression against the Kingdom of Thailand by Vietnamese troops. It has, therefore, been quite an eventful year in South-East Asia.

An oft-quoted preambular paragraph of the Charter reads:

"to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind".

The people of Cambodia are confronting the full fury and scourge of a war that threatens to extinguish their national identity and existence. It is a war that is brutal in its objective and in the means used by the aggressor to deprive the Kampuchean people of their *raison d'être* and their age-old civilization.

Article 2 (4) of the United Nations Charter reads:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations".

For the people of Kampuchea, this Article offers no safe haven, because their aggressor not only has violated its spirit and letter but has also rejected the efforts of the United Nations to give effect to the provisions of the Charter.

(Mr. Kasemsri, Thailand)

For the Kampuchean people, their hope rests with this body to bring all available pressure to bear on Viet Nam and to ensure that the Charter's obligations are accepted by all Member States without exception. It is this hope that keeps alive the legitimate aspiration of the hapless Kampuchean people to be free and independent and once again to follow the path of neutrality and non-alignment. It is this hope that lends them courage in the face of tremendous odds and in the teeth of a storm that has swept through their land. It is this hope that they are relying upon to restore peace, tranquillity and harmony to all nations in the South-East Asian region. It is the hope that once peace is attained over a million Kampucheans will return to their homeland to help rebuild their nation and to live in harmony with all their neighbours.

It is therefore necessary that the General Assembly not disappoint the Kampuchean people in this regard. Indeed, the General Assembly has not disappointed them during the past six years.

I may recall the previous resolutions adopted in this Hall which, among other things, call for the withdrawal of all foreign forces from Kampuchea, the restoration and the preservation of its independence, sovereignty and territorial integrity, the right of the Kampuchean people to determine their own destiny and the commitment by all States to non-interference and non-intervention in the internal affairs of Kampuchea.

I recall also the convening of the International Conference on Kampuchea under the auspices of the United Nations and the adoption by consensus of the Declaration which constitutes a reasonable framework for the peaceful resolution of the Kampuchean problem.

I recall, too - with regret and disappointment - the boycott by Viet Nam and its friends and allies of the International Conference on Kampuchea. Nevertheless, the Declaration expresses the hope that

(Mr. Kasemsri, Thailand)

"Viet Nam will participate in the negotiating process which can lead to a peaceful solution of the Kampuchean problem and to the restoration of peace and stability to the region of South-East Asia. This will enable all the countries of the region to devote themselves to the task of economic and social development, to engage in confidence-building and to promote regional co-operation in all fields of endeavour, thus heralding a new era of peace, concord and amity in South-East Asia". (A/CONF.109/5, para. 15)

Does that sound unreasonable when one reads the Declaration today, over four years after its adoption? And I recommend that all members go back and read it if they have not done so. It is unarguably a reasonable and reasoned approach to the problem. However, one can also see why Viet Nam has rejected it.

First, the Conference expressed its concern that the situation in Kampuchea resulted in a violation of the principle of respect for the sovereignty, independence and territorial integrity of States, non-interference in the internal affairs of States and the inadmissibility of the threat or use of force in international relations. One can see why Viet Nam cannot accept that.

The Conference expressed regret that the foreign armed intervention was continuing and that the foreign forces had not been withdrawn from Kampuchea, thus making it impossible for the Kampuchean people to express their will in free elections. One can see why Viet Nam cannot accept that.

The Conference emphasized that Kampuchea, like all other countries, had the right to be independent and sovereign, free from any external threat of armed aggression, free to pursue its own development and a better life for its people in an environment of peace, stability and full respect for human rights. One can see why Viet Nam cannot accept that.

(Mr. Kasemsri, Thailand)

With regard to the proposed process for a comprehensive political settlement of the Kampuchean problem, the Conference called for negotiations on a cease-fire and withdrawal of foreign forces from Kampuchea under United Nations supervision and verification, as well as arrangements to ensure that armed Kampuchean could not prevent or disrupt elections and that they would respect the outcome of the elections. The process envisaged for this disarming would include all Kampuchean factions. Is there anything unreasonable about that?

The Conference also acknowledged the legitimate security concern of all States of the region and, therefore, deemed it essential for Kampuchea to remain non-aligned and neutral so that it could not pose a threat to its neighbours. Is that unreasonable?

The Conference also called on the five permanent members of the United Nations Security Council and all States of South-East Asia as well as other States concerned to declare that they would respect and observe in every way the independence, sovereignty, territorial integrity and non-aligned and neutral status of Kampuchea and recognize its borders as inviolable. Why do Viet Nam and its friends and allies that feel concerned with the problem reject that? These States are enjoined not to bring Kampuchea into any military alliance or other agreement which is inconsistent with the foregoing. Does that threaten the special relationship, declared by Hanoi, of so-called militant solidarity with its Phnom Penh puppet? Is that why this is rejected by Viet Nam?

I could go on and on, but it should be patently clear to all that Viet Nam rejects any United Nations role in the Kampuchean situation because such a role is based on the principles which Viet Nam has violated from the beginning.

That is true also of Viet Nam's continued rejection of any effort on the part of the Association of South-East Asian Nations (ASEAN) to bring the Kampuchean

(Mr. Kasemsri, Thailand)

problem to a conference table. The latest ASEAN proposal, which was announced at the ASEAN Foreign Ministers' meeting in Kuala Lumpur in July this year, called on Viet Nam to enter into indirect talks with the Coalition Government of Democratic Kampuchea for the purpose of discussing the basic elements of a comprehensive and lasting settlement of the Kampuchean problem. That proposal was based on the fact that, as Viet Nam is the aggressor and Kampuchea the victim, the two sides should meet because they are directly involved in the conflict. Regrettably, the proposal, which was fully endorsed by the Coalition Government of Democratic Kampuchea, has not met with a positive response from Viet Nam.

On the other hand, Viet Nam's position on Kampuchea has remained basically unchanged and can be summarized as follows: first, there must be an end to the Chinese threat; secondly, the Pol-Pot clique must be eliminated; thirdly, the Heng Samrin/Hun Sen régime is the only legitimate Government of Kampuchea, as confirmed in the so-called general election on May Day 1981.

The foregoing position has been confirmed time and again by the so-called three Indo-China States in various communiqués. More recently, Viet Nam has offered to withdraw unilaterally all its forces from Kampuchea by 1990. However, this is subject to the condition that others do not seek "to take advantage of this withdrawal to undermine the security and peace in Kampuchea". Furthermore, in its Phnom Penh communiqué of 16 August 1985, Viet Nam stated that general elections would be held following the withdrawal of "volunteer Vietnamese forces". Even if such total withdrawal were not, to quote Viet Nam's words, "taken advantage of", Viet Nam does not envisage any election taking place until after 1990, 12 years after the Vietnamese invasion of Kampuchea.

(Mr. Kasemsri, Thailand)

Viet Nam's insistence on the elimination of the Pol Pot clique proves two points. First, despite the presence of 180,000 Vietnamese troops in Kampuchea, Viet Nam has been unable to eliminate the so-called Pol Pot clique. Secondly, this is an added reason why Viet Nam rejected the Declaration of the International Conference on Kampuchea, which states as a matter of principle that "all Kampuchean will have the right to participate in the elections". (A/CONF.109/5, annex, para. 10(d))

There are also other manifestations of Viet Nam's unwillingness to give up its scheme of conquest and domination.

First, Viet Nam is proceeding with its plan to Vietnamize Kampuchea. It is doing so by means of settlements in the occupied parts of Kampuchea and by exercising control over Kampuchean administration at all levels.

