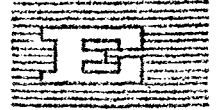


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Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO  
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Letter dated 27 January 1982 from the Permanent Representative of  
Democratic Kampuchea addressed to the Director of the Division of  
Human Rights

"Referring to paragraph 19 of the Secretariat note entitled

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES  
UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

which is the subject of document E/CN.4/1491 for the thirty-eighth session of the Commission on Human Rights, I have the honour to communicate to you below the text of paragraph 2 of document E/CN.4/1460 issued at the thirty-seventh session of the Commission, containing the letter dated 6 February 1981 from the Head of the Delegation of Democratic Kampuchea addressed to the Chairman of the Commission.

Quotation

2. Furthermore, it is deeply regrettable that the note by the secretariat should state, under the guise of 'conclusions and recommendations', that 'the United Nations continues to recognize a régime which it has condemned and which would no longer appear to have any serious hold on the country and does not recognize a régime which it condemns just as much but which controls the territory'.

This is an extremely hazardous position and represents a serious attack on the very foundations of the United Nations Organization, since it does no less than call in question the relevant General Assembly resolutions on 'the situation in Kampuchea' (34/22 and 35/6), which were adopted by an overwhelming majority of Members.

We would simply venture to point out that if the United Nations is continuing - to its credit - to recognize Democratic Kampuchea, and not the puppet régime, as a State Member of this Organization it is because:

(a) Democratic Kampuchea is a victim of the war of aggression being waged by the Vietnamese authorities, who are trampling underfoot the Charter of the United Nations and all the international principles and laws in force. The

Vietnamese authorities have trampled underfoot the independence and sovereignty of Kampuchea in defiance of these sacred principles without which there can be no international order;

(b) The Vietnamese authorities are stubbornly refusing to comply with the above-mentioned General Assembly resolutions 34/22 and 35/6, through which the international community called upon Viet Nam immediately to withdraw all its forces from Kampuchea and to allow the people of Kampuchea themselves to determine their fate, free from any outside interference, subversion or coercion;

(c) The Vietnamese authorities are stubbornly refusing to participate in an international conference which should take place early in 1981, in conformity with General Assembly resolution 35/6, to examine and settle peacefully the situation in Kampuchea through the total withdrawal of foreign troops from Kampuchea;

(d) The régime set up in Phnom Penh by the more than 250,000-strong Vietnamese army is nothing more than a shadow of the army which continues to occupy the territory of Kampuchea in defiance of the above-mentioned General Assembly resolutions. Everyone knows that without that Vietnamese military presence, the régime would immediately collapse like a house of cards. Consequently, this régime has no hold on either the territory of Kampuchea or the population, whose heroic struggle has been bogging down the Vietnamese occupying forces for two years now."

(Signed) TE SUN HOA  
Permanent Representative