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*President:* Mr. Ismat T. KITTANI (Iraq).

*Statement by the President*

1. The PRESIDENT: Before we start our business for today, I have something to tell members of the Assembly. This meeting was called to order 22 minutes late. That is due to two facts, and two facts only. The first is that we had to wait for a quorum, and the second is that the first speaker inscribed on the list was not, and still is not, ready to make his statement.

2. I hope very much that this will be the last period of wasted time during the thirty-sixth session. The President, whom the Assembly has entrusted with the conduct of its deliberations this year, intends to be in his chair at the appointed time. If for any reason he cannot do so, he will request one of the Vice-Presidents to be there. I think that all Member States and all delegations, as a minimum courtesy to themselves and to the man they have asked to preside over the session, have an obligation at least to designate a junior member of their delegation to be here at the appointed time.

3. I think too that any delegation that had agreed to be the first speaker in any meeting should be doubly obligated to be here on time. I hope and pray that the example of this morning will not be repeated. If it is, the President will have to consider other measures to deal with the situation.

**AGENDA ITEM 3**

**Credentials of representatives to the thirty-sixth session of the General Assembly (continued):  
(b) Report of the Credentials Committee**

**FIRST REPORT OF THE CREDENTIALS  
COMMITTEE (A/36/517)**

4. Mr. TARUA (Papua New Guinea): The delegation of Papua New Guinea has made its views known on previous occasions when the question of the credentials of the representatives of Democratic Kampuchea has been raised in this Assembly, so I shall be brief in outlining the main points of our position.

5. My delegation opposes the amendment [A/36/L.2 and Add.1] to the draft resolution recommended by the Credentials Committee [A/36/517, para. 22], on the basis that the Credentials Committee unanimously adopted the recommendations in its report, a decision that no member of the Credentials Committee questioned or even attempted to amend. If the General Assembly were to change it at this stage, some interesting questions would arise.

6. First, if a change were to be made to the recommendations, the Assembly would, in fact, be taking a decision that the Committee did not contemplate; the Committee as a body would not have been seized of the amended version, and would have had no say in it. Thus, the amended version would in fact not be its own child, but the product of this body. As a member of the Credentials Committee, we shall support the rejection of the amendment.

7. Secondly, the Assembly, meeting in plenary, has entrusted a Committee of nine of its own members the task of acting as examiners of the credentials of representatives to this Assembly session. For the Assembly to change the Credentials Committee's recommendations would be tantamount to doing the job it had already allocated to the Committee in accordance with rule 28 of the rules of procedure of the General Assembly. Such an action would question the very existence of the Credentials Committee.

8. My delegation also opposes the amendment because the credentials of the representatives of Democratic Kampuchea have been thoroughly examined by the Credentials Committee, which found them to be in order and in accordance with rule 28 of the rules of procedure of the General Assembly. Even if this Assembly examines the credentials itself, it will find that those credentials are technically and legally correct.

9. Questions have been raised in the past about the Government that submitted those credentials. We all know that it is the Government of Democratic Kampuchea, a government that came into power through internal power struggles amongst the people of Kampuchea. When that process was completed, that Government was welcomed in this Assembly as the legitimate Government of Kampuchea. That Government still exists, and its representatives are still recognized by this Assembly as the representatives of the legitimate Government of Kampuchea.

10. My Government continues to recognize the credentials of the representatives of Democratic Kampuchea because the Government they represent has not been replaced by processes within the country. To say that it no longer exists would, in our view, amount to interference in the internal affairs of another country. Our support for the credentials of the representatives of Democratic Kampuchea does not mean that we endorse the policies that

their Government has followed. In fact, we deplore the treatment it imposed on its own people. However, we are also equally opposed to the Vietnamese invasion of Kampuchea and to its setting up of a puppet government of its own choosing. The people did not have any say in that. The régime has continued to survive only because of the presence of Vietnamese troops. No change in the country has induced us to alter our view.

11. Mr. HA VAN LAU (Viet Nam) (*interpretation from French*): Mr. President, I will have an opportunity in the general debate officially to extend the congratulations of the delegation of Viet Nam to you on your election to the presidency of the General Assembly at its thirty-sixth session. For the time being, I should like to voice my conviction that with your qualities as a diplomat and statesman, as well as your long and rich experience, you will guide the work of the session towards fruitful results.

12. I should like warmly to welcome the admission of the Republic of Vanuatu to membership in the United Nations.

13. The delegation of the Socialist Republic of Viet Nam shares the position of the Credentials Committee expressed in its report regarding the majority of credentials of delegations. However, in the case of Kampuchea it is extremely regrettable that report A/36/517 once again reflects an erroneous position which ignores the real situation of the country and violates the principles established in the Charter of our Organization and in international law.

14. Doubt might be cast on the impartiality of certain members of the Committee, given their total silence regarding the credentials of the People's Republic of Kampuchea, which have been duly established and sent to the President of the General Assembly and to the Secretary-General by the Vice-President of the Council of Ministers and Minister for Foreign Affairs of the People's Republic of Kampuchea [A/36/510].

15. Regarding the credentials of the representatives of the so-called Democratic Kampuchea, my delegation considers that the conclusion of the Credentials Committee on their juridical validity is not consonant with the facts and is illegal and immoral.

16. It is superfluous to dwell on the crimes of genocide perpetrated by the Pol Pot clique, which are well known to public opinion and which are revealed to the world more clearly each day. These so-called representatives of so-called Democratic Kampuchea are in no way representative. Their credentials derive from a fiction that is neither more nor less than the sinister shadow of a régime that was once and for all rejected by the people of Kampuchea on 7 January 1979 and has no legality at all. Their credentials are null and void because the so-called Government from which they emanate is itself illegal and because that so-called Democratic Kampuchea virtually does not exist; it now holds power over not even an inch of territory in Kampuchea and it is quite obvious that it is not in any position to fulfil the obligations incumbent on Members of the United Nations.

17. It is no secret that if this fiction that is usurping the seat of Kampuchea in the United Nations has thus far not been expelled from this Organization it is thanks to the

blessing of, and the complete system of diplomatic machinations and pressure engaged in by, its protectors in Peking and Washington, as well as the complicity of those in leading circles in certain countries of the Association of South-East Asian Nations [ASEAN].

18. Beneath this seemingly harmless political intrigue lies in fact an extremely dangerous plot woven by the Peking hegemonists and supported by Washington, the aim of which is to impose that genocidal régime once again on the people of Kampuchea and to use it as an instrument in a war of attrition against Kampuchea, Viet Nam and Laos and to carry out subversive actions against the stability of other countries in South-East Asia, thus posing a grave threat to the peace and security of that region.

19. We should emphasize that recently the United States has openly further strengthened its collusion with China in order to exercise maximum pressure in all spheres—political, economic, diplomatic and even military—against the countries of Indo-China, “to bleed Viet Nam”, as high-ranking officials in Washington so cynically put it. To this end, the United States has urged China to increase its arms deliveries to Cambodian reactionaries because “direct deliveries by the United States to the Khmer guerrillas pose some problems”, according to the statement of the United States Secretary of State.

20. The International Conference on Kampuchea held last July, which was convened notwithstanding the protests of many countries, aimed at mobilizing world public opinion and rallying States Members of the United Nations in favour of this Sino-American adventurist policy. That conference clearly showed that China wants to maintain the Pol Pot clique, to impose that genocidal régime again on the Kampuchean people so as to prevent the renaissance of that people and to use it as an instrument in its policy against the three Indochinese countries, and against peace, stability and co-operation in South-East Asia. That conference likewise showed that those in the leading circles of certain ASEAN countries, while denouncing in words the crimes of Pol Pot, in fact are in collusion with Peking in this criminal plot.

21. In the course of recent weeks pressure has been stepped up in many capitals, which claim to be bastions of democracy, for the speedy formation of a new so-called Kampuchean nationalist resistance group, supposed to represent the people of Kampuchea in the United Nations as a coalition Government of the so-called Democratic Kampuchea. That would be another fiction to disguise the repulsive face of Pol Pot in order to maintain the latter's seat in this Assembly and to try to reverse the course of the renaissance of the Kampuchean people.

22. That representation of the so-called Democratic Kampuchea, under no matter what label, is entirely illegal and constitutes a flagrant violation of the principles of the Charter of the United Nations and of the right to self-determination of the sovereign people of the People's Republic of Kampuchea. If the General Assembly lets itself be taken in by this manoeuvre, it will create a very dangerous precedent for other States, which may eventually fall victim to the same acts of destabilization and interference in their internal affairs by imperialists and international reactionaries.

23. What has happened over the last three years confirms the truth that the Government of the People's Republic of Kampuchea is the sole authentic and legal representative of the people and State of Kampuchea. In that short period of time a totally destroyed nation has risen from the ashes of a holocaust, with the generous assistance provided by the international community, but in particular because of the vitality and spirit of its people and Government.