Mr. William Branigin, in his article in The Washington Post of 25 April 1985, quoted a Western relief agency official who had lived in Phnom Penh a few years ago as saying after a recent return trip that he was amazed at the number of new Vietnamese settlers he had seen. The official was quoted as saying, further, that the traders of farm produce tended to be Vietnamese, not Kampuchean.

Mr. Al Santoli, in his article in the "Insight Magazine" of The Washington Times of 28 October 1985, quoted Dr. So Saren, who was until recently the director of the Soviet Friendship Hospital, the largest hospital in Phnom Penh, as saying:

"In every institution and administration office in every province, district and village there is the same problem - a Khmer" - that is, a Cambodian "is called the leader, but he must follow the orders of a Vietnamese second in command. At the hospital, although there were 33 experienced Khmer doctors, every medical decision, medical prescription, even piece of surgery was supervised and controlled by two young, inexperienced Vietnamese

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specialists. If a Khmer doctor disagrees with a Vietnamese decision and tries to help a patient, he is told, 'You are not a friend of Viet Nam', and his job is in jeopardy."

Another manifestation of Viet Nam's unwillingness to resort to a political solution of the Kampuchean conflict is the annual dry-season offensive. The last dry season saw the heaviest military operation during the past six years by the Vietnamese forces against the nationalist forces of the Coalition Government of Democratic Kampuchea. Despite the massive military onslaught of the Vietnamese occupation forces in Kampuchea, the forces of the Coalition Government remain intact, displaying high morale and determination to wage a continued struggle against the foreign occupation forces deep inside Kampuchea.

Moreover, Viet Nam has recently resorted to a campaign of intimidation against Thailand. On this subject my delegation has kept the General Assembly and the Security Council informed of the more blatant incidents. One recent example was the incident on 18 August 1985, two days after the so-called Phnom Penh communiqué referred to earlier, at Khlong Yai, a fishing and farming community of 20,000 people in Thailand, about 1 kilometre from the mountaintop Kampuchean border. There are no refugee camps nearby, nor had there been fighting between the Vietnamese and the Kampuchean resistance nearby when the Vietnamese began shelling the town from their positions on the ridge. A survivor, a 63-year-old woman named Tiam Kasem, recalled the attack in her interview with Mr. Al Santoli of The Washington Times as follows:

"At 10 a.m. on Sunday morning my family was watching a musical programme on television when suddenly we heard a loud explosion and our house collapsed around us. All the furniture was thrown about. We just sat there shaking. My ears hurt from the noise. In the explosion my granddaughter was torn to



(Mr. Kasemsri, Thailand)

pieces. Parts of her body and scalp were scattered everywhere. I ran to try to help, but there was nothing I could do. She was just 13 years old, a beautiful girl ... unrecognizable. We are still so afraid."

It is therefore apparent to all that on the Kampuchean problem the Vietnamese remain intransigent, in arrogant defiance of the United Nations Charter and the relevant United Nations resolutions. Viet Nam has thus continued to put obstacles in the way of genuine and meaningful dialogue between themselves and other interested South-East Asian countries.

Early in this debate Samdech Norodom Sihanouk, President of Democratic Kampuchea, put forward a three-point proposal to Viet Nam that is noteworthy not only in its generosity but also in its earnest design to ensure that Viet Nam's legitimate interests will be safeguarded with the co-operation of Kampuchea. I should like to repeat his three-point proposal as follows:

First, the Coalition Government of Democratic Kampuchea solemnly pledges to take no reprisals on the local collaborators with the Vietnamese. They will enjoy without hindrance all the rights accorded to the members of our national community.

Secondly, in a spirit of reconciliation and unity, we shall grant honourable positions in our national administration to professionally qualified members of the Heng Samrin and Hun Sen group.

Thirdly, we are ready to sign with the Government of the Socialist Republic of Viet Nam a treaty of peace, non-aggression, friendship and technical, cultural and economic co-operation.

The proposal is a reasonable one. Can anyone deny that? Will Viet Nam accept it? If not, why not?

Perhaps we shall never know the answers to the questions that I have raised during this debate, partly because Viet Nam has, regrettably, refused to

(Mr. Kasemsri, Thailand)

participate in the debate on this item. Must Viet Nam continue to spurn the efforts of the international community to find a peaceful solution to the Kampuchean problem? Must Viet Nam continue to resort to a military solution in the hope that its militant policy will prevail over the legitimate demands of the Kampuchean people and the will of the international community? Must Viet Nam continue to isolate itself from the caucus of peace-loving nations? Thailand for one would wish to see Viet Nam regain its rightful place and recover its international stature.

My delegation is deeply grateful for the continued active interest of the Secretary-General in seeking ways of achieving a peaceful solution of the Kampuchean problem. In pursuit of this noble objective, the Secretary-General made a trip to South-East Asia in January-February 1985.

(Mr. Kasemsri, Thailand)

In this connection, my delegation would also like to express its deep appreciation to the Ad Hoc Committee of the International Conference on Kampuchea, under the chairmanship of Ambassador Massamba Sarré of Senegal, for the constructive efforts undertaken by the Committee to bring about a comprehensive settlement of the Kampuchean problem. My delegation also wishes to express its profound thanks to Ambassador Willibald Pahr of Austria, who will soon be leaving his post as President of the International Conference on Kampuchea to assume the post of Secretary-General of the World Tourist Organization. Ambassador Pahr's deep commitment to a peaceful solution of the Kampuchean problem and his dedicated concern for the preservation of the ancient heritage of Cambodian culture and civilization will be long remembered by the peace-loving people of South-East Asia.

In his report on the situation in Kampuchea the Secretary-General has pointed out that

"The serious tension and hostilities, which had developed along the Thai-Kampuchean border before my visit and continued throughout the dry season, prevented any immediate progress towards [the goal of a political solution to the Kampuchean problem." (A/40/759, para. 9)

It is therefore our hope that Viet Nam will refrain from inhumane attacks against the Kampuchean encampments, which, as any international agency personnel can verify, house only Kampuchean civilians, and which are now located inside Thailand. Furthermore, Thailand demands that Viet Nam desist from further violation of its territorial integrity and sovereignty by using Kampuchean territory as a springboard for military incursions and the shelling of Thai villages. My delegation also appeals to Viet Nam to halt its practice of using conscript labour, which comprises Kampuchean civilians who are forced to leave their villages and ricefields to undertake construction work in the military areas, where their lives are endangered by military actions as well as by the scourge of malaria.

(Mr. Kasemsri, Thailand)

If Viet Nam could refrain from all these illegal and inhumane actions - and I do not see why it cannot, even long before the year 1990 - then we would have evidence of Viet Nam's willingness to change its ways. However, if Viet Nam persists in its present course, it will surely isolate itself further not only from the international community but also from the people with whom it wishes to have a "special relationship", namely, the Kampuchean people themselves. Then we can envisage that the year 1990, the year for it to withdraw its forces from Kampuchea, will never arrive for Viet Nam. The longer the postponement, the more painful the experience will be for all concerned. That is why the General Assembly must redouble its efforts to bring about a just solution to the Kampuchean problem, and the sooner the better. At this juncture we have draft resolution A/40/L.4 and Corr.1, on the situation in Kampuchea, which has been eloquently introduced by the Permanent Representative of the Philippines and which enjoys the sponsorship of 58 Member States. My delegation urges this Assembly to support the draft resolution in a resounding manner.

