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President: Mr. Salim Ahmed SALIM
(United Republic of Tanzania)

AGENDA ITEM 3

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

**FIRST REPORT OF THE CREDENTIALS
COMMITTEE (A/34/500)**

1. Mr. HOLLAI (Hungary): Mr. President, I am sure that the Chairman of the Hungarian delegation to the thirty-fourth session of the General Assembly will offer the congratulations of my delegation to you in due course, when he speaks during the general debate. In the meantime, may I be permitted to say on this occasion that we are more than happy to see you presiding over the deliberations of the General Assembly at its thirty-fourth session and directing our work. I would like to assure you of the co-operation of the Hungarian delegation in your endeavours.

2. Turning to the subject before us, which is item 3 of the agenda, I think that, bearing in mind a number of the statements we have heard at the previous meeting on the first report of the Credentials Committee [A/34/500], I can be very brief in stating the views of the Hungarian delegation.

3. In the first place, we do not accept the report of the Credentials Committee on the question of the representation of the Pol Pot-Ieng Sary clique, and we strongly concur with the view that the persons in question represent none other than themselves. The Hungarian delegation views this report as a mockery of the well-established rules of international law which are observed and respected in deciding upon the question of the representation of States in international organizations.

4. Secondly, we wish to put on record that we consider the credentials of the Pol Pot-Ieng Sary clique null and void. As is well known, the Pol Pot-Ieng Sary clique was overthrown by the Kampuchean people. Consequently, only the People's Revolutionary Council of the People's Republic of Kampuchea is entitled to appoint

representatives of the Kampuchean people to participate in the work of any international organization, including that of the General Assembly of the United Nations. Therefore, in our view, the People's Revolutionary Council and its duly designated representatives are the sole legitimate and authentic representatives of the Kampuchean people, and they are the ones who should participate in the work of the General Assembly.

5. Thirdly, it is more than paradoxical that some members of the Credentials Committee grossly disregarded one of the basic principles of international law: that is, the sovereignty of States Members of the United Nations, and their unquestionable right to decide on their representation. The People's Revolutionary Council exercises effective power and control in Kampuchea. The People's Revolutionary Council meets all criteria for State sovereignty established by international law. The legal representation of a State clearly falls within its sovereignty, and we firmly believe that the People's Revolutionary Council is exercising its sovereignty in appointing representatives of the Kampuchean people to the General Assembly.

6. We therefore strongly urge that the General Assembly reject the credentials of the persons belonging to the Pol Pot-Ieng Sary clique, and restore the seat of Kampuchea to the representatives of the People's Revolutionary Council without delay. For the reasons I have just mentioned we are among the sponsors of the draft resolution before this Assembly in document A/34/L.2, the document introduced so ably by my colleague, friend and comrade, Ambassador Yankov of Bulgaria [3rd meeting].

7. Finally, we wonder why delegations heed the realities and well-established rules of international law, on this particular issue as well, only after time has shown injustice and illegality, as reflected in the views expressed in the Credentials Committee, which are also contained in its report. We are more than convinced that Member States should welcome the legitimate representatives of the Kampuchean people and, at the same time, should lend a helping hand to the people of Kampuchea, who have suffered so much.

8. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): Mr. President, the head of the Soviet delegation, the Minister for Foreign Affairs, Mr. A. A. Gromyko, will in his statement before the General Assembly be able to congratulate you on your election to the exalted post of President of the thirty-fourth session of the General Assembly.

9. Today, I should like to express my profound satisfaction at the fact that such a well-known and experienced political figure and diplomat will be guiding the

work of this session. I wish you every possible success in this endeavour. The delegation of the Soviet Union is ready to co-operate closely with you during the work of this session.

10. Everyone is well aware of the importance of our present deliberations regarding the report of the Credentials Committee on the question of the representation of Kampuchea at the thirty-fourth session of the General Assembly. It is the duty of the United Nations to promote peace, international security and the social progress of mankind. It is in the light of that that we should approach the question of the representation of the People's Republic of Kampuchea at the General Assembly.

11. The people of Kampuchea have overthrown the Pol Pot-Ieng Sary clique, which brought the country to the brink of catastrophe and its people to physical destruction. They have adopted the course of restoring their country and its destroyed economy, of social progress and of spiritual renaissance. The task of the entire world community—first and foremost, the United Nations—should be to help the people of Kampuchea to attain those goals, and if, in conditions of far-reaching changes in the development of Kampuchea, the United Nations were to follow the lead of those who fly in the face of common sense and try to support the Pol Pot-Ieng Sary régime, which has been thrown on the garbage heap of history, then it would cause fierce indignation throughout the world.

12. How can we evaluate the work of the Credentials Committee, which was called upon to resolve an important problem, that is, who should represent the Kampuchean people at the General Assembly?

13. The Credentials Committee in essence did not examine that question in its entirety and, in the final analysis, confined itself, at the behest of certain delegations, to narrowly technical, formalistic conclusions. The Committee had two documents before it regarding credentials, but in fact the Committee did not examine the credentials of the delegation which was appointed by the Government of the People's Republic of Kampuchea. It did not compare the documents which were received, on the one hand, from the legitimate State authorities and those which came, on the other hand, from that group of renegades who do not represent anyone, so as to be able to decide in full knowledge of the facts which of these credentials met the requirements for participants in the General Assembly. The approach of the Committee to this question was obviously a formal, one-sided one, dictated by the tendentious position of certain States. As the Chairman of the Committee himself recognized—and this can be seen from paragraph 17 of the report—the broader political aspect of this question should be examined in the General Assembly, where we now, in fact, find ourselves.