24. The great achievements of the renascent Kampuchea have been widely publicized and mentioned on many occasions by heads of specialized agencies of the United Nations in their official reports. Other precise information has recently been brought to the attention of Member States in the message dated 12 September 1981 sent by Mr. Hun Sen, Vice-President of the Council of Ministers and Minister for Foreign Affairs, to the Secretary-General of the United Nations and the President of the General Assembly [A/36/508].

25. In the course of only three years, that people, which again took its fate into its own hands in January 1979, rebuilt its schools, pagodas, markets, currency, fields and factories. It is patiently striving to reweave the fabric, a thousand times torn, of family life and society. The hundreds of reports that have appeared in the media and television documentaries on five continents and of all political tendencies have testified to the enormous efforts made by that people, exhausted and impoverished by its terrible suffering but still determined and confident.

26. Last May, the People's Republic of Kampuchea held elections over its entire territory. Over 97 per cent of electors took part in the elections, and the elections took place with all democratic guarantees and without the slightest incident, in the presence of numerous foreign correspondents representing both press and television, including the major Western agencies. Following the elections, the People's Republic of Kampuchea had a constitution, a national assembly and elected state institutions, thus consolidating the power of the people at all levels and throughout the territory.

27. Those events are of great political significance, not only for the people of Kampuchea, but also for peace and stability in South-East Asia. For the holding of general elections only two years after the toppling of the genocidal régime, in a country which has been totally ravaged by the most brutal genocide that contemporary history has ever known, and in a context where reactionary forces inimical to the people of Kampuchea have been striving to oppose such elections, constitutes without a doubt a very significant victory. Those achievements could not have been brought about without the conscious and vigorous support of the whole people.

28. In foreign policy, the People's Republic of Kampuchea has since its foundation put an end to the border wars formerly unleashed by the Pol Pot clique against neighbouring States and has been strongly advocating a policy of peace, co-operation and good-neighbourliness with all countries, particularly neighbouring countries. In the past few years, together with the fraternal countries of Viet Nam and Laos, the People's Republic of Kampuchea has been the author of many initiatives during the meetings of Foreign Ministers of the three countries and has ceaselessly striven for peace and stability in South-East

Asia and for peace and security in the world, in accordance with the principles of the United Nations Charter and of the Movement of Non-Aligned Countries.

29. In regard to the presence of armed Vietnamese forces in Kampuchea, my delegation has already expressed the position of our Government and will deal with it at a subsequent stage. Nevertheless, it would like to reaffirm that the presence of those armed forces in Kampuchea is only temporary, because of the threat of China in collusion with the United States and other reactionaries, and is no threat to any third country. As soon as that threat has been removed, on the basis of an agreement between the two countries, those troops will be withdrawn from Kampuchea, as was done at the end of the two last wars of colonialist and imperialist aggression.

30. Consequently, as was stated by Mr. Hun Sen, Vice-President of the Council of Ministers and Minister for Foreign Affairs of the People's Republic of Kampuchea in his official telegram of 9 September addressed to the President of the General Assembly and the Secretary-General of the United Nations: "the Council of State of the People's Republic of Kampuchea asserts that, in law and in fact, it is the sole authentic and legal representative of the Kampuchean people". [See A/36/492, annex.]

31. The delegation of the Socialist Republic of Viet Nam firmly supports the request of the Government of the People's Republic of Kampuchea addressed to this Assembly that this international body take all necessary steps on the one hand to terminate the illegal and intolerable presence of the clique of criminals of Pol Pot, Ieng Sary and Khieu Samphan within the United Nations and, on the other, to restore the seat of Kampuchea to its sole authentic and legal representative, the Council of State of the People's Republic of Kampuchea.

32. Given the present situation in the South-East Asian region, where the process of dialogue has been started among the countries involved, acceptance of the credentials of the People's Republic of Kampuchea is on the one hand consonant with the reality of the situation, the norms of international law, and on the other hand constitutes support for the efforts being made to normalize relations among the countries of the region and contributes to peace, stability and co-operation in that part of the world.

33. On the contrary, acceptance of the credentials of so-called Democratic Kampuchea would be a dual tragedy. It would be a juridical tragedy because, in accordance with numerous Articles of the Charter, only the people of Kampuchea itself has the right to choose who should represent it in the United Nations; no provision of the Charter allows any United Nations body to interfere in the internal affairs of a Member State by accepting the false credentials of people who represent only themselves and by arbitrarily rejecting the valid credentials of the legal representative of its people.

34. It would also be a moral and humanitarian tragedy, for it would be an encouragement to those who carried out the worst violations of human rights that have ever been committed and would, moreover, constitute a new imposition on the Kampuchean people of a genocidal régime which has been unanimously condemned by all humanity and would thus represent a dangerous sanctioning

of the expansionist policies of the Peking authorities in South-East Asia.

35. No argument of a strategic nature or based on obligations under alliances or formal defence of the principles of the Charter can justify a vote for the political corpse known as Democratic Kampuchea, for those criminals condemned to death by their own people. Governments of some Western countries have already had to take account of public opinion in their own countries, which will no longer tolerate recognition of those assassins.

36. We appeal to the conscience and sense of responsibility concerning international peace and security of the representatives of all States present at this Assembly to put an end to that political absurdity which already has lasted too long.

37. In particular, we appeal to those who have just voted against the acceptance of the credentials of the representatives of South Africa at the eighth emergency special session on Namibia to act consistently in regard to the perpetrators of genocide against the people of Kampuchea, who have been as much condemned by world opinion as has the *apartheid* régime of South Africa.

38. As long as the United Nations continues to maintain the Pol Pot genocidal clique in the seat of Kampuchea it can, in the view of my delegation, have no positive role to play in the settlement of the problems of peace and security in the South-East Asian region.

39. In the present circumstances, in the opinion of my delegation, the least the United Nations can do to assist the reconstruction efforts of the Kampuchean people, to contribute to the restoration of peace and stability in South-East Asia, is no longer to recognize that fictitious régime called Democratic Kampuchea, whose continued presence at the United Nations can only harm the Organization's prestige.

40. On the basis of that consideration, the delegation of Viet Nam was a sponsor of the amendment contained in document A/36/L.2 and Add.1. We appeal to all delegations to support that amendment.

41. Mr. PELLETIER (Canada) (*interpretation from French*): The responsibility of the Credentials Committee as outlined in rule 28 of the rules of procedure is to examine the credentials of representatives of States applying to participate in the functions of the General Assembly. My delegation believes that this examination should be undertaken strictly from a legal and technical standpoint. We therefore applaud the recommendations of this year's Credentials Committee, which are consistent with this principle of objectivity.

42. The amendment proposed by the delegation of Viet Nam, however, injects an unwelcome political element into a process which, as we have just indicated, should be strictly technical. We are, therefore, obliged to oppose the amendment before us.

[*The speaker continued in English.*]

43. Canada has been involved in efforts to achieve stability, development and progress in South-East Asia for many years. Those efforts have consistently been based

on principles set forth in the United Nations Charter which call for respect of national independence, sovereignty and territorial integrity of all States, including the right to self-determination.

44. It is because those fundamental Charter principles have been totally disregarded and because we support the objective recommendations of the Credentials Committee that Canada has voted in favour of the continued seating of Democratic Kampuchea in the United Nations.

45. It should be made perfectly clear, however, that this in no way implies approval of the reprehensible policies followed by Pol Pot. In July of this year, at the International Conference on Kampuchea, the Canadian Government firmly supported proposals that called for, among other things, the holding of United Nations supervised elections so that the people of Kampuchea could determine their own future free from outside interference. In the meantime, we welcome the continuing efforts to broaden the political base of the Government of Democratic Kampuchea.

46. Mr. SOURINHO (Lao People's Democratic Republic) (*interpretation from French*): Mr. President, when I arrived here this morning I noticed that the name of my delegation was inscribed first on the list of speakers. I regret very much that for reasons beyond my control I was unable to be here on time and that I wasted the valuable time of the General Assembly. For the practical reasons which small delegations like my own have, we were unable to speak first this morning. We can promise you, Mr. President, that we shall be punctual in the future.

47. Mr. President, the Foreign Minister of the Lao People's Democratic Republic, who will head our delegation at the present session of the General Assembly, will have occasion in the course of the general debate to extend to you, Mr. President, the warm congratulations of our country on your election to the presidency of the General Assembly at its thirty-sixth session. I should like, however, to take this opportunity to express to you my great personal pleasure at seeing you preside over our work and my deep conviction that under your talented leadership the General Assembly will achieve outstanding results this year.