Mr. WALTERS (United States of America): In the month just ended the United Nations marked its fortieth anniversary. This year has also marked the fortieth anniversary of the end of the Second World War. Out of the carnage of global war came the lesson, painfully learned, that one nation's aggression against another, even the smallest, undermines the security of each and every one of us. In establishing the United Nations the world sought to apply that lesson to prevent future aggression by ensuring the sovereignty, independence and territorial integrity of every nation. It is a lesson we must never forget.

The language of the United Nations Charter begins:

"We the peoples of the United Nations determined

"to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind ..."

(Mr. Walters, United States)

The Socialist Republic of Viet Nam joined the United Nations in 1977. In so doing, Viet Nam accepted that declaration and the obligation not to use force or the threat of force against the territorial integrity or political independence of any State. The great Powers may depend on their own strength to ensure their security, but for the majority of nations the shared obligations to oppose aggression enshrined in the Charter of the United Nations represent an important element in their national security. Those ideals and obligations represent the world's conscience, our hope for a world free from aggression and the danger of war. They also stand to remind us of the horrors of war they are meant to prevent.

I fear that our memories grow dimmer, and the lessons so painfully learned 40 years ago are in danger of being lost. Viet Nam's leaders paused only a year after subscribing to the Charter of this Organization before invading their neighbour, Cambodia. Viet Nam has now installed in Phnom Penh a puppet régime of its own creation. In so doing, Viet Nam has isolated itself from the peaceful aspirations of the great majority of the world community.

Today, the Cambodian people face the prospect of cultural genocide and the extinction of their national identity at the hands of their more powerful neighbour. In their weakness and despair, they look to the world community and the United Nations. Samdech Norodom Sihanouk, in his address in this Hall one month ago, referred to the United Nations as

"the last recourse in the ocean of suffering and humiliation on which it" - that is, the Khmer people - "has been tossed for so many years". (A/40/PV.18, p. 7)

Six times in six years the General Assembly has given voice to that conscience, calling on Viet Nam to withdraw its illegal expeditionary force and to restore to the Khmer people their right to seek their own destiny under a freely chosen Government without outside interference. The overwhelming margins which

(Mr. Walters, United States)

have supported the General Assembly's call for the withdrawal of foreign forces reflect the concern of the great majority of the world's nations at the continuing tragedy in Cambodia. In the face of this Viet Nam, aided and abetted by the USSR, continues its illegal occupation of Cambodia and flouts the will of the international community. It is more essential than ever that the international community continue to speak out forcefully on the issue of Cambodia, as we are preparing to do in considering the draft resolution before us.

Inside Cambodia today the oppression of the Khmer people goes on unchecked. The rule of Vietnamese advisers has suppressed Cambodian self-determination. All major determinations are made by proconsuls and any Cambodian official who voices disagreement with such decisions risks imprisonment. Viet Nam proclaims that a "special relationship" exists among the three countries formerly joined as French Indo-China. Khmer people have been imprisoned for denying this special relationship or "Indo-Chinese solidarity". Vietnamese language and history are now taught in Cambodian schools. A former official of Viet Nam's client régime reported that a Cambodian history text had not been authorized by the Vietnamese because it did not reflect the new solidarity.

(Mr. Walters, United States)

The régime installed in Phnom Penh by Hanoi clearly does not represent the Cambodian people, and Hanoi's pretensions that it does have been repeatedly rejected by the people of Cambodia and by its neighbours. The United Nations General Assembly has so decisively rejected the claim of Viet Nam's client to the Cambodian seat that in recent years even Viet Nam has not seen fit to mount an active challenge. The Phnom Penh régime is maintained in power solely by the force of 10 Vietnamese divisions, and its "independence" is nothing more than a thin veil for Vietnamese colonization and exploitation.

Not satisfied with controlling the Government in Cambodia, Viet Nam now seeks to remake the country in its own image. To further this process, hundreds of thousands of Vietnamese nationals have been allowed to settle in Cambodia, taking over rich farmland and dominating fishing in Cambodia's great lake, the Tonle Sap. The Khmer people are expected to feed these newcomers and to assist them in the colonization of Cambodia. Despite the strained economic conditions in Cambodia, rice and fish are being exported to Viet Nam or requisitioned to feed Hanoi's army of occupation. Viet Nam has also conscripted scores of thousands of Cambodian civilians for forced labour on military projects in remote areas near the Thai-Cambodian border. These civilians are used to clear minefields and construct bases and defensive works for Vietnamese forces. Many have reportedly been killed or maimed by fighting and mines. Thousands more have contracted severe forms of malaria which as a result have now spread to areas of Cambodia that were previously relatively malaria-free.

The Lawyers Committee for Human Rights has reported that "human rights violations have been widespread and flagrant, [including] arbitrary arrest, brutal torture and indefinite detention under degrading conditions, at times resulting in death". The report goes on to note that torture is frequently carried out or supervised by Vietnamese "advisers". Hundreds of Cambodians are imprisoned without

(Mr. Walters, United States)

formal charges or a trial on the suspicion that they support the resistance. They, like growing numbers of Cambodians, oppose Viet Nam's continued presence in their country.

Viet Nam's growing oppression of the Cambodian people has further strengthened the appeal of the nationalist organizations led by His Royal Highness Prince Norodom Sihanouk and the former Prime Minister His Excellency Son Sann. Viet Nam has claimed that it remains in Cambodia to prevent the return of the Khmer Rouge. This claim masks the true intent of Hanoi, which is to present the world with a false choice of supporting either its puppet régime or the Khmer Rouge while ignoring the democratic forces seeking to allow the Cambodian people to rule themselves.

The growing strength of the anti-Vietnamese resistance forces and the support given them by the Cambodian people demonstrate the unwillingness of the Khmer people to accept a régime established on the bayonets of a foreign army. The United States welcomes the presence in this debate of Prince Sihanouk and Son Sann. They and the organizations they lead are the true embodiment of Khmer nationalism and of the hopes of Cambodians for a future that is dominated neither by the Khmer Rouge nor the Vietnamese.

Hanoi must by now realize that the world will not accept its aggression against Cambodia any more than the Khmer people will accept Vietnamese colonization. Viet Nam seeks to persuade the world that it genuinely wants a peaceful settlement in Cambodia and that progress has been made towards such a solution. The United States and the rest of the world would like to believe that Viet Nam's professions of peaceful intentions are true. Past history, however, refutes in the most damning way the credibility of Viet Nam's professions of peaceful intentions.



(Mr. Walters, United States)

Genuine Vietnamese willingness to negotiate a peaceful settlement in Cambodia would be a welcome development, above all for the Cambodian people. In August Viet Nam announced that its forces would withdraw from Cambodia by 1990, perhaps earlier if there is a political settlement. But this announcement represents not Viet Nam's recognition of the need for a settlement but a Vietnamese calculation that its army can impose a military solution on Cambodia within five years. Hanoi's version of a political settlement remains one that legitimizes its client régime and secures that régime against the threat from the Cambodian resistance and the Cambodian people.

Such Vietnamese "peace offensives" are, however, nothing new to this body. One year ago the Foreign Minister of the Socialist Republic of Viet Nam addressed the General Assembly on behalf of his Government. In his remarks he claimed to perceive a growing consensus for a political solution in Cambodia and a recognition by others of Viet Nam's peaceful intentions. He dismissed the resistance forces as insignificant and called for a political settlement based on elections and "peacekeeping activities". No sooner had the Foreign Minister returned to Hanoi than the Vietnamese army in Cambodia began the most intense offensive since its original invasion seven years ago. Two divisions were transferred from Viet Nam to assist in the offensive. Civilian camps and military bases alike were indiscriminately shelled by Vietnamese forces and then overrun by infantry assaults backed by tanks.