14. There can be no doubt at all that the question as to who should represent the interests of a State in the United Nations is an important political issue, the solution of which is fraught with serious consequences. If any delegation should vote in favour of the Committee's report as it stands in document A/34/500, then the position adopted by that delegation would be tantamount to support for the criminal Pol Pot clique, which has been condemned by the Kampuchean people.

15. The whole world knows the facts of the bloody misdeeds of the Pol Pot clique, which has slain 3 million Kampuchean—in other words, it is openly carrying out a policy of genocide vis-à-vis its own people. As representatives know, the crime of genocide, according to the Convention on the Prevention and Punishment of the Crime of Genocide adopted by the United Nations [*resolution 260 A (III), annex*], is severely condemned, and by no means can it be supposed that there is support in the United Nations for people who have committed that crime.

16. The only legitimate representative of Kampuchea is the People's Revolutionary Council of the People's Republic of Kampuchea. That Government is exercising full and stable control over the whole territory of the country and is effectively exercising State power. The People's Revolutionary Council is implementing energetic measures to bring the country back to normal, to revive the shattered economy and the culture, and to have families reunited. That policy conducted by the Government is supported by the absolute majority of the Kampuchean people.

17. We should like to point out to the General Assembly that some delegations present in this room quite recently, in fact at the twenty-eighth session of the General Assembly, when the question of the representation of Cambodia was likewise taken up, decisively opposed recognition of the credentials of the representatives of that régime which, they said, did not control either Phnom Penh or any other large cities of Cambodia. Now, as we see, they are ready to make a 180-degree turnabout in their position and recognize the so-called credentials of a non-existent régime, sent not from the capital of Kampuchea but from goodness knows where.

18. In its foreign policy, the People's Republic of Kampuchea has proclaimed that it is implementing a policy of developing friendly relations with all countries, in particular with its neighbours. It is pursuing a policy of peace and co-operation firmly guided by principles of non-alignment. The People's Republic of Kampuchea is officially recognized by many States of the world.

19. From all that I have said it is quite obvious who is the genuine representative of the Kampuchean people and who is entitled to speak on its behalf in the international arena especially in the United Nations. This is, beyond the shadow of a doubt, the People's Revolutionary Council of the People's Republic of Kampuchea.

20. In the light of this fact, it would be wrong to adopt the report of the Credentials Committee in its present form.

21. The best and most well-founded solution of the question regarding the representation of Kampuchea in the United Nations is to be found in draft resolution A/34/L.2, which has been submitted by a group of socialist countries. The sponsors of that draft, bearing in mind the fact that the discussion in the Credentials Committee was a purely formal and one-sided one, propose to set aside the report of the Committee and take a decision to the effect that Kampuchea can be represented in the United Nations only by representatives appointed by the People's Revolutionary Council

of the People's Republic of Kampuchea who should be allowed to take their legitimate place.

22. We are convinced that this kind of solution is the only one fully consonant with the interests of the Kampuchean people, of peace, and of the United Nations. Such a solution would truly promote the strengthening of stability and peace in the long-suffering land of Kampuchea.

23. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): Allow me, Sir, on behalf of the delegation of the German Democratic Republic, to extend to you our sincere congratulations on your election to the responsible post of President of the thirty-fourth session of the General Assembly. The Minister for Foreign Affairs of the German Democratic Republic will have the honour of expressing his congratulations to you in person.

24. It is well known that in Kampuchea, a State Member of the United Nations, there have been various far-reaching changes of régimes in recent years. As a result of these changes, delegations at sessions of the General Assembly have also been switched.

25. The present situation is as follows. On 7 January this year, as the result of a peoples' revolution, the Pol Pot régime—a régime hostile to the people—was toppled, and the People's Republic of Kampuchea came into being. In the light of that fact, we are faced with the question of who is entitled to represent the State and people of Kampuchea in our Organization.

26. There can be but one answer to that question. Only the representatives of the People's Revolutionary Council are entitled to speak on behalf of the people of Kampuchea.

27. The People's Revolutionary Council, expressing as it does the will of the people, is exercising power throughout the whole of Kampuchea and is dealing with all internal and foreign-policy questions facing the country. Its sole concern is to normalize life in Kampuchea, to create humane conditions, to return people to their homes, and to restore the economy and social life of Kampuchea that were totally paralysed by the Pol Pot régime.

28. The Government of the new Kampuchea, in accordance with the principles and purposes of the United Nations Charter, is pursuing a policy of peace, friendship and good-neighbourly co-operation, while ensuring its national independence. It has decisively declared its adherence to the principles of non-alignment. As stated by Erich Honecker, the General Secretary of the Central Committee of the Socialist Unity Party and Chairman of the Council of State of the German Democratic Republic, on the occasion of the national day of the People's Republic of Kampuchea on 17 April of this year, "the people of the German Democratic Republic are following with great sympathy the efforts being made by the Kampuchean people to normalize their lives, to restore their country, and to fight for peace, democracy and social progress." The German Democratic Republic was one of the first States to recognize the People's Republic of Kampuchea, in accordance with international law. The German Democratic Republic has an embassy in the Kampuchean capital, and

on the basis of our own observations we can confirm that the process of normalization and peaceful restoration is being purposefully carried out in the country.