48. The General Assembly is at present seized of the first report of the Credentials Committee and is discussing the credentials of delegations to the thirty-sixth session. Having carefully read that report, my delegation notes that, in connexion with the representation of Kampuchea, the Credentials Committee received two communications, one from the Council of Ministers of the People's Republic of Kampuchea in Phnom Penh, the capital of the country, and the other from the gang of sinister individuals who claim to represent Democratic Kampuchea, an outcast régime which was overthrown nearly three years ago by the heroic people of Kampuchea. We are dismayed that once again this year no serious consideration has been given to the credentials of the delegation of the People's Republic of Kampuchea, which were issued in accordance with the proper rules of procedure.

49. In addition, the Credentials Committee is supposed to perform a purely technical task. By recommending that the General Assembly accept the credentials of the Pol Pot gang, it has undeniably exceeded its authority. This position by the Credentials Committee is more than tech-

nical: it has taken a stand on the question of the representation of Kampuchea in the United Nations.

50. This is a problem which is of paramount importance to the effectiveness of our efforts to achieve the goals of the Charter. It has been before the General Assembly for nearly three years. The General Assembly has been taken in by the cunning manoeuvring of the two major Powers—China and the United States—which are pursuing similar goals in South-East Asia, namely, they are opposed to the rebirth of the people of Kampuchea and they are sowing confusion among the peoples of the area in order to achieve their hegemonistic goals in South-East Asia. In flagrant violation of the provisions of Article 2, paragraph 7, of the Charter, the General Assembly has continued to maintain the fiction in connexion with the representation of Kampuchea in the United Nations, and it has allowed the seats to which the People's Republic of Kampuchea are entitled to be taken by the representatives of the genocidal gang of Pol Pot who represent no one but their masters in Peking, without whose trickery the puppets whom we see at the back of this hall would not have been able to treat themselves to a plane ticket to New York.

51. I should like to refer now to the report of the Credentials Committee. Finding itself faced with two communications from two parties claiming to represent Kampuchea, the Committee, had it wished to confine itself to a purely technical role, should have given attentive consideration to both documents and confined itself to a report to the General Assembly on the point in contention. But that is not what happened. Benefiting from the majority in support of the Pol Pot gang, which holds sway in the Committee, the Credentials Committee—as it did at the thirty-fourth and thirty-fifth sessions—assumed the right to recommend to the General Assembly approval of the credentials of the representatives of the genocidal gang. That has caused problems in connexion with the representation of Kampuchea and, in the interests of the smooth functioning of the General Assembly and that of the United Nations, I should now like to deal briefly with this matter.

52. It is a well-known fact that the so-called notorious Democratic Kampuchea for all practical purposes ceased to exist on 7 January 1979 when the heroic people of Kampuchea, who for more than four years had been victims of the genocidal policies pursued by the bloodthirsty gang of Pol Pot, rose *en masse* throughout the country and overthrew its tormentors. Having overthrown this monstrous gang of hegemonists and great-nation expansionists from Peking, the people of Kampuchea founded the People's Republic of Kampuchea and chose a domestic and foreign policy based upon peace, independence, democracy, social progress, peaceful coexistence, friendship, co-operation and non-alignment.

53. For three years the people of Kampuchea has worked relentlessly to bind its wounds caused by long, devastating wars and especially by the policies and practices of extermination and systematic destruction pursued by the Pol Pot clique. At the same time it endeavoured to build a new society. Thanks to its relentless work and selflessness, thanks to the assistance of fraternal and friendly countries, thanks to the assistance of international organizations, the people of Kampuchea, as is clear from the two telegrams sent to the President of the thirty-sixth

session of the General Assembly and to the Secretary-General, distributed as annexes to documents A/36/492 and A/36/508, has risen from the ruins of genocide and has accomplished a major revival at all levels.

54. At the political level, in particular, the people of Kampuchea this year held free, democratic general elections throughout the entire country in the presence of representatives of many countries and international press correspondents from the four corners of the world. Following those elections, it also established State institutions and implemented the national constitution which was prepared with the active participation of representatives of all sections of society.

55. The power of the people, under the banner of the People's Republic of Kampuchea, is consolidating itself gradually and irreversibly at the present time. This situation makes it undeniably clear that the present leaders of the People's Republic of Kampuchea—unlike the Pol Pot band which reduced its people to serfdom, turned the country into a vast concentration camp with torture being practised, and pursued a policy of provocation and aggression against all the other neighbouring countries—today are people who are aware of the interests of the people of Kampuchea, of its reputation as a country, and of the need for peace and stability in South-East Asia and in the entire world.

56. There is no need to say that a sound, stable and peaceful Kampuchea is an important factor in the establishment of understanding and co-operation between all the countries of the area. First and foremost, it is important that all the countries of South-East Asia, in their own best interests, should make a concerted effort to put an end to the political and military tension created in connexion with the alleged situation in Kampuchea. The first step in this direction would be non-recognition at this session of the credentials of the representatives—who represent only themselves—and who, judging from their acts and their conduct, are nothing but a reflection of the leaders in Peking and their hegemonistic and expansionistic aims in all of South-East Asia, who are pursuing guerrilla activities against all the legal Governments in the area and are a more dangerous threat than the presence of Vietnamese troops in Kampuchea over the long term.

57. In connexion with this question which, after all, concerns only Kampuchea and Viet Nam, it will be recalled that the Governments of both those countries, on a number of occasions, have declared this quite clearly, and particularly there was a declaration by Mr. Hun Sen, Vice-President of the Council of Ministers and Minister of Foreign Affairs of the People's Republic of Kampuchea, during his recent visit to New Delhi, a statement which was reported by the Agence France Presse a week ago, to the effect that the Government of the People's Republic of Kampuchea, in agreement with the Government of the Socialist Republic of Viet Nam, would consider the withdrawal of the Vietnamese troops from Kampuchea if Thailand ceased to support and assist the Pol Pot régime and other reactionary mini-groups and their activities, undermining the People's Republic of Kampuchea, and if they stopped granting sanctuary on their territory to those people.

58. The fact that the General Assembly, quite illogically and inconsistently with the position which it has always

taken on the question of changes of government which have taken place in various parts of the world, has not recognized the People's Republic of Kampuchea and has given their lawful seats here to the representatives of the Pol Pot clique, far from contributing to a solution of the problem in South-East Asia, has only exacerbated tension in this part of the world.

59. It is time that the General Assembly, in order to put an end to the harm that has been done to the United Nations by this interference in the internal affairs of a Member State and as a result of this crying injustice against the people of Kampuchea who have vainly tried to take their seats here in the concert of nations, has an obligation to recognize without any further delay the People's Republic of Kampuchea.

60. Furthermore, the people of Kampuchea, in their fight for self-determination, have, like all other oppressed peoples, the right to rise up and to demand assistance from fraternal peace-loving and justice-loving peoples to rid themselves of the tyranny of their despotic leaders. This is a perfect expression of the exercise of the right to self-determination of a people without any hypocrisy or speech-making of any kind.

61. So let us defend this right and let us not place ourselves directly or indirectly in the service of the expansionist and hegemonist designs of certain great Powers whose conduct in this regard is certainly not exemplary. Let us not set ourselves up as defenders of the principle of self-determination if we are taken in by the greedy hypocrisy of certain small countries which, armed to the teeth by imperialism, have not hesitated to intervene militarily in the internal affairs of smaller States in order to defend their alleged vital interests while at the same time cynically posing as great defenders of principles.

62. The three peoples of Indo-China, which have experienced many trials in their struggle for self-determination, fully appreciate the true meaning of the exercise of this right by themselves and other peoples. In our international activities we have never, on the pretext of defending principles, tried to impose a government on anyone, for we realize full well that that is clearly contrary to the ethics that underlie relations among States and peaceful coexistence.

63. The United Nations, whose noble goals include the defence of civilized order and the promotion of understanding among all peoples, must not usurp the right of a sovereign people to choose a Government that suits it. This is the real substance of the problem before us, as we decide whether or not to approve or accept the credentials of representatives of so-called Democratic Kampuchea.

64. Furthermore, the United Nations is not a body in which genocidal groups or bands of traitors from different peoples should seek shelter; this is an international Organization where, in accordance with the relevant provisions of the Charter, sovereign States are represented. To accept the credentials of the representatives of the Pol Pot clique would make a mockery of that well-established concept of a State according to which there must be three essential elements present in order for the State to exist: a territory, a population and a Government.

65. In the circumstances how could one reasonably say that the Pol Pot clique, which has no effective control over the country or any real support from the people of Kampuchea, represents the State of Kampuchea? Yet no one seems to be embarrassed by this ridiculous stand.

66. We would express the conviction that Member States that respect the norms of international law and the provisions of the United Nations Charter will not accept such a situation but will oppose any attempts to trample underfoot the sovereign rights of peoples.

67. In this context, the delegation of the Lao People's Democratic Republic, together with the delegations of Algeria, Angola, Benin, Congo, Cuba, Democratic Yemen, Ethiopia, Grenada, Guyana, India, Nicaragua, Seychelles and Viet Nam, have the honour of submitting to the General Assembly for consideration an amendment [A/36/L.2 and Add.1] to the draft resolution recommended by the Credentials Committee in paragraph 22 of its report [A/36/517] which would result in adding to the text the words "except with regard to the credentials of Democratic Kampuchea".