As a result of these attacks, 225,000 Khmer civilians were forced to abandon what few possessions they had and flee across the border. Assistance to them remains an international responsibility. Thailand has performed nobly in this respect. The United States will continue its support for this programme and for the Secretary-General's Special Representative for Humanitarian Assistance to the Kampuchean People, Dr. Tatsuuro Kunugi. The staffs of the United Nations High

(Mr. Walters, United States)

Commissioner for Refugees and other specialized United Nations agencies, the International Committee of the Red Cross (ICRC) and the various voluntary organizations deserve our respect and continued support for their untiring work in providing emergency food and medical care to the displaced Cambodian people, often under dangerous conditions caused by Vietnamese attacks. The United States extends its appreciation to the Royal Thai Government for its aid to the Khmer people, in particular during the fighting.

It is, however, not enough for the international community simply to care for the victims of Hanoi's aggression against the Khmer people. The international community must continue its efforts to find a solution to the problem of Cambodia and to restore to the Cambodian people control over their own destiny. In 1981 the United Nations-sponsored International Conference on Kampuchea outlined the four essential elements of any settlement: first, a cease-fire and withdrawal of all foreign forces in the shortest time possible under the supervision and verification of a United Nations peacekeeping force/observer group; secondly, arrangements to ensure that armed factions will not be able to prevent or disrupt the holding of free elections and will respect the results of free elections; thirdly, appropriate means for the maintenance of law and order until the establishment of a new government; fourthly, the holding of free elections under United Nations supervision.

Those remain the principles on which a durable solution must be based. The members of the Association of South-East Asian Nations (ASEAN) are to be highly commended for their continuing efforts to achieve such a solution. Since 1981 the ASEAN countries have repeatedly made proposals designed to move towards a settlement that would respect Viet Nam's legitimate security concerns. The most important of these was their "Appeal for Kampuchean Independence" in 1983. Unfortunately, Hanoi has not responded to these reasonable proposals.

(Mr. Walters, United States)

At their July 1985 Ministerial Meeting the ASEAN Foreign Ministers called for indirect talks between the Coalition of Khmer resistance forces, led by Prince Sihanouk, and a Vietnamese delegation, which could include representatives of the Heng Samrin faction. Such talks would be directed towards the outline of a settlement based on four elements: withdrawal of foreign forces; national reconciliation; United Nations supervision and control; and United Nations-supervised elections.

The United States strongly endorses this proposal by the ASEAN countries, which, like many reasonable proposals put forth by ASEAN in the past six years, seeks to achieve a settlement which preserves Viet Nam's legitimate security interests. If Hanoi is in the slightest degree serious about a political settlement, it should accept ASEAN's proposal. That proposal stands as a test of the credibility of Viet Nam's intentions in Cambodia. The United States also welcomes the constructive efforts of the Secretary-General to bring about a solution and notes his trip to the region this past January.

The United States firmly believes that the parties to the conflict in Cambodia - Viet Nam and the Khmer people - must come together to seek a solution. President Reagan, in his address to the General Assembly on 24 October, included the conflict in Cambodia among the regional conflicts where the United States is prepared to play an active role in achieving a settlement. ASEAN has proposed a valuable framework for negotiations among the warring parties. Once these negotiations had made progress and a dialogue among those directly involved in Cambodia had begun, the United States would discuss with the USSR ways in which we could contribute to that progress. The United States would also be prepared to contribute with its traditional generosity to the reconstruction of Cambodia's economy. The United States hopes that the Soviet Union will use its influence to move Viet Nam towards a political settlement in Cambodia.

(Mr. Walters, United States)

Sooner or later even Viet Nam's leaders must come to the realization that a political solution in Cambodia is the only way out of the dead-end confrontation into which they have led their country. War in Cambodia, confrontation with China, isolation from the rest of South-East Asia and its vibrant economies have cost the Vietnamese people dear and deprived them of the fruits of peace. Trapped in poverty and oppression, thousands continue to risk their lives by fleeing in small boats. Countless thousands are imprisoned on the pretence of re-education. Viet Nam has turned to the Soviet Union to support the costs of its military adventures and the world's third largest standing army. Massive Soviet aid meets Hanoi's military needs but cannot meet the needs of the Vietnamese people. Moscow has traded on its aid to increase the Soviet military presence in Viet Nam, underlining the falsehood of Viet Nam's claim to be a non-aligned nation.

In time the determined resistance of the Cambodian people will convince Hanoi's leaders that they cannot subjugate the Khmer people. We hope that that realization will lead to a settlement of the Cambodia problem acceptable to the Cambodian people. Such a settlement would also end Viet Nam's international isolation, restore Viet Nam's freedom of action and permit Viet Nam to turn to the task of rebuilding its own now disastrous economy and loosing its stranglehold on its own people.

No Vietnamese generation has known peace in 40 years. The country has installed itself in war. Surely it is time for peace.

The United States looks forward to that day and meanwhile offers its full support to the efforts of the Secretary-General and his representatives, to the ASEAN countries and, above all, to the people of Cambodia in their struggle.

Why has the resolution on Cambodia presented by the ASEAN States passed by an overwhelming majority every year since it was first proposed in 1979? It is

(Mr. Walters, United States)

because our action here sends a signal to the people of Cambodia, a signal that the international community has not forgotten their cause, their nationhood. In the face of the travails, the hardships, the atrocities the Cambodian people have endured, this is the least we can do on their behalf.

Mrs. MARTIN (Canada): Last December my delegation expressed grave concern about the situation in Kampuchea. We were concerned about the armed attacks on civilian camps, attacks which caused the death of innocent civilians, attacks which forced thousands of refugees to flee into Thailand.

Canada has continued its close observation of the events in that area, and it remains concerned at the ongoing unlawful occupation of Kampuchea by Vietnamese troops. This observation was highlighted this past July through the visit of the Secretary of State for External Affairs of Canada, who toured a number of refugee camps along the Thai-Kampuchean border. The visit followed the ASEAN Foreign Ministers' meeting and may be considered an indication of Canada's concern about and commitment to the resolution of the problems in that area.

The Khmer people have suffered destruction and anguish, but they maintain a dignity and resilience in the face of this overwhelming adversity that demand our respect. Their hardship and personal suffering, caused by the Vietnamese attacks, is unacceptable to my Government and, I believe, unacceptable to the international community.

Thailand in particular is struggling with the burden of providing sanctuary to Khmer refugees even while its own territory is being shelled and its own citizens are being forced to relocate. Canada believes that the events of this past year have demonstrated beyond question the differences between words and actions. Additional proposals for peace have been advanced but these initiatives mean little when confronted with an obstinate, regionally powerful nation.

(Mrs. Martin, Canada)

The actions of Viet Nam have served only to reconfirm that country's blatant disregard of the international community and of the sovereignty of its neighbours. I am not talking just about abstract political events. Individuals, human beings, continue to suffer through this ongoing tragedy.

My country continues to provide humanitarian assistance to the Khmer people. Canada's most recent contribution, announced on 11 July last by our Secretary of State for External Affairs, provides \$2.7 million for humanitarian programmes in Thailand during the current fiscal year. These funds are made available through the International Humanitarian Assistance Programme of the Canadian International Development Agency and are distributed to the United Nations High Commissioner for Refugees, the United Nations Border Relief Operation and the International Committee of the Red Cross. This contribution brings our support for refugees within this area to more than \$31 million.