29. The importance of the decision to be taken today by the General Assembly makes the following reminder appropriate. The Pol Pot régime, which no longer exists, is guilty of having slain millions of Kampuchean people; it is guilty of aggression against the heroic and long-suffering people of Viet Nam, an aggression perpetrated at the instigation of a foreign Power that consistently threatens the peace and security of the people of South-East Asia.

30. The scope of the devastating war waged against the Kampuchean people was recently revealed to the entire world by the Revolutionary Tribunal of Kampuchea during the trial of the main culprits guilty of that crime.

31. Even the mass media of the Western countries, who cannot in truth be called friends of progressive development in the world, were unable until recently to refrain from pointing out the Pol Pot régime's guilt for the crime of genocide. We might have expected those interests that constantly refer to themselves as defenders of human rights throughout the world to speak out against the Pol Pot régime's being represented in this world Organization.

32. The delegation of the German Democratic Republic wishes to express its consternation and regret at the decision adopted by a majority of votes in the Credentials Committee. We must assume that the question before that Committee was not sufficiently studied, that it was examined in a one-sided fashion and that no consideration was given to the message of the President of the People's Revolutionary Council of the People's Republic of Kampuchea, Heng Samrin, regarding the fact that a delegation of the People's Republic of Kampuchea would be sent to the thirty-fourth session of the General Assembly, even though the members of the Committee were at the time of meeting again officially notified of the letter submitted by the President of the People's Republic of Kampuchea on 16 September 1979.

33. This letter describes the composition of the delegation of the People's Republic of Kampuchea to the thirty-fourth session of the United Nations General Assembly, and is contained in document A/34/472, which was distributed to all delegations of States Members of the United Nations.

34. I would venture to point out the fact that in recent months more than one dictator has been overthrown and forced to flee his country. It would be a great mistake for there to be a decision which distorted the will of the people and gave these historically obsolete figures new hope that they could, by invoking their previous state functions, empower any representatives to take part in the work of the United Nations.

35. The delegation of the German Democratic Republic cannot at all go along with the recommendation made by the majority of the Credentials Committee and set forth in that Committee's first report.

36. The delegation of the German Democratic Republic

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lic feels that only the People's Revolutionary Council of the People's Republic of Kampuchea—which was created as a result of the exercise by the people of Kampuchea of their right to self-determination—has the necessary qualifications to discharge the functions connected with Kampuchea's United Nations membership. Only the representatives of the People's Revolutionary Council of the People's Republic of Kampuchea can claim not only the moral force but also the legitimate right to represent Kampuchea in our world Organization.

37. Therefore, my delegation was a sponsor of draft resolution A/34/L.2, so ably introduced by the Permanent Representative of Bulgaria at the previous meeting.

38. Mr. BOYA (Benin) (*interpretation from French*): The delegation of the People's Republic of Benin finds it difficult to understand the current controversy over the issue of the representation of Kampuchea. The United Nations General Assembly—that is, the international community—has, in our opinion, been led into a political and legal morass.

39. My delegation would like to place the present debate within its true context—the context of key principles governing international law. Indeed, under international law, recognition is given only to States, not to régimes, parties or political entities. That said, it is clear that the Government which is in Kampuchea today identifies with the State of Kampuchea. It is a sovereign Government; it effectively holds power over the territory; it has the support of the population, whereas the Pol Pot régime, which is opposed to the Government established in Kampuchea, constitutes in our view a subversion of the present Government of Kampuchea.

40. The puppet Pol Pot régime, which no longer has any popular basis and represents only itself because it was overthrown by its own people, no longer represents anything. However, some, for their own political motives, would now throw this Organization into legal and political confusion. These are delaying tactics which my delegation cannot accept.

41. Today the entire world remembers that my country, the People's Republic of Benin, was the victim, on Sunday, 16 January 1977, of a barbaric act of aggression perpetrated by mercenaries and outlaws in the pay of international imperialism. The aim of the aggressors was to overthrow the existing régime and install exiles who were traitors to the nation. But, thanks to the resolution and vigilance of the militant people of Benin and its patriotic armed forces, the aggressors suffered a crushing defeat, as everybody knows. One may wonder why we recall that. We do so, quite simply, to show to what extent my country realizes what aggression from outside actually is, and the meaning of brutal intervention in the domestic affairs of an independent, sovereign State. We are recalling all this to show why the principle of non-interference in the internal affairs of sovereign States and the principle of sovereignty and territorial integrity are dear to us.

42. We are recalling all this to emphasize that the People's Republic of Benin opposes, and will always oppose, any form of aggression perpetrated against in-

dependent States, and above all against small, defenceless States.

43. Our position is that each people and each country must have the opportunity freely to determine the socio-political system which it deems appropriate for it. Genuine changes in a country are those that are made internally; they are those that the people, as master of their own destiny, make when they become necessary, imperative, inevitable. In other words, in principle the People's Republic of Benin condemns armed intervention against independent States.

44. But despite this position of principle, we are compelled to recognize political realities and to acknowledge that in other times some have intervened brutally in the internal affairs of other countries. Yet the régimes thus installed were promptly recognized by the very ones who today oppose recognition of the Government led by the People's Revolutionary Council of the People's Republic of Kampuchea. To be ridiculous is not fatal, of course.

45. But what is colonization, if not brutal intervention in the internal affairs of other countries? We have even heard it said here that the Comorian island of Mayotte is an integral part of France, whereas everybody knows that the Comoros are thousands of miles away from the metropolitan country.