68. This amendment is intended to achieve three aims: first, to reflect the objective realities of the situation in regard to the problem of the representation of Kampuchea, since it is on the basis of objective facts that the problem can be resolved equitably; second, to ensure that the United Nations stops recognizing so-called Democratic Kampuchea, which does not exist, as the representative of the people or as the State of Kampuchea, since such recognition constitutes a serious obstacle to the settlement of the problems of South-East Asia, including that of Kampuchea; and, third, to end an abnormal situation which seriously jeopardizes the prestige and effectiveness of the United Nations.

69. In the interest of the self-determination of the people of Kampuchea and in the interest of the credibility and effectiveness of the United Nations, I would express the hope that Member States that cherish peace and justice will appreciate fully the importance of the problem facing the General Assembly and will realize that the amendment I have just introduced on behalf of 14 countries, including my own, is a fair one and will not hesitate to vote in favour of it. They would thus be making a contribution to the safeguarding of the supreme rights of a people and of a Member State, also of the fundamental principles of the United Nations Charter, as well as contributing to the efforts to restore peace and stability in South-East Asia.

70. Mr. BHATT (Nepal): Mr. President, please allow me to extend to you my warm personal felicitations on your assumption of the presidency of the thirty-sixth session of the General Assembly.

71. The first report of the Credentials Committee recommends to the General Assembly that the credentials of the representatives of the Member States be accepted. My delegation fully supports the recommendation, which is in keeping with rule 27 of the rules of procedure of the General Assembly. The proposed amendment to this recommendation singles out and repudiates the validity of the credentials of the delegation of Democratic Kampuchea.

72. The position of Nepal on this question has already been set forth at the thirty-fifth session as well [35th meeting]. It has been a firm principle of Nepal that external military intervention to overthrow the legitimate Government of a country constitutes a grave violation of the principles of the Charter of the United Nations. Such intervention also violates the norms of international law governing the rights and duties of States. We do not accept any justification for armed intervention, nor do we recognize situations created by external military intervention. Accordingly we uphold the right of the delegation of Democratic Kampuchea to continue to represent Kampuchea in the United Nations. In our view, the proposed amendment seeks to confer legitimacy on the consequences of foreign military intervention. Therefore we support the recommendation of the Credentials Committee.

73. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): It is an honour for me to speak on behalf of the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Hungary, Mongolia, Poland, the Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic, Czechoslovakia and the German Democratic Republic.

74. In respect of the report of the Credentials Committee, may I quote from the *International Herald Tribune*. In an article published on 7-8 February this year the newspaper had this to say:

“A vote in the United Nations for the Khmer Rouge”—

that is, the Pol Pot clique—

“is in effect a vote for genocide.”

The newspaper considers that:

“International recognition should count for something—to be withheld when in extreme cases a government fails its people, bestowed when it labors on their behalf. In Cambodia, perversely, it has been the exact reverse.”

75. That is the opinion of the *International Herald Tribune*.

76. As regards the individuals of so-called Democratic Kampuchea who claim to represent Kampuchea in the United Nations, we all know that they represent no one, apart from themselves and the clique which has been guilty of genocide. The former Pol Pot régime has committed unparalleled violations of the rights of the Kampuchean people. Aided and abetted by great-Power Peking circles, it has perpetrated acts of aggression against a neighbouring country and has thus subverted peace and stability in the whole South-East Asian region.

77. Even those who, through their vote, have made the presence of the representatives of the Pol Pot régime possible in the international Organization cannot ignore that fact.

78. The delegations on behalf of which I am speaking decisively reject the illegal participation of representatives of the toppled Pol Pot régime in the work of the General

Assembly. We consider it an insult to the millions of victims of terrorist domination, as a mockery of our world Organization and as a violation of the principles for peaceful and fruitful co-operation among States enshrined in the Charter.

79. Kampuchea's seat in the United Nations belongs to the Government of the People's Republic of Kampuchea alone. Only representatives appointed by that Government are entitled to represent the country in international affairs. The Government of the People's Republic of Kampuchea represents the revolutionary forces which ousted the régime of genocide, thus preventing the annihilation of the people of Kampuchea. That Government was created as a result of democratic elections, and it firmly and irreversibly holds the reins of power in the country. Under its leadership the people of Kampuchea has successfully embarked on overcoming the heavy heritage of the past, and in this the people of Kampuchea enjoys support throughout the world. The results of Kampuchea's renaissance speak for themselves. Laws and facts reaffirm that the Government of the People's Republic of Kampuchea is the sole, authentic, competent representative of Kampuchea. No question whatsoever relating to Kampuchea and peace, security and co-operation in South-East Asia can be adopted without it—still less, against it—in any international body.

80. It is essential immediately to halt the *de facto* prevention of Kampuchea's exercise of its rights as a State Member of the United Nations and to eliminate obstacles to the genuine representation of the people of Kampuchea in the United Nations, and to allow the delegation appointed by the Government of the People's Republic of Kampuchea to participate in the General Assembly.

81. The delegations on behalf of which I am honoured to speak therefore support the proposed amendment submitted by the representative of Laos to the draft resolution recommended by the Credentials Committee.

82. Mr. LING Qing (China) (*interpretation from Chinese*): First of all, in the name of the Chinese delegation, I would like to extend warm congratulations to Mr. Kitani of Iraq on his assumption of the presidency of the thirty-sixth session of the General Assembly.

83. Owing to the unwarranted provocations on the part of the Vietnamese representative, the current session of the General Assembly is obliged, as at its two previous sessions, to debate at the outset the question of the credentials of the representatives of Democratic Kampuchea. The Chinese delegation would like to make some observations in this regard.

84. As is known to all, Democratic Kampuchea is an independent, neutral and non-aligned sovereign State and a Member of the United Nations. The Government of Democratic Kampuchea is the sole legal Government representing the Kampuchean people. The credentials of the delegation of Democratic Kampuchea have been submitted in accordance with the provisions of the United Nations Charter and the rules of procedure of the General Assembly. They are in good order and completely valid. They have been accepted by all previous sessions of the United Nations General Assembly and other international conferences.



85. In their attempts to deprive Democratic Kampuchea of its seat in the United Nations, it has been customary for the Vietnamese authorities to argue that the international community should accept the so-called changes that have taken place in Kampuchea, which they insist are "irreversible".

86. What, then, has happened in Kampuchea?

87. First, towards the end of 1978 the Vietnamese authorities, with the support and connivance of the Soviet Union and in their quest for hegemony in South-East Asia through the creation of an Indo-China federation, flagrantly moved more than 100,000 troops into Kampuchea, occupying large tracts of territory, and installed a puppet régime in Phnom Penh. The Vietnamese authorities have since tried to force the international community to accept as "irreversible" a situation created by armed aggression against a State Member of the United Nations. That would be tantamount to asking the Members of this Organization to act contrary to the basic principles of the Charter by legitimizing, or even rewarding, Viet Nam's outrageous aggression against another Member State. That, of course, is unacceptable to the international community.

88. Secondly, in order to cover up their criminal aggression against Democratic Kampuchea and impose the Heng Samrin puppet régime on the United Nations, the Vietnamese authorities staged an "election" farce in Phnom Penh earlier this year. They imagined this might give a semblance of legality to the Heng Samrin puppet clique and win recognition from the international community. But it is clear to everyone that this puppet régime installed by the Vietnamese occupation troops at bayonet point is essentially like the Quislings fostered by Hitler and the bantustans created by the racists of South Africa. The Heng Samrin puppet régime cannot survive a single day without the 200,000 Vietnamese troops on Kampuchean soil and the tens of thousands of Vietnamese advisers who are pulling the strings in the régime. Yet the Vietnamese authorities have the audacity to parade in the United Nations the same bogus régime which has long been rejected by the international community as the product of a totally illegal and null and void election farce.

89. Thirdly, the fact is that the Vietnamese aggressors have failed to destroy the patriotic forces of Kampuchea during the past three years but are encountering stronger and stronger resistance from these forces. Under the leadership of the Government of Democratic Kampuchea, the Kampuchean people are strengthening their struggle against the aggressors. The Vietnamese aggressors are bogged down in a people's war and are finding themselves in a worsening predicament. The recent joint statement of Kampuchea's patriotic factions has given expression to their strong determination to close their ranks and carry through their just struggle against Vietnamese aggressors. All this shows that the so-called changes described by Viet Nam are by no means irreversible, as the aggressors have imagined. Nor can the international community accept this pretext of aggression. At its previous sessions, the General Assembly maintained the rightful representation of Democratic Kampuchea and, by an overwhelming majority of votes, adopted resolutions censuring Viet Nam's aggression and calling for the immediate withdrawal of its troops from Kampuchea. Thus, the General Assembly has upheld justice and defeated Viet Nam's

manoeuvre to implicate the United Nations in its own aggression.