From this perspective Canada would especially like to pay a tribute to the Royal Thai Government for its actions in continuing to shelter the helpless Khmers.

Canada also continues to remain a major centre for the resettlement of refugees from Indo-China, many of whom have first obtained asylum in neighbouring countries of the Association of South-East Asian Nations (ASEAN).

(Mrs. Martin, Canada)

Canada continues to join with His Royal Highness Prince Sihanouk, leader of the Coalition Government of Democratic Kampuchea, in calling for freedom and justice for the Khmer people. We remain opposed to any revival of any régime that exhibits abhorrent behaviour similar to that of Pol Pot. Our concern is with both the political and the human aspects of this dilemma; our commitment is to the support of all efforts towards a just and lasting settlement, and specifically, our commitment is to the efforts of the ASEAN countries to reach a settlement in Kampuchea.

We therefore commend the draft resolution placed before the Assembly by the ASEAN nations. We believe it to be a balanced approach and a balanced proposal. We believe that its full implementation would lead towards a just and sensible solution to the Kampuchean problem. But we also caution that that draft resolution will come to nothing unless Viet Nam displays a willingness to withdraw its occupying forces from a country where it has no moral or legal right to be.

Each of us must continue to strive towards that still-elusive goal of freedom and independence for Kampuchea. To that end, we commend the draft resolution to all delegations, and we are pleased to be a sponsor.

Mr. SUMBI (Kenya): I am speaking on behalf of my delegation to record our views regarding the agenda item now before the Assembly. This fortieth anniversary session of the United Nations General Assembly affords us an opportunity to assess the past and to voice our views on some of the vital issues still with us, such as the situation in Kampuchea. We consider the civil strife, hostilities and human suffering in Kampuchea a blemish on the achievements of the United Nations and contrary to the theme of the fortieth anniversary year.

The Charter of the United Nations contains adequate provisions for solving international disputes. It contains standard principles to help guide the development of peaceful relations among sovereign States. The Charter also

(Mr. Sumbi, Kenya)

enshrines provisions regarding respect for human rights in the form of the Universal Declaration of Human Rights. Regrettably, however, those provisions have not found their practical expression in Kampuchea. Successive régimes ruling Kampuchea have failed to make a serious effort to apply those internationally and time-honoured provisions of the Charter of the United Nations. Instead, they have flouted them, against the best interests of the people of Kampuchea, and have thereby allowed themselves to fall victims to foreign interference, intervention and, finally, occupation. This new dimension has increased tension and instability in Kampuchea and has expanded the conflict throughout the region. The conflict has further been aggravated and compounded by competing ideological and other interests and influences that seek to control the entire Indochinese region. As a result of such influences and of the instability that has reigned in Kampuchea, foreign forces, assisted by Kampuchean insurgents, toppled the then-ruling régime of Pol Pot, whose record of human rights was most deplorable. The occupation was followed by the installation of a régime appointed and maintained in power by the occupying forces, in direct violation of the principles of self-determination, non-interference and non-intervention in the internal affairs of States. Kenya cannot condone such behaviour in the conduct of relations among States.

The continuing instability and political chaos in Kampuchea have increased immensely the outflow of refugees, which has become a major concern in the region. They have also been the cause of the suffering of the Kampuchean civilian population along the Thai-Kampuchean border. Although the international community has responded admirably to the suffering of those people, a more permanent solution is called for which should involve a comprehensive settlement of the problem of Kampuchea.

In the search for a comprehensive settlement of the problem of Kampuchea, the General Assembly at its thirty-fourth session made attempts to defuse the



(Mr. Sumbi, Kenya)

hostilities and an effort to resolve the problem of Kampuchea. At that session the Assembly appealed for humanitarian relief to the civilian population, called upon all parties to the conflict to cease all hostilities forthwith, called for the immediate withdrawal of all foreign forces from Kampuchea, appealed to all States to refrain from interference in the internal affairs of Kampuchea and resolved that the people of Kampuchea should be enabled to choose democratically their own government without outside interference, subversion or coercion.

In spite of the 1979 General Assembly resolution and the subsequent Declaration by the International Conference on Kampuchea, the problem of Kampuchea remains unresolved. To date the aims of the Declaration and the many General Assembly resolutions reiterating the principles of a comprehensive settlement of the problem remain unimplemented by those directly concerned. This situation, particularly the plight of the refugees and the fate of the civilian population, which have continued to worsen, demands increased international attention until such time as peace returns to Kampuchea.

In this regard Kenya reiterates its belief in and strict adherence to the principles of good-neighbourliness, non-interference, non-intervention in the affairs of others and the preservation of the territorial integrity of Member States, and consequently it demands the immediate withdrawal of all foreign forces from Kampuchea. It is in that spirit that we have supported the thrust of the proposal by the ASEAN countries and General Assembly resolutions, particularly resolution 39/5 of 30 October 1984, in which the Assembly again endorsed the principal components of a just and lasting settlement of the Kampuchean problem.

The Assembly has before it draft resolution A/40/L.4 and Corr.1, dated 17 October 1985. My delegation will vote in favour of that draft resolution, for we accept fully the principles and action proposals contained therein.

(Mr. Sumbi, Kenya)

In conclusion, let me knowledge with appreciation the report of the Secretary-General in document A/40/759 of 17 October 1985. We hope the Secretary-General will continue to follow closely developments in that area, exercising his good offices in search of a comprehensive political settlement of the problems now facing Kampuchea.

Mr. FERM (Sweden): Our discussion on the situation in Kampuchea reflects a tragic reality for many fellow human beings inside that country as well as outside its borders. The enormous suffering of the Kampuchean people during the Pol Pot years has been followed by several years of continued war and bloodshed, caused by foreign intervention and convulsive internal strife. During the past year substantial military operations have been carried out in Kampuchea, causing even more death and destruction.

The situation in Kampuchea is obviously still unacceptable from a humanitarian point of view. It is also in blatant contradiction of the principles of international conduct between States laid down in the United Nations Charter. Many of the speakers during the commemorative session of the 40th anniversary, my own Prime Minister included, stressed the overwhelming importance of upholding the rule of law in the international community. All nations, big or small, must rigorously respect these principles if we are to avoid a situation eventually leading to anarchy in international relations.

It is indeed regrettable that once again we have to reiterate that these basic rules have not been respected in the case of Kampuchea. It continues to be our firm opinion that the Vietnamese occupation of Kampuchea cannot be accepted or condoned. It must end without delay. There is no reason why several years should have to pass before this is achieved.

It is the duty of this Organization to pursue efforts to create conditions for the Kampuchean people to determine their own future again, without external intervention and internal repression.

The report of the Secretary-General suggests that a reasonable degree of convergence has emerged on the main elements of a comprehensive settlement. We support the Secretary-General's call for a sustained process of dialogue. In this respect, my delegation urges the parties concerned to spare no efforts to achieve a

(Mr. Fern, Sweden)

negotiated settlement. My Government supports ongoing efforts, particularly among the countries in the region, to achieve a comprehensive settlement in the interest of the Kampuchean people as a whole.

The draft resolution submitted for our consideration contains the main elements necessary for a peaceful solution of the problem. In the past years my delegation has voted for such a resolution, and we intend to do so also this year.

At this point, however, I must reiterate the Swedish view that no Government can be regarded, in the present circumstances, as the legitimate representative of the Kampuchean people.