46. The case of South Africa and of the minority racist Pretoria régime is striking in this regard. Where did these colonialists, who occupied that part of our continent and proclaimed an independent republic, come from? Who does not know that they took over that part of our continent and settled there by the force of arms and maintain their power by the force of arms?

47. There are even more recent examples still fresh in our memories. Bob Denard failed at Cotonou, the capital of the People's Republic of Benin, but he succeeded at Moroni. The delegation of the Government of Comoros, set up by mercenaries in the pay of a well-known Power which is a past master in the art of using hired killers like Bob Denard to destabilize progressive régimes, today occupies its seat among us. Here we should like to state the real problem.

48. If the armed aggression of Sunday, 16 January 1977, against the People's Republic of Benin had been victorious, all those who brandish fallacious and specious arguments in regard to the problem under discussion would have been the first to recognize the new régime which would thus have been installed. It is true that they have become experts in the art of directly or indirectly overthrowing progressive régimes. The fact is that they can teach no one a lesson concerning non-interference in the internal affairs of independent and sovereign States.

49. Let us be clearly understood; the Government which has controlled Kampuchea for more than nine months is the Peoples's Revolutionary Council of Kampuchea, made up of Kampucheans. This is a political matter and it has to be viewed politically. That Government is the one which really holds power in Kampuchea.

50. We have heard delegations say that the problem is

not one of the representation of Kampuchea, or of which delegation should occupy the seat reserved for Kampuchea in our Organization; that the problem is to determine whether Democratic Kampuchea is still a Member of the United Nations. Well, really, Kampuchea is still a Member of our Organization.

51. The People's Republic of Benin is firmly convinced that the principles which should govern relations among States are those based on equality, respect for sovereignty, non-intervention in the internal affairs of other States, and mutual benefit. Out of consistency with these principles, the People's Republic of Benin maintains relations of good-neighbourliness and co-operation with all neighbouring States. But my delegation must point out that it is sad to note that it is precisely those for whom relations among States are governed by naked brutal military force who are the main impassioned defenders of a clique of people who, by their own account, have committed indescribable crimes against their own people.

52. This is making hypocrisy an art. For our part we believe that those who should today occupy the seat of Kampuchea—and I stress "the seat of Kampuchea"—are the representatives of the People's Revolutionary Council of the People's Republic of Kampuchea. Any other attitude on the part of the Organization would be tantamount to interference in the internal affairs of a Member State.

53. However, in a spirit of compromise and conciliation, my delegation has become a sponsor of the amendment submitted in document A/34/L.3 and Add.1 in order to prevent the Assembly at this thirty-fourth session from becoming enmeshed in a problem the solution of which is nevertheless so perfectly obvious.

54. The PRESIDENT: Before I call on the next speaker, I would note that we still have a large number of speakers on this item. To permit the President to organize the balance of our discussion, I suggest that we agree to close the speakers' list on the present item at 4 p.m. If I hear no objection, it will be so decided.

It was so decided.

55. Mr. HULINSKY: (Czechoslovakia) (*interpretation from Russian*): Mr. President, my Foreign Minister will congratulate you officially, on behalf of the Czechoslovak delegation, on your election to the post of President of the thirty-fourth session of the General Assembly. You already know very well how sincere are the congratulations of my delegation as well as my own personal congratulations. The Czechoslovak delegation fully joins with those delegations who did not agree with the recommendation of the Credentials Committee that we recognize the credentials of representatives of the régime toppled by the Kampuchean people, the Pol Pot régime. That recommendation is contained in document A/34/500 and was adopted by the Committee without due verification of the credentials of the delegation which was appointed as the legitimate representation of Kampuchea by the People's Revolutionary Council of the People's Republic of Kampuchea. We support the just demand of the People's Republic of Kampuchea that the right to represent Kampuchea and its people in the United Nations should be granted to the delegation appointed by the People's Revolutionary

Council of the People's Republic of Kampuchea. We think that that solution is the only just one; it respects the rights and interests of the Kampuchean people and it is fully in accord with the basic principles of the United Nations.

56. The Kampuchean people have put the management of their country into the hands of the People's Revolutionary Council of the People's Republic of Kampuchea, which is the sole *de facto* executive power in Kampuchea, is pursuing an internal policy of democracy and is focusing its efforts on eliminating the consequences of the Pol Pot terror. The foreign policy of the People's Revolutionary Council of the People's Republic of Kampuchea is based on the principles of international co-operation and friendly relations with neighbouring countries and other countries of the world.

57. Consequently, only the People's Revolutionary Council of the People's Republic of Kampuchea is entitled to represent the people of Kampuchea within the United Nations and in other international forums. To tolerate the presence in the United Nations of private persons or imposters would violate the basic principles and norms governing international relations, would constitute discrimination against the People's Republic of Kampuchea, and would actually be a mockery of the memory of the victims of the Pol Pot régime.

58. The delegation of Czechoslovakia wishes to state that it categorically rejects such practices and it emphasizes that the Kampuchean seat in this Organization belongs only to the representatives sent by the People's Revolutionary Council of the People's Republic of Kampuchea.

59. Mr. KAMIL (Indonesia): I shall be very brief; but as I am speaking for the first time may I, on behalf of my delegation, extend to you, Sir, our warm congratulations on your election as President of the current session. We are fortunate indeed to have the benefit of your outstanding ability and experience in the direction of our deliberations during these meetings.