90. Fourthly, the Vietnamese authorities have tried another trick to unseat Democratic Kampuchea in the United Nations. They have invoked the defence of human rights to justify their invasion of Kampuchea and their attempt to overthrow the legitimate Government of a State Member of the United Nations.

91. The human rights record of the Vietnamese authorities resulting in the massive outflows of refugees is well known to all. Viet Nam's invasion of a sovereign State and its colonial rule there constitute a glaring violation of human rights on an enormous scale. The invaders have carried out indiscriminate killings, looting and arson. This brutal attack on basic human rights has resulted in a massive outflow of refugees from Kampuchea. These human tragedies have shocked the whole world. The Charter of the United Nations and accepted codes of international conduct entitle no Government to invade another country on account of unhappiness with its policies. Acceptance of Viet Nam's rationale would mean that a stronger country may use any pretext to invade a weaker neighbour, subvert the legitimate Government, install a puppet régime there and force the international community to accept all that as a *fait accompli*. If this is permitted, what safeguards can there be for the independence, sovereignty and security of the medium-sized and small nations which form the majority of the world community?

92. The recent International Conference on Kampuchea, attended by more than 90 countries, adopted a solemn declaration calling for the speedy withdrawal of Vietnamese troops from Kampuchea and reaffirming the right of the Kampuchean people, free from any outside intervention, to determine their own future through free elections under United Nations supervision. This has given expression to the firm determination of the peoples of the world, including those of Kampuchea, to oppose Viet Nam's aggression. Consequently, Viet Nam's attempt to deny Democratic Kampuchea its seat and to induce the United Nations to accept the result of its invasion of Kampuchea can only be firmly rejected by the international community.

93. Fifthly, it should be pointed out that the amendment of Viet Nam and others to the first report of the Credentials Committee is in substance an outright attempt to deprive Democratic Kampuchea of its rightful seat in the United Nations, and at the same time to force the international community to recognize Viet Nam's occupation of Kampuchea as a *fait accompli*. All this is entirely against the Charter of our Organization and, therefore, is absolutely unacceptable. We call on all just-minded countries to reject the amendment firmly.

94. The Credentials Committee of the present session has accepted the credentials of a number of countries, including Democratic Kampuchea, and reported to the General Assembly accordingly. The Chinese delegation fully supports this report and proposes that the General Assembly ignore the disruptive manoeuvre of the Vietnamese representative and approve the report immediately.

95. Mr. KRISHNAN (India): May I associate myself with previous speakers in felicitating you, Mr. President, on your assumption of the high office of President of the



thirty-sixth session of the General Assembly. We are particularly pleased to see you in the chair because of the traditionally close and friendly relations between our two countries. We have every confidence that given your eminent personal qualities, professional competence and rich experience, you will be able to guide our deliberations to fruitful conclusions.

96. We have before us the first report of the Credentials Committee and the amendment to the recommendation that it contains, sponsored by the delegation of India, among others, to that report. The Government of the People's Republic of Kampuchea in Phnom Penh is the legal and legitimate Government representing the people of Kampuchea. It would therefore be fitting and proper for the delegation of the Government of the People's Republic of Kampuchea to assume the seat of Kampuchea in the United Nations. If, however, a number of delegations still hesitate to accept this reality and to act on the basis of it, the least that the Assembly should be prepared to do is to disapprove of the credentials of the delegation of the so-called Democratic Kampuchea for the current session of the General Assembly.

97. It would be a great irony if, while references are made time and again to the need to safeguard the human rights of peoples and nations, the Assembly were to be indifferent to the basic right to life of an entire people. It would be an even greater irony—and, indeed, a tragic travesty of the lofty ideals of the United Nations—if the General Assembly were today to decide once again to recognize a group of persons who are remnants of a despotic régime which stands thoroughly discredited in the eyes of this very Assembly for the genocidal crimes it has perpetrated against its people.

98. Mr. LÓPEZ (Cuba) (*interpretation from Spanish*): First, Mr. President, I should like to extend to you our congratulations on your election to your important post. We are familiar with your vast experience in United Nations activities, and we are confident that you will conduct our work successfully, in keeping with the lofty aims that gave rise to our Organization. We do not conceal our pleasure that the representative of a non-aligned country is presiding over the deliberations of 155 countries from five continents in the midst of an extremely complex international situation, which requires great collective wisdom if we are to avoid a catastrophe, ensure the continued existence of mankind and protect our hope for a better life.

99. We should also like to extend our congratulations to the representatives of the Republic of Vanuatu on their entry into the United Nations as our 155th Member. When the people of Vanuatu were fighting for their independence, Cuba was at work in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and subsequently we were honoured by an invitation for a representative of Cuba to take part in Vanuatu's independence celebrations.

100. The decision adopted by a narrow majority in the Credentials Committee was to recommend to the General Assembly that it maintain the fiction that the Khmer nation and the Kampuchean State be represented in the United Nations by a phantom body that exists only in the imagination of a great Asian Power and its allies, which support a group of bloodthirsty expatriates who slaugh-

tered their own people but who, fortunately, are today only a sorry memory of an abominable nightmare that the Khmer people has done away with. There is an attempt to prevent the sole legitimate representative of the Kampuchean people, the Government of the People's Republic of Kampuchea, from occupying its rightful place in the United Nations. The Government of the People's Republic of Kampuchea—the result of elections in which the Khmer people freely expressed their sovereign will and adopted the constitution of the Republic and elected a general assembly and government, in the presence of various international observers—is to be replaced, with our complicity, by killers on the payroll of a foreign Power that has never concealed its hegemonistic and expansionist desires and aims concerning Kampuchea and the whole South-East Asian region, and, while conducting large-scale armed aggression, has assumed the right to lecture others, including the people who have made the greatest sacrifice and the greatest contribution to the struggle against imperialist aggression and for the cause of national independence.

101. There is an attempt to bring the Khmer nation back to the infamous period when a gang of maniacs destroyed their own people, and, because of their adventurist and criminal policies, posed a serious threat to peace and security in the area. We must realize that by denying the legitimate representatives of Kampuchea their lawful rights, when they have repeatedly expressed their desire to live in peace with their neighbours and promote co-operation among them, we are contributing to an unnecessary prolongation of tension among the countries of the area.

102. The interests of peace and security in that part of the world can be protected only by recognizing the Government of the People's Republic of Kampuchea. No decision that runs counter to the true state of affairs of the Kampuchean people will change by one jot the will already expressed by that people.

103. Like representatives of various international organizations, among them the United Nations itself, I have personally been able to see today's Kampuchea. The determination of the Khmer people to reject the ignominious past of the Pol Pot régime and to build a new life of dignity and happiness is unshakeable.

104. Let us make amends for this outrage and injustice, and restore to the Khmer people, as represented by the Government of the People's Republic of Kampuchea, its rightful place in this Organization.

105. Further, my delegation requests the Secretary-General to take the steps necessary to meet the request of the Government of the People's Republic of Kampuchea that they be permitted to send a delegation to the Assembly led by Mr. Hor Nam Hor, former representative in Cuba of the Royal Government of National Union of Kampuchea during the period of resistance, Yankee aggression and the Lon Nol clique, a survivor of Pol Pot's concentration camps and the present Vice-Minister of Foreign Relations of the People's Republic of Kampuchea.

106. In conclusion, we call upon the Assembly to express its support for the amendment contained in document A/36/L.2 and Add.1.

107. Mr. KOH (Singapore): Mr. President, I should like to begin with a very brief tribute to you. I hope it will not embarrass or offend you if I tell our colleagues how I feel about you.

108. As all my colleagues know, I was one of your rivals for the presidency of this session. I feel that I have lost to an abler and better man. In the 25 years you have spent in this house, as a representative of your country and as an official of the Secretariat, you have won the admiration and respect of all of us for your high intelligence, for your ability and, most important of all, for your sense of fairness and your integrity.

109. I should like to tell our colleagues about an episode which I think demonstrates the last two qualities very well. I remember, Mr. President, that you were the Chairman of the Political Committee at the Sixth Conference of Heads of State or Government of Non-Aligned Countries, which was held in Cuba. The Political Committee was an extremely difficult forum for you to chair, and I remember that one of the most controversial items was a proposal by your own country and by other Arab delegations to suspend the membership of Egypt in our Movement. After an all-night meeting, and in spite of the position of your own Government and of other Arab delegations, you summed up by saying that there was no consensus in favour of the suspension of Egypt's membership in the Movement. I felt that that episode illustrates very well your courage and your integrity. I am therefore confident, Mr. President, that if you should find yourself confronted with a contentious issue on which your own country and others close to you have a partisan view, we can have absolute confidence in your fairness in upholding the Charter and the rules of procedure.