The Swedish Government continues to support the Kampuchean humanitarian assistance programme. In many ways it has been successful, and it is still necessary. In Thailand substantial assistance has been rendered to tens of thousands of needy Kampuchean. It is gratifying to note, however, that the number of Kampuchean refugees inside Thailand has been reduced to some 21,000.

Inside Kampuchea, past ravages and disruption in combination with adverse climatic conditions, however, have created a very precarious food situation. Health and sanitary conditions in many parts of the country also give rise to serious concern. There is an urgent need for further international assistance. The Swedish Government is prepared to continue its support for the Kampuchean humanitarian assistance programme.

A solution of the tragic problem of Kampuchea is long overdue. It is now most important to encourage the parties concerned to take the necessary steps towards a durable peace. If peace can be restored, there are good prospects for South-East Asia to become a region where the countries co-operate with one another on the basis of respect for sovereignty and non-interference in internal affairs.

The efforts by the Secretary-General, as well as all other attempts to promote a peaceful solution, have the full support of my Government.

Mr. BEN REJEB (Tunisia) (interpretation from French): In discussing agenda item 22, entitled "The situation in Kampuchea", my delegation would like first to underline the imperative need for all Member States of this Organization to see that the purposes and principles of the United Nations Charter are scrupulously respected. The Charter stipulates, in Article 2, paragraph 4:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

In the light of the valuable and detailed report submitted by the Secretary-General under the heading "The situation in Kampuchea" in A/40/759, it becomes apparent that the year 1985 was a year which brought particularly severe suffering to Kampuchean civilians who had sought refuge along the Thai-Kampuchean border and that virtually all of them found temporary asylum within Thailand in the wake of the renewed outbreak of hostilities. The particularly dire conditions in which thousands of innocent civilians live as refugees in exile strike us as all the more pitiful because we have always felt solidarity with the peoples of Indo-China in their liberation struggle. This solidarity is no mere passing phenomenon; it goes back to the time when we were waging the same struggle for independence and freedom at the same time.

Today it is painful for us to see brother peoples, whose struggle against colonialism and foreign domination is barely behind them, once again enmeshed, in a fratricidal and devastating conflict while common sense dictates the mobilization of all efforts to join in bringing to completion the exalting task of construction and renewal.

Everyone is aware that the Khmer Rouge régime, whose excesses Tunisia has denounced, served as the catalyst for a foreign invasion. However, it is equally

(Mr. Ben Rejeb, Tunisia)

true that the entry of foreign troops into Kampuchea, a sovereign and independent State, has decidedly exacerbated an already precarious situation. This violation of the territorial integrity of another State has brought new dimensions to a problem which from the very beginning should in the normal course of events have been solved by peaceful means by the Kampuchean people themselves. Whatever the reasons invoked, foreign intervention in Kampuchea has absolutely no legal basis, and therefore constitutes a violation of international law. This is a case of blatant interference in the internal affairs of Kampuchea, which cannot be passed off as an act of self-defence, as some here have tried to do.

My delegation supports the efforts of the Ministers of the Association of South East Asian Nations (ASEAN), who have been striving to find a political solution acceptable to all States of the region. The appeal issued on 21 September 1983 on behalf of the independence of Kampuchea comprises elements that could help towards a comprehensive political settlement. Tunisia, which has always supported just causes, supports this initiative, which calls for dialogue and is designed to bring about real peace between Kampuchea and all States of the region.

It appears to us that new elements have emerged since last year which give greater grounds for hope, since they seem to indicate that a peaceful solution of this problem may indeed be found.

(Mr. Ben Rejeb, Tunisia)

The first element is the communiqué issued on 20 October 1985 in New York by the Coalition Government of Democratic Kampuchea. In that communiqué the Coalition Government agrees to the formula of indirect talks with the Socialist Republic of Viet Nam, as proposed by the Foreign Ministers of the members of the Association of South-East Asian Nations (ASEAN) at their annual meeting in July 1985.

The other element is contained in the statement made on 4 October 1985, during the current session of the United Nations General Assembly by Mr. Vo Dong Giang, head of the delegation of the Socialist Republic of Viet Nam. In that statement, he described the proposal for proximity talks as being worthy of consideration and said:

"Should an early political solution be reached which would guarantee the security and sovereignty of all States and peoples in the region, including Kampuchea, the total withdrawal of the Vietnamese volunteer forces could be completed before the 1990 deadline unilaterally decided upon by the Governments of Viet Nam and Kampuchea". (A/40/PV.23, p. 17)

We should note also the willingness of the People's Government of Kampuchea to enter into talks with the opposition with a view to achieving national reconciliation and to holding general elections after the withdrawal of foreign forces from the country.

If these stands that have been taken recently are not just tactics or calculated stalling, they are a noteworthy development that will have to be translated into deeds.

At any rate, in our opinion at least, these new developments are a source of cautious optimism since they contain in themselves the bases for a political solution of the Kampuchean situation.

(Mr. Ben Rejeb, Tunisia)

His Royal Highness Prince Norodom Sihanouk, a patriot well known for his spirit of tolerance and his dedication to peace and national concord, has shown realism; recently, from this very rostrum, he set forth some specific proposals that could be a worth-while starting point for fruitful negotiations.

Moreover, the people of Viet Nam, which has displayed a great deal of courage and has endured the greatest sacrifices during its long years of struggle, cannot remain insensitive to the legitimate aspirations of the Kampuchean people to independence, freedom and peace.

My delegation welcomes the fact that the talks held by the Secretary-General have made it possible, on the one hand, for a reasonable degree of convergence to emerge and, on the other, for the general framework to be defined - a framework that could progressively be developed and refined by all the parties concerned.

In our opinion, an overall political settlement presupposes the withdrawal of all foreign forces from Kampuchea, the furthering of national reconciliation, the exercise by the people of Kampuchea of its right to self-determination, and respect for Kampuchea's independence, territorial integrity and non-aligned status.

History shows and experience confirms that, whatever the fire power and might of the military machinery that is used, a people's unshakeable will and its aspiration to live in freedom and independence cannot easily be overcome. The people of Viet Nam, which learned this for itself the hard way, should be among the first to admit this cardinal truth.

The procedural aspects of a dialogue to prepare for an international conference should not, in our view, be a major obstacle on the path to national reconciliation. What really matters is being able to ensure that all the partners concerned have the sincere desire and the common political will to take the path of dialogue.



(Mr. Ben Rejeb, Tunisia)

Regional conflicts cannot be settled by military means. Prolonged confrontation can only exacerbate tensions and increase the risks of escalation. Tunisia, which is more than ever before dedicated to legality as defined by the United Nations, fully subscribes to the efforts to find a peaceful solution through a process of genuine negotiations and mutually agreed upon arrangements.

In conclusion, I express once again my country's support for the praiseworthy efforts of the Secretary-General, Mr. Pérez de Cuéllar, to whom we address our heartfelt congratulations and whom we whole-heartedly encourage to continue his peace initiatives so that concord, security and co-operation may prevail in that part of the world.

Mr. KOUASSI (Togo) (interpretation from French): My delegation has already had the honour and pleasure of offering you, Mr. President, its whole-hearted and warm congratulations on your unanimous election. Nevertheless, when we see the masterly, strict and effective way in which you have presided over this session, as well as the session commemorating the fortieth anniversary of the United Nations, we cannot but express once again our sincere esteem and our confidence in the future of our work.