60. With regard to the item before us, the Chairman of the Credentials Committee, Ambassador Ernemann, of Belgium, has already introduced the report contained in document A/34/500 [2nd meeting]. My delegation would like, at this juncture, to express its appreciation for the expeditious manner in which the Committee completed its task, in consonance with your expectations, Mr. President.

61. My delegation had thought it would be better for it to address itself solely to the procedural aspects of the issue before us, but as a number of previous speakers have dealt with the question of whether Democratic Kampuchea or the People's Republic of Kampuchea constitutes the legal Government of Kampuchea I shall explain my Government's position on that matter and deal briefly with it even though my colleague Ambassador Koh of Singapore has dealt with it more than adequately in his statement [*ibid.*].

62. The Government of Indonesia recognizes the régime of Democratic Kampuchea as the legal Government of that country. In this connexion, the Government of Indonesia, together with other members of the Association of South-East Asian Nations [ASEAN],

has made it clear that it deplors the foreign armed intervention in Kampuchea which brought with it the administration now called the People's Republic of Kampuchea. It is clear—very clear—that this Government, the People's Republic of Kampuchea, was not established by the people of Kampuchea themselves, but emerged in Cambodia in the wake of a foreign intervention and a foreign invasion.

63. The conflict still continues in Kampuchea and, in all probability, may yet worsen. It clearly constitutes a threat to the peace and stability of the whole region, including those of the ASEAN States. It is therefore a legitimate concern of the countries of the region. A peaceful solution to the conflict would be to allow the people of Kampuchea to determine their own future, free from outside interference and influence.

64. As the report of the Credentials Committee makes clear, that Committee has made a positive and definitive recommendation for the approval by this Assembly of the credentials of the representatives of Democratic Kampuchea. It is therefore incumbent upon us to give priority consideration to this recommendation of the Credentials Committee and to take a decision on it.

65. My delegation fully agrees with the observation already made that the Assembly should first address itself to the recommendation of the Credentials Committee as contained in paragraph 26 of its report unless, and only unless, the Assembly decides otherwise.

66. Regarding the amendment submitted by India and six other States [A/34/L.3 and Add. 1] let me say that this text does not constitute an amendment within the terms of rule 90 of the rules of procedure. This is in fact a totally new proposal, as this so-called amendment seeks to change radically and reverse the content of the report of the Credentials Committee.

67. Convinced that the régime of Democratic Kampuchea is the legal Government of Kampuchea, my delegation will fully accept and endorse the report of the Credentials Committee.

68. Mr. SAHAK (Afghanistan) (*interpretation from Russian*): Mr. President, the delegation of Afghanistan would like to congratulate you on assuming your important post. We wish you every success in your work. Our delegation would like to assure you that we shall make every effort to assist you in your noble activities.

69. The delegation of Afghanistan considers that, unfortunately, the Credentials Committee approached the question of the representation of Kampuchea at the thirty-fourth session of the General Assembly from a purely formal point of view. The Committee did not take into consideration the real situation in the country, where eight months ago a revolution took place and the people ousted the criminal Pol Pot régime, which had perpetrated a cruel policy of genocide and had killed 3 million Kampuchean and destroyed the basis of Kampuchean society. Now the Pol Pot clique is brazen enough to come here and try to represent the Kampuchean people. The position of those who are trying to support the Pol Pot régime is not at all compatible with the purposes and principles of the United Nations. It is precisely the United Nations that should call that régime severely to task for the bloody genocidal crimes it

has committed. We must all recognize our full responsibility vis-à-vis the long-suffering people of Kampuchea and approach the question of the representation of Kampuchea with the utmost objectivity.

70. With great enthusiasm, the Kampuchean people, under the guidance of their own, truly popular revolutionary Government, have undertaken to restore normal living conditions in that country. That has required, and still requires, an unbelievable expenditure of energy, since the basis of the Kampuchean economy has been totally destroyed. But the people of Kampuchea are full of hope in a bright future, and they are enthusiastically taking part in the restoration of their economy, which was destroyed during the years of the rule of the Pol Pot-Ieng Sary clique.

71. The new revolutionary Government of Kampuchea now controls the entire territory of the country. After the victory of the revolution, the People's Government announced that the basis of Kampuchea's foreign policy were the principles of peaceful coexistence, non-alignment and friendship with all the countries of the world, in particular with neighbouring countries. Therefore our delegation considers that the victory of the new revolutionary régime in Kampuchea is a major stride forward towards the preservation of peace, stability and tranquillity throughout the world, and especially in the South-East Asian region.

72. We are convinced that the presence of the representatives of the new revolutionary Kampuchean Government in the United Nations would be not only right and legitimate but would, indeed, help us to achieve success in the international community's fight for peace, social justice and progress.

73. The Afghan delegation cannot agree to the presence within the United Nations of the illegal representatives of so-called Democratic Kampuchea, and we most decisively state that any question regarding Kampuchea can be discussed in international organizations and in the United Nations only if the sole authentic representatives of the country are present and agree to it—and we mean the representatives of the People's Revolutionary Council of Kampuchea.

74. In conclusion, our delegation supports the draft resolution proposed by the group of countries that believe that the discussion in the Credentials Committee was a formal one and suggest that a decision be taken to the effect that the representation in the United Nations of Kampuchea belongs to that delegation which speaks on behalf of the People's Revolutionary Council of the People's Republic of Kampuchea.

75. Mr. FRANCIS (New Zealand): Mr. President, may I congratulate you upon your election. You have already shown us that we are in good hands and that you are determined that we shall do our work expeditiously.

