

UNITED NATIONS

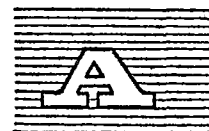
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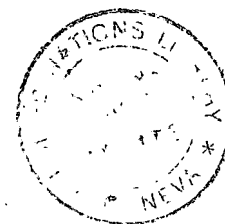


UNITED NATIONS CONFERENCE ON PROHIBITIONS
OR RESTRICTIONS OF USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE
DEEMED TO BE EXCESSIVELY INJURIOUS OR
TO HAVE INDISCRIMINATE EFFECTS

Geneva, 15 September -- 10 October 1980

CREDENTIALS OF REPRESENTATIVES

Report of the Credentials Committee



1. At its first plenary meeting on 10 September 1979, the Conference, in accordance with rule 4, paragraph 1, of its Rules of Procedure, appointed a Credentials Committee consisting of the following five members: Ecuador, Morocco, Poland, Syrian Arab Republic and the United States of America. The Credentials Committee had its first meeting on 27 September 1979, during which it elected Major Mohamed Arrassen (Morocco) as Chairman. At the same meeting, the Credentials Committee adopted a report (A/CONF.95/5) of which the Conference took note at its seventh plenary meeting on 28 September 1979.

2. The Credentials Committee met again on 9 October 1980. It was provided by the Executive Secretary of the Conference with the following information:

(a) As of 9 October 1980, 76 States were participating in the Conference.

(b) The following 64 participating States had submitted to the Executive Secretary of the Conference credentials issued by the Head of State or Government or by the Minister for Foreign Affairs in conformity with rule 3 of the rules of procedure of the Conference: Algeria, Argentina, Australia, Austria, Belgium, Bulgaria, Byelorussian SSR, Canada, Chile, China, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Jordan, Kenya, Libyan Arab Jamahiriya, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Panama, Philippines, Poland, Portugal, Republic of Korea, Romania, Spain, Sudan,

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Sweden, Switzerland, Syrian Arab Republic, Thailand, Turkey, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom, United Republic of Tanzania, United States, Venezuela, Viet Nam, Yugoslavia and Zambia.

(c) The appointments of the representatives of the Governments of Brazil and Peru had been communicated to the Executive Secretary of the Conference in cables from their respective Ministers for Foreign Affairs.

(d) The appointments of the representatives of the Governments of Colombia, Costa Rica, Ghana, Iraq, Mongolia, Pakistan, Somalia, Tunisia, Uruguay and Zaire had been communicated to the Executive Secretary of the Conference in letters or notes verbales from their respective Permanent Representatives or Permanent Missions in Geneva or New York.

(e) With regard to all of the representatives referred to in paragraphs (c) and (d) above, the Executive Secretary of the Conference had received assurances that credentials in conformity with rule 3 of the rules of procedure of the Conference were forthcoming.

3. During the examination of the credentials of representatives, the representative of the Syrian Arab Republic stated that his delegation had the strongest reservations with regard to the credentials of the representative of Israel. The admission of this representative to the Conference could in no way imply the recognition of the Zionist entity by the Syrian Arab Republic.

4. The representative of Poland stated that his delegation rejected the credentials of the so-called representative of "Democratic Kampuchea". He stated that, as was well-known, the former regime of "Democratic Kampuchea" did not exist anymore since 7 January 1979, the day on which the former regime of Pol-Pot had been overthrown and the People's Democratic Republic of Kampuchea was established. This was an unquestionable fact and he did not wish to go into details to describe what kind of regime Pol-Pot was. The whole world had been deeply moved when the crimes and human rights records of that regime were revealed to international opinion. He continued that it was also known that the People's Republic of Kampuchea, sustained by the strength of an entire nation, was determined to build up life and happiness, independence and freedom and that the People's Revolutionary Council of Kampuchea was still doing everything in difficult conditions to improve the life of the people. It was the opinion of his delegation that, if the international policy was to be governed by reality and facts, all countries should recognize the People's Republic of Kampuchea which was the only genuine, legitimate representative of the Kampuchean people and was effectively controlling the whole territory of Kampuchea as well as all affairs of the Kampuchean people. It was the view of the delegation of Poland, therefore, that the People's Republic of Kampuchea should be seated at this Conference as well as in other international organizations and that the person sitting from time to time behind the plate "Democratic Kampuchea" was doing so in his private capacity. That person did not represent a State and that State did not exist.

5. The representative of the Syrian Arab Republic associated himself with the statement made by the representative of Poland with regard to the credentials of Democratic Kampuchea.

6. The representative of the United States of America stated that, with regard to the first statement made by the representative of the Syrian Arab Republic, his delegation did not believe that it was within the competence of the Committee to pass upon the legitimacy of Governments represented at the Conference, and that it did not agree with the reservation stated by the representative of the Syrian Arab Republic. As regards the credentials of Democratic Kampuchea, he further stated that the attitude of his Government toward the Government of Democratic Kampuchea was a matter of record, as was its abhorrence of that Government's conduct in the area of human rights. The issue before the Credentials Committee, however, was the validity of the credentials of the representatives of Democratic Kampuchea. Those credentials were in order and fulfilled the requirements of the rules of procedure of this Conference. The delegation of the United States of America would, therefore, support their acceptance. The United States of America recognized neither the Government of Democratic Kampuchea nor the People's Republic of Kampuchea regimes, but it accepted the decision of the United Nations Credentials Committee which seated the Government of Democratic Kampuchea representative at the thirty-fourth session of the General Assembly of the United Nations. The credentials of the Government of Democratic Kampuchea representative were also found in order by other international conferences since that time. Under these circumstances, the United States of America took account of United Nations precedent and practice. The representative further stated that it was the position of his delegation that the People's Republic of Kampuchea regime was imposed upon the Kampuchean people by force of arms of an outside power, in violation of the norms of international law and the United Nations Charter. He opposed, therefore, any attempt to seat the People's Republic of Kampuchea. The United States of America supported the formation of a government truly representative of the Kampuchean people, which was not the case for either the People's Republic of Kampuchea or the Government of Democratic Kampuchea.

7. Upon the proposal of the Chairman, the Committee decided, taking into account the reservations expressed by some delegations to accept the credentials of representatives referred to in paragraph 2 (b) of this report. The Committee also decided, in the light of past practice and considering the short period of the Conference, to accept provisionally the communications referred to in paragraphs 2 (c) and 2 (d) of this report, in lieu of formal credentials, it being understood that formal credentials for these representatives would be submitted as soon as possible.

8. The Committee recommends to the Conference that it approve the present report.