Since yesterday the General Assembly has been considering agenda item 22, on the situation in Kampuchea. I take this opportunity to state that my delegation has, in full awareness of the matter, co-sponsored draft resolution A/40/L.4, now before the members of the Assembly. In so doing, my delegation is deeply convinced that the cause which has brought us together yesterday and today is a just cause. It is therefore a cause that defends itself; no political plans, no ideological or sentimental requirement - no matter how lofty - can justify, in the light of the principles and purposes of the United Nations Charter, the invasion and then the

(Mr. Kouassi, Togo)

occupation of a free, sovereign and independent country. Thus, there is no need to defend this cause; it should already be uppermost in the minds of those who cherish peace, justice and freedom and who advocate the ideal that right must prevail over might.

That is the noble and exalted cause, which has been defended yesterday and today - as it always will be - of a small country, Cambodia, incapable of threatening anyone, invaded and occupied by a militarily more powerful neighbour which, having barely emerged from long wars, has become in its turn the invader, the conqueror, the dominator. How ironic fate is! How futile principles are!

But history is the master of us all. It teaches us that peoples always triumph in the end when they struggle for the cause of freedom and justice - no matter how great the sacrifices or the efforts.

In that regard, seven years of struggle have made Kampuchea's cause an example to everyone of a cause defended with courage by a people proud of its traditions, a people that stubbornly refuses to surrender, to fall to its knees or bow its head to arbitrary action, fait accompli or the law that might makes right.

(Mr. Kouassi, Togo)

The people of Togo give their full and firm support in total solidarity to the people of Kampuchea and their legitimate Government, the Government of Democratic Kampuchea, just as the people of Togo resolutely took the side of the people of Viet Nam in the course of its own struggle for independence and liberty. My country has always been at one with the peoples of all continents struggling for the same ideals of peace, justice and liberty.

Because Kampuchea's cause is just and irreproachable, its struggle has engaged much popular support. It is a popular cause, first of all, in the sense of the active, continued and massive support which it receives from the international community. Thus, in the course of the last six years, the General Assembly has each year, following its debate, adopted by an ever greater majority the draft resolution on the situation in Kampuchea, condemning the foreign armed invasion and occupation of Kampuchea and demanding a total withdrawal of foreign forces from Kampuchea, in order to permit the people of that country to exercise their inalienable right to self-determination.

Let me remind representatives that there were 91 votes for that resolution in 1979, 97 votes in 1980, 100 votes in 1981, 105 votes in 1982, 105 votes also in 1983 and 110 votes in 1984.

This firm and massive support by countries and Governments is not only being maintained but is growing stronger, and is becoming virtually universal, with nearly 60 peace and justice-loving States Members from all parts of the world and all continents agreeing to give open support to the struggle of the Khmer people and to be sponsors of the draft resolution on which the General Assembly is about to express itself, and we do not doubt for a moment that the majority will be even greater than before.

(Mr. Kouassi, Togo)

Receiving massive and universal support as it does, this struggle is also popular because of the violation of principles it involves.

The invasion of Kampuchea and the continued occupation of that country despite numerous resolutions in which the General Assembly has demanded the withdrawal of foreign forces, are a flagrant violation of the Charter of our Organization and of the principles governing international relations, in particular the principles of independence, sovereignty and territorial integrity of every State, principles of good neighbourly relations and of the non-use of force in international relations. In signing the United Nations Charter or adhering to it, all States have committed themselves, not only scrupulously to respect those principles, but also to defend them and to ensure that they are respected everywhere. Togo, which is a country profoundly desirous of peace, liberty and dialogue, has for its part always been and will remain concerned whenever the fundamental principles of the United Nations Charter are threatened, whenever the sovereignty of a State is in danger, whenever the rights of a people are being flouted and when the peace and security of a region are threatened.

That is why, from the very beginning, Togo has condemned the invasion of Kampuchea by foreign forces. That is why my country has at every opportunity added its voice to the efforts of our Organization to find a solution to the problem of Kampuchea. Togo voted in favour of resolutions 34/22 and 35/6, adopted by the General Assembly on 14 November 1979 and 22 October 1980 respectively. My country also participated in the International Conference on the Situation in Kampuchea held in New York in July 1981, in conformity with General Assembly resolution 35/6. Togo also voted for later resolutions of the General Assembly on the situation in Kampuchea, in particular resolutions 37/6, 38/3 and 39/5, which all demanded the withdrawal of all foreign troops from Kampuchea, the restoration

(Mr. Kouassi, Togo)

and preservation of its independence, sovereignty and territorial integrity, and the right of the people of Kampuchea to determine their fate without foreign interference.

Finally, this struggle enjoys popular support because of the concern of Democratic Kampuchea and its President, Prince Norodom Sihanouk, always to seek solutions by peaceful means and by way of dialogue to the conflict in Cambodia, thus following the path indicated by the United Nations Charter.

In this connection, I should like to quote the Declaration of the Council of Members of the Coalition Government of Democratic Kampuchea dated 28 August 1985:

"The Council of Ministers of the Coalition Government of Democratic Kampuchea once again wishes to state quite clearly that Kampuchea has not the least desire for war. We need peace to reconstruct our country and to raise the standard of living of our population.

"Our only desire is to live in peace and to maintain ties of friendship with all countries, far and near, in the entire world."

Unfortunately, the efforts of the international community to find a peaceful solution to the problem of Kampuchea have been in vain. None of the above mentioned resolutions of the General Assembly has even begun to be applied because of the opposition of one of the parties directly concerned in the conflict. This situation is dangerous for two reasons.

It is dangerous, in the first place, to the peace and security of this region and of the rest of the world. Indeed, war could at any moment spread beyond the frontiers of Kampuchea, thus involving the countries of the region, and perhaps of the rest of the world through the existing alliances, in a more general conflict with unpredictable consequences.

(Mr. Kouassi, Togo)

That situation is also dangerous because the continued occupation of Kampuchea runs the risk of seriously undermining the confidence which small countries have in the United Nations to ensure their right to existence, to guarantee their independence and respect for the integrity of their territories.

For those two reasons, we must put an end as rapidly as possible to this conflict by a negotiated solution in conformity with the United Nations Charter. In the view of my delegation, any solution to the conflict in Kampuchea, in order to be in conformity with the Charter, will require the following: a general cease fire; deployment of a United Nations peace-keeping force in Kampuchea; withdrawal of all foreign troops from Kampuchea; free elections under the aegis of the United Nations to permit the people of Kampuchea freely to choose their political and social system and their government, without foreign interference; and finally, an international agreement guaranteeing Kampuchea's existence, independence, sovereignty and territorial integrity.

My delegation takes this opportunity to express its appreciation to the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, for his continued efforts, personally and through his Special Representative for Kampuchea, to find a peaceful solution to this conflict which has already lasted too long.

We support the efforts of the Secretary-General and encourage him to continue and to intensify them to permit the convening as soon as possible of a second international conference on the situation in Kampuchea, with the participation of all parties directly involved in the conflict or otherwise interested, in particular all the permanent members of the Security Council.

(Mr. Kouassi, Togo)

To that end my delegation appeals to the Vietnamese Government to recognize the Coalition Government of Democratic Kampuchea, headed by Prince Norodom Sihanouk, and to accept a sincere commitment to the peaceful settlement of this conflict, because we do not feel that the security of Viet Nam, any more than that of any other country, can rest for ever on the force of bayonets and the power of weapons.

Mr. WOOLCOTT (Australia): Australia continues to be seriously concerned about the still unresolved situation in Cambodia, which remains the principal source of tension and instability in South-East Asia.