76. New Zealand considers that the Credentials Committee has done the job it was asked to do and has done it correctly, objectively, impartially and in accordance with the rules of procedure.

77. As a number of delegations noted when considering a report of the Credentials Committee in May of this year, the Committee is entrusted with the verification of

the credentials of representatives of Member States, and its powers are limited by the rules of procedure of the General Assembly by checking the facts, which have nothing to do with the policies of the Governments concerned.

78. My Government certainly holds no brief for the policies of the Government of Democratic Kampuchea. Since that Government came to power through an internal revolution, it has established a record for gross and consistent violation of human rights that is unequalled in recent history. But we consider that the record of that Government, deplorable though it has been, can provide no justification for the General Assembly's acceptance of the credentials of a puppet régime installed through external intervention in violation of the central principle of the United Nations Charter. We further believe that, before peace and stability can be restored to Kampuchea, all foreign troops must be withdrawn from the territory and the people must be given the opportunity to decide their own future in conditions of freedom from outside interference and in the knowledge that their decision and their independence will be respected by their neighbours.

79. New Zealand will oppose draft resolution A/34/L.2, introduced by the representative of Bulgaria. We will also oppose the amendment contained in document A/34/L.3 and Add.1, introduced by the representative of India. We agree with the representative of Singapore that that proposal is not an amendment but a new proposal, which would deprive Kampuchea of representation at this session of the General Assembly, and which cannot, by any stretch of the imagination, be regarded as a simple amendment.

80. New Zealand will vote for acceptance of the report of the Credentials Committee.

81. Mr. CHEN Chu (China) (*translation from Chinese*): Mr. President, first of all, allow me to congratulate you warmly on your election to the presidency of the thirty-fourth regular session of the United Nations General Assembly.

82. The credentials of the delegation of Democratic Kampuchea to the current session of the General Assembly have been submitted in full conformity with the relevant rules of the United Nations and are entirely legal and valid. Only as a result of the unwarranted challenge made on the very first day of the current session by the representative of the Vietnamese authorities, which have subjected Democratic Kampuchea to armed aggression and military occupation, the Credentials Committee had to meet in accordance with the decision of the General Assembly for immediate and exclusive consideration of the matter, and it finally decided, by an overwhelming majority, to accept the credentials of the delegation of Democratic Kampuchea. This fair decision reflects the just position of the great majority of States Members of the United Nations. It defended the fundamental principles and provisions of the United Nations Charter. The Credentials Committee has submitted a report to the General Assembly and recommended that the General Assembly approve the report of the Committee. The exclusive task under agenda item 3 at this plenary meeting is to consider and approve the report of the Credentials Committee. This question before us is simple and clear-cut, and it should have been resolved smoothly. How-

ever, by creating side issues, the Soviet Union and Viet Nam have introduced matters irrelevant to the item on the agenda and imposed unnecessary controversies upon the General Assembly, thus bringing serious obstacles to the normal proceeding of the Assembly from the very outset. Their trouble-making precisely shows that truth and justice are not on their side and that, therefore, they have to resort to all kinds of tricks to confuse the whole matter. This can only arouse the strong resentment of all fair-minded and justice-upholding countries.

83. As is known to all, Democratic Kampuchea is an independent, sovereign State. The Government of Democratic Kampuchea is the sole legal Government representing the people of Kampuchea. It has been recognized by the United Nations and its broad membership, and it has attended meetings of the Organization as the representative of Kampuchea. It is only natural for it to send a delegation to attend the current session of the General Assembly.

84. Democratic Kampuchea is a peace-loving country which has pursued a foreign policy of friendship and co-operation with all countries and of non-alignment. The Kampuchean people aspired and worked hard to heal the wounds of war and were engaged in the rehabilitation and reconstruction of their country. But the irrefutable fact is that the Vietnamese authorities, with the backing of the Soviet Union, imposed a war of aggression upon the Kampuchean people. They sent out more than a dozen divisions of regular troops for a massive invasion of Kampuchea and for military occupation. This is a crudest act of trampling upon the United Nations Charter and a most serious violation of the principles guiding international relations, posing a major threat to peace in South-East Asia and to international security. The undisguised armed aggression against Kampuchea by the Vietnamese authorities has been strongly condemned by the justice-upholding countries and peoples throughout the world. At the Security Council meetings held earlier this year, the non-aligned members of the Council and the ASEAN States respectively put forward draft resolutions both calling for the withdrawal of foreign troops from Kampuchea, and both drafts won the overwhelming majority of 13 affirmative votes. However, the Vietnamese authorities have not only refused to withdraw their troops but have increased the number of troops to 200,000; these troops massacre the Kampuchean people and practise colonial enslavement in an attempt to exterminate the Kampuchean nation and turn Kampuchea into Viet Nam's colony.

85. Moreover, the Vietnamese authorities have created large numbers of refugees in Indo-China and have expelled them to South-East Asia, other parts of Asia and the world; this has resulted in the displacement of some 1 million people and the death of innumerable people on the seas; it has caused heavy economic burdens and serious political and social problems for the international community, particularly those States and areas neighbouring Viet Nam.

86. At present the Government of Democratic Kampuchea is waging valiant and tenacious struggles to defend its sovereignty, independence and territorial integrity against Vietnamese aggression. Its just struggle has made an important contribution to safeguarding peace in South-East Asia and international security and

has won the sympathy and support of all justice-upholding countries and peoples.