110. I should like now to turn to the business at hand. We have before us documents A/36/517 and A/36/L.2 and Add.1. In the first one, the Credentials Committee has proposed to the General Assembly that we accept the credentials of the 40 delegations that submitted their credentials by 16 September. In the second, 14 delegations have sponsored an amendment the effect of which is that we would disapprove the credentials of the delegation of Democratic Kampuchea.

111. I have listened carefully to the statements of the five delegations which have spoken in support of the amendment. They have put forward four arguments in support of their case.

112. First, they have said that we should reject the credentials of the delegation of Democratic Kampuchea because the Government of Democratic Kampuchea was overthrown in late December 1978 by a revolt by its own people. It is unnecessary for me to speak at length in rebuttal of that argument because this is a debate we have had twice before. It is sufficient for me to recall that in late December 1978 the Government of Viet Nam sent approximately 100,000 troops into the territory of Kampuchea, forcing the Government of that country to flee its capital, Phnom Penh, and to continue to resist the occupying force from the countryside. Therefore, the argument that the Government of Democratic Kampuchea was overthrown by a popular revolt of its own people is historically false.

113. The second argument that my colleagues have adduced in favour of the amendment is the argument that Kampuchea's seat in the United Nations should be taken by the representatives of the Heng Samrin régime in Phnom Penh. In the view of my delegation we should not replace the representatives of Democratic Kampuchea with those of the Heng Samrin régime, because the Heng Samrin régime is a puppet régime imposed on the Kampuchean people by the foreign forces which continue to occupy Kampuchea. As everyone in this hall knows, there are approximately 200,000 foreign troops occupying Kampuchea. Until those foreign troops are withdrawn, until the people of Kampuchea have had an opportunity to express their wishes concerning their Government and their destiny, we must continue to uphold the rights of the Government of that country in power at the time of the foreign invasion and occupation.

114. The third argument which has been adduced in support of the amendment is the argument that the Government of Democratic Kampuchea has committed gross and extensive violations of the human rights of its people. My delegation does not disagree with the proposition that the Government of Democratic Kampuchea has indeed committed gross and extensive violations of the human rights of its people. We wish, however, to point out that respect for human rights is not one of the criteria laid down in the Charter or in our rules of procedure for the acceptance of a delegation's credentials.

115. My delegation is not against instituting such a new rule if this should be the wish of the Assembly, but if we are to institute such a new rule it must be applied prospectively and not retrospectively; it must be applied uniformly and not selectively; and we can see no reason why it should be applied in the one case where the Government has been the victim of foreign armed intervention.

116. We must also question the sincerity of those who now denounce the human rights record of the Government of Democratic Kampuchea. We question their sincerity because, in the period 1975 to 1978, those who now denounce the Government of Democratic Kampuchea were the champions of that régime. It is a historical fact that when the Sub-Commission on Prevention of Discrimination and Protection of Minorities met in Geneva in September 1978 the United Kingdom delegation submitted a draft resolution asking for an inquiry into the alleged violations of human rights in Kampuchea. This text was adopted, as resolution 11 (XXXI),<sup>2</sup> by a vote of 15 in favour, 3 against, with 2 abstentions. It is strange, is it not, that the three delegations that opposed that draft resolution were those that now so loudly denounce the human rights record of the Government of Democratic Kampuchea. It shows us and our colleagues that the attitude of those delegations to the question of human rights is a completely cynical one; that they will champion a friendly régime irrespective of the human rights record of that régime, but once that régime becomes a political adversary they will make a U-turn and denounce it.

117. The last argument that has been adduced in support of the proposed amendment is that the Government of Democratic Kampuchea does not control the entire territory or population of Kampuchea. I concede that in normal circumstances two of the criteria by which we decide whether or not to recognize a Government are control of territory and control of the habitual obedience of the pop-

ulation. This general rule is, however, not applicable when a country is invaded and occupied by another. In support of my proposition I merely need to remind delegations that during the second World War the Governments of several allied countries occupied by Nazi Germany took refuge abroad. They continued to function overseas and were recognized by other countries as the legal and legitimate Governments of those occupied countries. In the same way, Kampuchea is today a country under foreign armed occupation. The legal and legitimate Government of that country is waging a war of resistance against the occupying army. The normal criteria of control of territory and of the population do not apply in this case.

118. I wish to conclude my statement by saying that we, the small nations of the world, find the world in which we live to be a dangerous place. There are many predators and bullies in this world which, under one pretext or another, have expansionist, hegemonist and other ambitions vis-à-vis us, the small nations. It is in the interest of our collective security for us, the small nations of the world, to band together and defend the principles of the United Nations Charter, because those principles—in particular the principle of non-use of force in international relations, the principle of the settlement of disputes by peaceful means, the principle of non-interference in the internal affairs of other countries and the principle of respect for the sovereignty, independence and territorial integrity of other countries—are in the interest of us, the small nations. I urge delegations to join me in casting a vote against the amendment, because a vote against it is a vote in defence of those principles and therefore in defence of the national security interest of us, the small nations.

119. The PRESIDENT: A number of countries have expressed the wish to explain their votes before the vote. I should like to remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote should be limited to 10 minutes and delivered from the delegation's place.

120. Mr. ADELMAN (United States of America): As the United States has made clear in the Credentials Committee and in other arenas, we support the acceptance on technical grounds of the credentials of the representative of Democratic Kampuchea. They are in clear compliance with the requirements of the rules of procedure, as recognized by the Secretary-General in his report to the Credentials Committee, which has recommended the approval of the credentials. In the absence of a superior claim, the General Assembly should seat the representative of a Government whose credentials were accepted by the previous session. There is no superior claimant for the Kampuchea seat. The Heng Samrin régime was installed by Viet Nam through its military invasion of Kampuchea. It is maintained in power by a Vietnamese occupation force of some 200,000 troops. Such invasion and occupation are in direct violation of the United Nations Charter. Such invasion and occupation are in direct violation of General Assembly resolutions 34/22 and 35/6, which call for the withdrawal of all foreign forces and for the end of outside intervention in the internal affairs of Kampuchea. The conclusion of the Heng Samrin régime does not represent a superior claim. This is supported by most of the Governments of the region that are directly concerned with

the problem, and it was very well explained by Mr. Koh of Singapore in his recent presentation.

121. In accepting the credentials of Democratic Kampuchea the United States in no way indicates a diminution of its central and deep concern for human rights violations. These have been severe in Kampuchea over the years, a situation of enormous human tragedy. Unlike some Governments which only now, after the invasion by Viet Nam, raise human rights concerns, the United States spoke against those abuses in the Security Council, in the Human Rights Commission and in the General Assembly both before and after the invasion. The régime that now seeks to supplant Democratic Kampuchea as representative of the country is also open to condemnation. It is the creation of and dependent for its survival on military forces of Viet Nam, whose invasion and occupation of Kampuchea are in direct violation of internationally recognized principles.

122. This position on the technical question of credentials does not imply United States Government recognition of the Democratic Kampuchea régime. It does not imply approval of its heinous practices. On the contrary, we condemn unequivocally the savage human rights violation that has taken place under the brutal Pol Pot régime. We nonetheless will vote in favour of accepting the credentials of the representative of Democratic Kampuchea. The alternative is considerably worse. We urge all others who oppose gains through aggression to join us in so voting.

123. Mr. FRANCIS (New Zealand): The New Zealand delegation has read the first report of the Credentials Committee carefully, and it accepts that report in its entirety. We believe that the Committee has done its job well. It is the function of the Committee to take a decision on the technical question of whether the credentials so far submitted by delegations are in order, not to stand in judgement on the policies of Governments. The Committee has reported accordingly, and we see no reason to dissent from its recommendation.

124. Nevertheless, I wish to make it clear that New Zealand's acceptance of the report of the Credentials Committee in no way implies support for the policies of the Pol Pot Government. Our abhorrence of the Pol Pot Government's record of gross and consistent violation of human rights and our repugnance at the brutal and inhuman way it treated its own people have certainly not changed.

125. That, however, is not what the credentials issue is about. Therefore, consistent with its position on the report of the Credentials Committee, New Zealand will vote against the amendment.

126. Mr. PIZA ESCALANTE (Costa Rica) (*interpretation from Spanish*): The delegation of Costa Rica, as on all occasions when there has been a vote on this matter, maintains its support for the report of the Credentials Committee, which has this time been adopted by consensus. Consequently, we shall vote against the amendment.

127. As regards our position of principle on the credentials of the delegation of Democratic Kampuchea, we continue to hold that they belong to a State Member of the United Nations and we do not recognize situations created

by foreign imposition, still less the legalization of situations which derive from shameless aggression.