This is the seventh consecutive year that the tragic circumstances in which the people of Cambodia find themselves have come before in this Assembly. There is a tendency to become more accustomed to situations the longer they remain on our agenda. We need to watch that tendency. It is the duty of responsible members of the Assembly not to allow themselves to become accustomed to actions which contravene the United Nations Charter and to maintain a principled position in the hope that ultimately repetition will oblige the parties concerned to accept the established rules of international behaviour enshrined in the Charter.

Australia is a long-standing friend and neighbour of the countries of the Association of South-East Asian Nations (ASEAN). In recent years Australia has been seeking to build an improved, more substantial and constructive relationship with Viet Nam. We also wish to see the three independent countries of Indo-China develop in the future a co-operative and cordial association with the six neighbouring countries of ASEAN. This would greatly enhance the stability of our region. The principal factor inhibiting the development of this desirable co-operation is not so much ideological differences but rather stems from Viet Nam's intervention in Cambodia in 1979 and its continuing presence in that suffering country.

(Mr. Woolcott, Australia)

Australia believes that since we are inevitably affected by developments in our region we have a right - and a responsibility - to join in the search for solutions to regional problems.

We do not see a major role for Australia in the settlement of the dispute in Cambodia - the major roles rest, of course, with the people of Cambodia, Viet Nam and the ASEAN countries - but as a country of the South-East Asian and South-West Pacific region which seeks to play a responsible and helpful role in the affairs of our region we do see a role for Australia in actively supporting the negotiating process and in encouraging the political will for a peaceful settlement of the Cambodian problem. In so doing we recognize that the task before us is difficult, complex and without certainty of reaching a successful conclusion.

We base our activities on a number of fundamental principles. We believe in the importance of a comprehensive peaceful solution, reached through regional accommodations. We have considerable experience, some of it bitter, in the search for military solutions to problems of our region and we do not believe that the pursuit of a solution by military means can be effective in the case of Cambodia. Restoration of normal relations on the part of Viet Nam with countries of the region and the rest of the international community would seem to be an integral part of a comprehensive solution to existing problems.

We are aware of Viet Nam's contention that it intervened in Cambodia to assist the overthrow of the tyrannical Khmer Rouge Government of Pol Pot. Australia itself was deeply shocked by the atrocities that the Khmer Rouge Government perpetrated against its own people but, in principle, Australia has not accepted any country's claim to a right to enter the sovereign territory of its neighbours against their will. When the Vietnamese invasion of Cambodia occurred Australia condemned it, and there is no justification in our view either for that invasion or for Viet Nam's continuing presence in Cambodia.



(Mr. Woolcott, Australia)

No lasting Cambodian settlement will be possible without recognition of the basic right of the people of Cambodia to determine their own Government. No formula should be imposed on them, however satisfactory it might appear to others, which would not give them a Government genuinely representative of their wishes. To do otherwise would run counter to basic rights enshrined in the United Nations Charter and could also ultimately lead to renewed instability in Cambodia and in the region.

In pursuit of means to promote a negotiated settlement and allow for the Cambodians to determine their own future, Australia has consistently called upon the main parties involved in the question of Cambodia to engage in dialogue. The fact is that there is still a long way to go before anyone can be confident that the path to resolution of the problem has been clearly set, but we have sought to encourage flexibility by all concerned in their search for a mutually acceptable solution.

We believe that the past year has seen some improvement in the political atmosphere. One example of this is the readiness of the United States and Viet Nam to discuss the long-outstanding question of American personnel missing in action. Another is the restraint which we consider is noticeable in the communiqués issued by the ASEAN foreign ministers and the Indo-Chinese foreign ministers in recent months.

Australia regards the attempts which have been made over the past year to promote dialogue between the ASEAN countries and Viet Nam as constructive. Indonesia has played a particularly significant role as ASEAN's point of contact with Viet Nam. The Australian Government has noticed with special attention the indefatigable efforts of the Indonesian Foreign Minister, Mr. Mochtar, to establish a productive dialogue between Viet Nam and the ASEAN countries. We have also

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(Mr. Woolcott, Australia)

followed closely the important contribution made by the ASEAN foreign ministers last July in their proposal for proximity talks. We have noted that this proposal has engaged the attention of Viet Nam.

We welcome the development of such proposals, just as we welcome contacts between Viet Nam's leaders and representatives of other Governments in the Asian region, because we believe that any solution must arise out of discussions and negotiation. We hope that all parties will be able to build on the present cautious steps towards dialogue.

(Mr. Woolcott, Australia)

Australia has continued to play a role itself in promoting such a process. It has done so through close consultations with its ASEAN neighbours, with Viet Nam and with other interested parties aimed at determining the scope for movement and clarifying the respective positions. These discussions were pursued, for example, during the visit paid to Australia earlier this year by the United Nations Secretary-General and during the Australian Foreign Minister's visits to Malaysia, the Lao People's Democratic Republic, Viet Nam, Thailand and Singapore last March.

Our rejection of Viet Nam's action in entering Cambodia does not, however, incline us to think that Viet Nam should be isolated from the economic and political life of our region. That course does not, in our view, lead to productive regional relations. Australia intends to continue the development of its bilateral relationship with Viet Nam, in the belief that a more productive and comprehensive relationship will enable us to pursue important objectives, including objectives relating to the longer-term future of the region. This approach has made it possible for us over the past year or so to speak frankly, and we hope productively, with Viet Nam on the Cambodian problem, just as we have been able to discuss the relevant issues frankly with the ASEAN countries and interested outside parties.

Australia does not underestimate the difficulties in the way of resolving this problem. However, we have discerned at the base of the conversations we have had with all interested parties a desire to resolve the problem of Cambodia. This surely provides a foundation upon which to build in searching for ways to increase the scope and content of regional dialogue. It would be extremely unfortunate if the region, the international community and the Cambodian people were to lose an opportunity to reach a just settlement.

(Mr. Woolcott, Australia)

Australia is committed to an active role in the humanitarian efforts of the international community aimed at resolving the problems arising from the Cambodian situation. As a major resettlement country for Cambodian and other Indo-Chinese refugees, Australia will continue to participate in resettlement efforts while cautioning against proposals unlikely to advance a permanent solution. It is becoming increasingly urgent that other efforts, including the voluntary repatriation of displaced Cambodians under guarantees that human rights would be protected.

At the same time, Australia will continue, through the international agencies concerned, to provide assistance in the Thai-Cambodian border area in response to demonstrated humanitarian needs. Moreover, aid for use inside Cambodia will continue to be provided through bodies such as the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees and non-governmental organizations. Our aims will continue to be to alleviate human suffering and to create conditions which will encourage Cambodians to remain in their country and displaced Cambodians to consider returning.

Meanwhile we earnestly hope that everything possible will be done to ensure the well-being of those displaced from their homes as a result of the present situation and that nothing will be done to jeopardize their lives and general sense of security. Because, after all is said and done, the Cambodian people themselves daily suffer the consequences of a conflict which the international system has not so far been able to resolve. It is in their interests that we should all, particularly those of us that are countries of the region, continue our efforts to find a peaceful solution in Cambodia and, in the meantime, respond generously to pressing humanitarian needs there.

(Mr. Woolcott, Australia)

The draft resolution before the General Assembly is a result of the continuing efforts of the Association of South-East Asian Nations to achieve a just solution. Australia has supported the General Assembly resolutions under this item since 1979 and we shall again this year vote in favour of draft resolution A/40/L.4 and Corr.1.

The meeting rose at 12.55 p.m.