87. On the other hand, the so-called Heng Samrin régime is propped up single-handedly by the Vietnamese authorities at bayonet point. It is an out-and-out puppet of the Vietnamese authorities. At present, there are 200,000 Vietnamese troops in Kampuchea. This puppet régime could not survive for a single day without the backing of the Vietnamese troops. It is repudiated by the Kampuchean people and represents no one. The Soviet and Vietnamese representatives have once again attempted to place a legal cloak on this puppet régime and thus legitimize Viet Nam's crime of armed aggression against Democratic Kampuchea. But this is utterly futile.

88. To sum up, the controversies provoked by the Soviet and Vietnamese representatives on the question of the credentials of the delegation of Democratic Kampuchea and the tricks they have played are all aimed at serving their acts of aggression, expansion and hegemonism. If their schemes were to succeed, that would be tantamount to tolerating wilful foreign occupation of territories by force of arms and to allowing the big and small hegemonists to jeopardize peace and security in South-East Asia and the world at large and even to encouraging and condoning the further expansion of their aggression in that region and other parts of the world. This is certainly intolerable to all countries that truly love peace and uphold justice. Therefore, in order to defend the United Nations Charter and the principles guiding international relations, oppose armed intervention and aggression against and occupation of sovereign States and defend peace and stability in South-East Asia and international peace and security, we consider that the Assembly should firmly reject all attempts at negating the report of the Credentials Committee and immediately proceed to approve the report of the Committee, thus clearing the way for the smooth conduct of the proceedings of the Assembly.

89. With regard to the so-called amendment contained in document A/34/L.3, the Chinese delegation fully and firmly supports the statement of the representatives of Singapore, Malaysia and others. In accordance with rule 90 of the rules of procedure of the General Assembly, the so-called "amendment" contained in document A/34/L.3 does not constitute an amendment at all, in that it has totally changed the substance of the report of the Credentials Committee. In fact, it is a new proposal of a completely different nature. In our view, the General Assembly must act strictly according to the rules of procedure. In accordance with rule 91 of the rules of procedure, the General Assembly should proceed to a vote first on the report of the Credentials Committee. If we should allow the rules of procedure to be distorted and violated at will by the representatives of the USSR and Viet Nam, it would bring inconceivably serious consequences. Therefore, we support the view held by the representatives of Singapore, Malaysia and others that priority should be given to the vote on the draft resolution approving the report of the Credentials Committee.

90. Mr. GURINOVICH (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): Mr. President, please accept the congratulations of my delegation on your election to the post of President for this

current session of the General Assembly. We wish you every success in your work in this responsible post.

91. The delegation of the Byelorussian SSR, along with many other delegations, staunchly advocates the adoption of a just decision on the question of Kampuchea's credentials at this session of the General Assembly—a decision which would be fully in keeping with the United Nations Charter and other international legal instruments.

92. As members know, on 7 January 1979, the people of Kampuchea, under the guidance of the United Front for the National Salvation of Kampuchea, as a result of a victorious uprising, overthrew the Fascist régime of Pol Pot-Ieng Sary, which at the bidding of its protectors in Peking was pursuing a policy of genocide against the Kampuchean people. The Pol Pot butchers used monstrous methods to slay more than 3 million absolutely innocent Kampucheans for the purpose of implementing the hegemonistic plans of China in and beyond South-East Asia.

93. In Kampuchea more than eight months ago, a legitimate Government was formed which enjoys the full support of the people. It is the People's Revolutionary Council of the People's Republic of Kampuchea. No one other than the representatives appointed by the People's Revolutionary Council is entitled to speak on behalf of the Kampuchean people in international organizations, including the United Nations.

94. Most regrettably, some members of the Credentials Committee did not face the reality of the existing situation, and disregarded the fact that the People's Revolutionary Council of Kampuchea, which is exercising the functions of the Government of the People's Republic of Kampuchea, is the sole authentic and legitimate representative of the people of Kampuchea.

95. One might venture to ask those members of the Credentials Committee who favoured the acceptance of the credentials of the Pol Pot followers whether they know where the bogus credentials were signed; where the so-called Government of the already non-existent "Democratic Kampuchea" was quartered; where on the territory of Kampuchea are the embassies of those countries that in their inexplicable obstinacy claim that they recognize the overthrown régime of the Pol Pot-Ieng Sary clique? Have those members of the Credentials Committee duly studied all the relevant documents? Have they taken into consideration all aspects of the issue? I think they would have no answers to such simple questions.

96. The delegation of the Byelorussian SSR would like to draw the attention of Member States to the Convention on the Prevention and Punishment of the Crime of Genocide [*resolution 260 A (III), annex*], and point out that they have an obligation under international law. I would recall the basic provisions of that Convention. Article I states:

"The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."

97. Article VI of the Convention provides that

persons charged with genocide shall be tried by a competent tribunal of the State in the territory of which the act was committed. In accordance with Article VII, the Contracting Parties pledge themselves to grant extradition in the case of persons who have committed crimes of genocide.

98. We all know that Pol Pot and Ieng Sary were sentenced to death by the People's Revolutionary Tribunal of Kampuchea for their crimes of genocide. It is completely inexplicable that in these conditions the credentials of the delegation can be accepted when its head has been sentenced to death. Under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide, he should be extradited to the Government of the People's Republic of Kampuchea.

99. We will not enumerate the countries who are parties to that Convention. They know who they are. There are more than 80 of them. I should just like to remind them that one should abide by the obligations one has assumed.