128. While voting in favour of the recommendation of the Credentials Committee, the delegation of Costa Rica is not condoning the conduct of the Pol Pot régime, whose atrocities we were one of the first to denounce when they were defended and justified precisely by those who today, somewhat belatedly, are referring to them. Nor are we voting for the legitimacy of the régime of Democratic Kampuchea. The legitimacy of a government can be determined only by the will of a sovereign people as expressed in authentically free and periodic elections, and if that criterion of legitimacy were to be applied in the United Nations, only a portion of the size of this hall would be necessary.

129. We shall thus vote not in favour of Democratic Kampuchea, but against the imposition of a foreign will. We shall vote against aggression which continues shamelessly today and against hypocrisy—the hypocrisy of those who would justify the imposition of their will, this despite the atrocities committed by the Pol Pot régime, a régime which they used to defend in the face of the indignation produced by those atrocities when they were taking place and when nothing was done to attenuate them. But today, belatedly, they are attacking them, not because they are indignant but because it suits the hegemonistic interests of the Soviet Union and their companions and allies.

130. We continue to support our position in respect to the Credentials Committee which has been supported by overwhelming majorities on past occasions. We continue to believe that only in that way can the small people defend and insure their own security and independence against all hegemonistic powers who would use them as pawns in their own international game. Our non-recognition of régimes which have been imposed by foreign Powers and our repudiation of all forms of aggression or illegitimate intervention by a State or a group of States in the internal affairs of another State are matters of principle and apply not only to the case of Kampuchea, but to all other cases which, like Afghanistan, have occurred, regrettably, and continue to occur elsewhere in the world.

131. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): First, Mr. President, allow me to congratulate you on your election to the lofty post of President of the General Assembly. We are sure that with your rich diplomatic experience, including experience inside this very building, you will be a successful leader of the work of this session of the General Assembly, and the Soviet delegation would like to assure you of our co-operation.

132. In our vote on the first report of the Credentials Committee, the Soviet delegation will take as a basis the fact that the sole authentic representative of the people of Kampuchea is the People's Republic of Kampuchea.

133. The Kampuchean people has put an end to the domination of the criminal Pol Pot clique which, with the assistance and under the protection of their Peking leaders, perpetrated a policy of genocide against the whole population of the country. It made its choice and is going along the path of social and economic transformations, assuredly. Exceptionally important is the fact that this year in Kampuchea, for the first time in many years, gen-

eral elections were held on a free and democratic basis. A supreme organ of state power was elected, the National Assembly, which adopted a constitution and formed a Government for the country.

134. The Government of the People's Republic of Kampuchea is exercising effective control over the territory of the country and enjoys the full support of its people. In the field of foreign policy it is in favour of good, peaceful relations and co-operation with all neighbouring countries. It favours peace and stability in South-East Asia and throughout the world, in accordance with the principles of the Charter of the United Nations.

135. Since the sole legitimate representative of the Kampuchean people is the People's Republic of Kampuchea, the Soviet delegation considers that only representatives appointed by the State Council of the People's Republic of Kampuchea can and should represent Kampuchea in the United Nations and in other international forums. Allowing individuals who have wormed their way into the Organization as representatives of so-called Democratic Kampuchea to remain in the United Nations is a sinister reminder of the most tragic days of the Kampuchean people. Their remaining in the United Nations is unnatural and insults the dignity of States represented here.

136. A vote for the credentials of the Pol Pot clique is a vote for the policy of genocide, which runs counter to the human conscience and has been condemned by our Organization. The history of our Organization shows clearly that attempts to prevent the legitimate representatives of States Members of the United Nations from taking their seats in the United Nations only subvert the authority of the United Nations and, in the ultimate analysis, are fruitless. The sooner this abnormal situation is eliminated the higher the prestige of the United Nations will be in the eyes of peoples.

137. Mr. NISIBORI (Japan): Although the Chairman of my delegation will congratulate you in due course, Mr. President, I should like personally to express my warmest congratulations to you on your election as President of the thirty-sixth session of the General Assembly. I am confident that your long experience in the work of this Organization and your amply demonstrated skill as a diplomat will ensure that the tasks before us will be carried out in a most efficient manner.

138. My delegation has consistently maintained the position that the competence of the Credentials Committee is limited to ascertaining whether credentials submitted by delegations are in conformity with rule 27 of the rules of procedure of the General Assembly. My delegation, therefore, fully supports the recommendation of the Credentials Committee that the Assembly approve its first report, which records its decision to accept the credentials of the representatives of all the Member States mentioned therein, including Democratic Kampuchea.

139. My delegation believes that the validity of credentials must be examined in an objective and impartial manner, solely from the legal and technical points of view. Such examination should in no way address the specific policies of the Government issuing the credentials concerned.

140. As reported by the Secretary-General and accepted by the Credentials Committee, the credentials of the representatives of Democratic Kampuchea are in order and their validity is without question. There is therefore no basis for the rejection by this Assembly of the credentials of Democratic Kampuchea.

141. My delegation cannot accept the amendment presented, which singles out the credentials of that State in order to deny their validity. My delegation will therefore vote in favour of the recommendation of the Credentials Committee.

142. In this connexion, I should like to draw the attention of the Assembly to the grave fact that the political situation in Kampuchea has not changed during the last two years, with its territory still being occupied by Vietnamese troops. The rejection of the credentials of Democratic Kampuchea would lead to the recognition by the United Nations of the present situation which has been created by the intervention of foreign troops in Kampuchea as a *fait accompli*.

143. Before concluding, my delegation would like to stress that its acceptance of the credentials of Democratic Kampuchea from the legal and technical points of view in no way implies any degree of support for or approval of the activities conducted by the Government in the past.

144. Mr. MARTYNEKO (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): The delegation of the Ukrainian Soviet Socialist Republic has asked to speak to explain its vote and to state that we strongly oppose recognition of the credentials of the representatives of so-called Democratic Kampuchea, in other words, the Pol Pot régime, which has been overthrown by the Kampuchean people. The presence of the Pol Pot criminals in this hall is a flagrant violation not only of generally recognized norms of international law but also of elementary common sense and is an outrage to the memory of the millions of Kampucheans who fell victim to that bloody régime.

145. Today in this forum it has already been said that Kampuchea has a legitimate representative and also a supreme organ of State power in the country, the National Assembly, which in June this year adopted the Constitution of the People's Republic of Kampuchea, which embodies the new genuinely democratic social system established in the country after the ousting of the Peking protégés by the Kampuchean people. A process of rebirth has started in the country. The Government of the People's Republic of Kampuchea is pursuing a policy aimed at strengthening peace and security and has a vital concern for stability in South-East Asia. Together with the Socialist Republic of Viet Nam and the Lao People's Democratic Republic, the People's Republic of Kampuchea has repeatedly made constructive proposals, most recently in June this year, to establish a dialogue with the State members of the Association of South-East Asian Nations to seek effective ways to turn that region into a zone of peace, stability and prosperity.

146. The delegation of the Ukrainian Soviet Socialist Republic considers that the Government of the People's Republic of Kampuchea alone is entitled to represent that country in the international arena, including the United Nations. We shall vote against recognition of the creden-

tials of the Pol Pot clique and shall therefore support the amendment submitted.

147. Mr. MUNTASSER (Libyan Arab Jamahiriya) (*interpretation from Arabic*): Mr. President, the head of my delegation will at a later date convey our formal congratulations to you on your election as President of this session of the General Assembly. However, I cannot fail on this occasion to extend to you personally my warmest congratulations. Based on our experience of your skill and ability, we believe that you will conduct the proceedings of this session most successfully.

148. My delegation believes that the sole legitimate representative of Kampuchea is the Council of Ministers of the People's Republic of Kampuchea. The so-called Pol Pot régime ended when the Kampuchean people put an end to the tragedies they had been suffering for several years. The Government of the People's Republic of Kampuchea has complete and effective control over the territory of Kampuchea. That Government is the legitimate representative of the Kampuchean people, following the free elections that were held and the establishment of the National Assembly, which in turn drew up the Constitution of the country.

149. The attempts in some quarters to secure acceptance of the credentials of the toppled bloodthirsty Pol Pot régime constitute a flagrant violation of the Charter, interference in the internal affairs of the people and denial of their right to self-determination. Those credentials are illegal and are not based on reality. That so-called régime does not have any actual authority over the territory of Kampuchea. The persistence of the presence of that delegation in this Assembly is due to the overt manoeuvres planned in some quarters to deprive the Government and people of the People's Republic of Kampuchea of their right to play an effective role in the proceedings of this Assembly.

150. Consequently, my delegation fully supports the amendment presented by the representative of the Lao People's Democratic Republic.

151. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): Mr. President, the head of my delegation will convey to you official congratulations from my country, but in my personal capacity I should like to voice my special satisfaction at seeing you preside over our work. We have known each other for a long time, and the brevity of my words does not reflect any diminution in sincere fraternal feelings for you.

152. The delegation of Madagascar voiced its views on the representation of Kampuchea at the thirty-fifth session of the General Assembly on 13 October 1980 [35th meeting], on the occasion of a vote on the amendment introduced by the Lao People's Democratic Republic in respect of the report of the Credentials Committee. Our position has not changed since then; it is based on the decision taken at the Sixth Conference of Heads of State or Government of Non-Aligned Countries held in Havana in 1979, a meeting during which the seat of Kampuchea was left vacant pending a political decision regarding contrary claims to the representation of Kampuchea. Furthermore, new facts have appeared, to which the Legal Counsel of the Organization has drawn the attention of members of the Credentials Committee. We refer in particular to doc-

ument A/36/510 of 16 September 1981, which relates to the credentials submitted by the Phnom Penh authorities. Obviously, we cannot indefinitely hide behind a convenient formalism, and the General Assembly is in a position to take a political stand on this case—and we underscore the words “political stand”—under resolution 396 (V).

153. It is logical that any decision or recommendation on the Kampuchean credentials does not jeopardize the political decision that this Assembly will obviously have to take.

154. For all these reasons, my delegation will vote in favour of the amendment.

155. Mr. KASEMSRI (Thailand): Mr. President, may I first extend to you my delegation's sincere good wishes and warm felicitations.

156. In considering the matter before us, my delegation recognizes that the credentials of the delegation of Democratic Kampuchea were found to be in order by the majority of the Credentials Committee members. It would therefore be entirely proper to approve the Committee's action, in conformity with the rules of procedure.

157. The nationalist Kampuchean forces have waged a continuing struggle to free their non-aligned country from foreign occupation, and my Government recognizes the legitimacy of that struggle. The occupying Power, having failed to eliminate the nationalist resistance on the ground, and having twice met with a rebuff in this Assembly, has tried once again to deprive the Government of Democratic Kampuchea of its legitimate representation in the United Nations by introducing the amendment contained in document A/36/L.2 and Add.1.

158. The General Assembly has in the past two consecutive years pronounced itself on the substance in its resolutions 34/22 and 35/6 on the situation in Kampuchea, calling for the complete withdrawal of foreign forces and a free exercise by the Kampuchean people of its right to self-determination. The Economic and Social Council has twice adopted similar resolutions. The International Conference on Kampuchea, convened by the Secretary-General in June of this year, confirmed the same position, as well as offering a reasonable framework for a negotiated settlement. However, thus far the occupying Power has obstinately refused to come to the conference table, and persists in its intent to impose a military solution of the situation.

159. Such a blatant violation of the basic norms and rules of international law would subject smaller countries to the danger of armed intervention by a militarily more powerful neighbour. It would also encourage the occupying Powers in similar situations to persist in their defiance of the United Nations and the world community.

160. Twice before, the issue of the credentials of Democratic Kampuchea has been raised by the same party, together with its friends and allies, and twice before, this august Assembly has rejected their unwarranted attempts. My delegation believes that the real issue before us is quite simple, namely, that the continued support of the seating of Democratic Kampuchea will demonstrate our

insistence that the principles of our Charter and the rule of law should prevail in international relations.

161. My delegation will therefore cast a negative vote on the proposed amendment.

162. Mr. SUJA (Czechoslovakia) (*interpretation from Russian*): Mr. President, first I should like to take this opportunity of heartily congratulating you on your election to the responsible post of President of the General Assembly at the thirty-sixth session. I wish you success in discharging your great responsibilities.

163. For the third time now it has been proposed that we should recognize the right of the so-called representatives of the overthrown régime to represent Kampuchea in the United Nations, the régime which, notwithstanding the short period of its tenure of power, committed unprecedented genocide against its own people, unprecedented in the recent history of mankind. That proposal is being made despite the fact that in May of this year in the People's Republic of Kampuchea elections were held with the broad-based participation of the electorate, elections to the legislative bodies, including the People's Assembly, which adopted a constitution and set up the main State bodies, which are the sole legitimate representatives of the Kampuchean people. The adoption of the constitution itself, the establishment of those bodies and the full support given to them by the Kampuchean people are graphic proof of the continuing normalization of the internal political and economic situation in the country, and testify to the stability of their development. Those organs are effectively exercising State power throughout the whole territory of Kampuchea and in their external relations are pursuing a policy of non-alignment, peace, friendship and constructive international co-operation, in accordance with the United Nations Charter.

164. The Czechoslovakian Socialist Republic has been developing all-round co-operation with the People's Republic of Kampuchea, thus promoting the achievement of the goals set by the genuine, sole and legally elected representatives of that country. That successfully developing co-operation was demonstrated by the visits paid last year by the President of the Czechoslovak Socialist Republic, Gustav Husak, to Kampuchea and by the Chairman of the Council of State of the People's Republic of Kampuchea, Heng Samrin, to Czechoslovakia, during which a new basis was established for further deepening and strengthening bilateral relations. The same aim was served by the talks between the Vice-Chairman of the Council of Ministers and the Minister for Foreign Affairs of the People's Republic of Kampuchea, Hun Sen, which took place this year in Prague.

165. On the basis of the foregoing, the Czechoslovak delegation will vote in favour of the amendment submitted by the Lao People's Democratic Republic and a number of non-aligned countries.

166. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): Mr. President, first let me say that I am delighted at your election to the presidency of the thirty-sixth session of the General Assembly. I am personally familiar with your distinguished qualities as a diplomat, your political skill and your integrity and, above all, your devotion to the purposes and principles of the United Nations and I am convinced that our deliberations will be

influenced by your wisdom and your experience in such a way that they will be carried on in the best interests of the United Nations. I pledge to you the full co-operation of the delegation of Zaire.

167. Now I should like to explain our vote. The circumstances prevailing with regard to a decision concerning the credentials of Kampuchea at the thirty-fifth session have not changed. Positive elements in the development of the situation in that country and in that region confirm the correctness of that decision and the recommendation of the Credentials Committee, which recognizes the validity of the credentials of Democratic Kampuchea.

168. Consequently the delegation of Zaire will vote in favour of the recommendation of the Committee.

169. Mr. ZARIF (Afghanistan): Mr. President, when my Minister of Foreign Affairs and head of the delegation of the Democratic Republic of Afghanistan makes his statement during the general debate he will have an opportunity to convey to you the sentiments of my delegation upon your election to the high office of the presidency of this Assembly. However, allow me to extend to you my warm personal greetings on your well-deserved election to our President for this year. Being aware of your qualifications and expertise, I am sure that the deliberations at this session will be crowned with success under your able guidance.

170. The position of the Government of the Democratic Republic of Afghanistan on the so-called Kampuchean question is well known. For us there is only one Government in Kampuchea which exercises full sovereignty over Kampuchean territory and which enjoys the full support of the Kampuchean people. That Government is the Government of the People's Republic of Kampuchea.

171. Individuals claiming to represent a non-existent "Democratic Kampuchea" represent nobody but themselves. The genocidal Pol Pot-Ieng Sary régime has been ousted by the people of Kampuchea once and for all. To accept the credentials of those individuals as representatives of the people they themselves condemned to massacre and annihilation not only would constitute sheer interference in the internal affairs of the Kampuchean people but also would be an unlawful questioning of the right of that people to choose its own form of government.

172. For those reasons and others, my delegation will vote in favour of the amendment proposed by a number of countries to the recommendation of the Credentials Committee.

173. The PRESIDENT: The Assembly will now proceed to take a decision. In accordance with rule 90 of the rules of procedure, I shall first put to the vote the amendment contained in document A/36/L.2 and Add.1. In this connexion, I wish to inform the Assembly that the following countries have become sponsors of the amendment: Algeria, Benin, Congo and Guyana. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Afghanistan, Albania, Algeria, Angola, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Panama, Poland, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands,<sup>3</sup> Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

*Against:* Argentina, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Canada, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Fiji, Gabon, Gambia, Germany, Federal Republic of, Greece, Guatemala, Haiti, Honduras, Indonesia, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lesotho, Liberia, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mauritius, Morocco, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

*Abstaining:* Australia, Austria, Bahamas,<sup>3</sup> Barbados, Brazil, Burundi, Finland, France, Ghana, Iceland, Ireland, Jordan, Lebanon, Malawi, Mali, Mexico, Netherlands, Norway, Peru, Rwanda, Saint Lucia, Samoa, Suriname, Sweden, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Zambia, Zimbabwe.

*The amendment was rejected by 77 votes to 37, with 31 abstentions.*

174. The PRESIDENT: May I take it that the General Assembly adopts the draft resolution recommended by the Credentials Committee?

*The draft resolution was adopted (resolution 36/2)*

*The meeting rose at 1.20 p.m.*

#### NOTES

<sup>1</sup> For the report of the Conference, see A/CONF.109/5 (United Nations publication, Sales No. E.81.L.20).

<sup>2</sup> For the text, see E/CN.4/1296, chap. XVII.

<sup>3</sup> The delegations of the Bahamas and of Solomon Islands later informed the Secretariat that they had intended to vote against the draft resolution.