100. The delegation of the Byelorussian SSR entirely rejects the report of the Credentials Committee and, as is pointed out in draft resolution A/34/L.2, which my delegation, among others, sponsored, we strongly demand that Kampuchea be represented in the United Nations only by representatives who have been appointed by the People's Revolutionary Council of the People's Republic of Kampuchea.

101. The People's Republic of Kampuchea, as is mentioned in the letter of its Minister for Foreign Affairs, Comrade Hun Sen [A/34/460], is pursuing a policy of peace, friendship, non-alignment and faithfulness to the United Nations Charter. Now the borders of Kampuchea have become borders of peace and co-operation with neighbouring States, and the people of the People's Republic of Kampuchea are persistently accomplishing the work of rehabilitation and development of their country. They are placing their trust in and supporting the People's Revolutionary Council of Kampuchea. We sincerely wish the people of Kampuchea every success in building their new life, and we state that we will be actively co-operating with the delegation of the People's Republic of Kampuchea in implementing the purposes and principles of the Charter of the United Nations.

102. Mr. NAIK (Pakistan): Mr. President, since this is the first time that I have spoken at this session of the General Assembly, I should like to express the gratification of the Pakistan delegation, and my own satisfaction, at your most deserved election to the presidency of the thirty-fourth session of the General Assembly. Your wisdom, wide experience and diplomatic skills will, I am sure, serve the Assembly well and facilitate positive consideration of the many difficult issues with which this session is confronted.

103. The General Assembly has before it the first report of the Credentials Committee which, in compliance with your ruling, met on 19 September and examined the credentials of the delegation of Democratic Kampuchea. In paragraph 26 of its report, the Committee has recommended the acceptance of the credentials of the delegation of Democratic Kampuchea. My delegation fully supports the view that the

General Assembly should approve and endorse the recommendation of the Credentials Committee.

104. My delegation has listened with interest to the various statements made on the question of the validity of the credentials presented by the delegation of Democratic Kampuchea. Some of those statements have referred to the internal political situation in that unfortunate country. My delegation does not consider those references to be central to the present deliberations of the General Assembly, which is required only to give its decision for approval or rejection of the recommendation contained in the report of the Credentials Committee. We therefore feel that the Assembly should proceed immediately to make its decision by putting to the vote the recommendation of the Credentials Committee.

105. Pakistan was a member of the Credentials Committee. Since objections have been raised to the recommendation of that body, and to the manner in which it discharged its responsibilities, I deem it appropriate to mention briefly the considerations which guided our decision in this matter.

106. Pakistan's consistent and resolute support for the epic struggle of the peoples of Indo-China for national liberation is a matter of record. We sided with them and rejoiced in their triumph. In the same spirit, Pakistan viewed with deep anxiety the developments of the recent past in that region, which have been characterized by conflict and massive human suffering. These developments also pose a grave danger not only to the security of the region but also to international peace. It is our firm conviction that peace and stability can return to this region only if all States conduct their relations on the basis of strict adherence to the fundamental principles enshrined in the Charter of the United Nations: namely, respect for the political independence, sovereignty and territorial integrity of all States, non-interference in their internal affairs, and the pacific settlement of disputes.

107. Consistent with these principles, Pakistan could not view the external military intervention in Kampuchea with any degree of approbation. That is not to say that we condone the deplorable record of the Government of Democratic Kampuchea on human rights. But that record cannot be invoked to justify an external military intervention designed to overthrow the established Government in the country. The United Nations obviously cannot accord recognition to the outcome of such an intervention, which was in clear violation of the principles of the Charter of the United Nations. The delegation of Democratic Kampuchea should therefore continue to occupy its seat at the United Nations. For these reasons my delegation supported in the Credentials Committee the recommendation to accept the credentials presented by the delegation of Democratic Kampuchea.

108. It will be self-evident from what I have stated that my delegation would not be in a position to support draft resolution A/34/L.2. Further, in the opinion of my delegation, the so-called amendment proposed in document A/34/L.3 does not qualify as an amendment, but constitutes an entirely new proposal. We are therefore of the view that to take up the proposal contained in document A/34/L.3 while the General Assembly is con-

sidering the first report of the Credentials Committee would be inconsistent with the relevant rules of procedure of the General Assembly. Moreover, to ask the General Assembly to take up document A/34/L.3 would be to seek to have it evade the mandate enjoined upon it under the rules of procedure.

109. Mention has also been made of the decision reached on this question at the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held from 3 to 9 September in Havana. I should like to point out that the delegation of Pakistan, along with several other delegations, recorded its reservations to the decision which was adopted at Havana on that question. Therefore, consistent with the position that we adopted at the Havana Conference, my delegation would endorse the proposal that, as required by rule 29 of the rules of procedure, the General Assembly must, on the basis of priority, give its decision on the first report of the Credentials Committee by endorsing the recommendation which is contained in paragraph 26 of that report.

110. Mr. ANDERSON (Australia): May I offer you, Sir, my warmest personal congratulations and those of my delegation upon your election to the presidency of this thirty-fourth session of the General Assembly?

111. It has been the long-standing attitude of the Australian delegation that the task of the Credentials Committee is strictly legal and technical. It would have been neither proper nor appropriate for the Committee to have taken political considerations into account. Under rules 27 and 28 of this Assembly's rules of procedure, so long as a country remains a Member of the United Nations its credentials should be accepted if they are submitted in the proper form. There has been no evidence to suggest that the credentials submitted by the delegation of Democratic Kampuchea are other than in their due and proper form.

112. In this case, therefore, in accordance with the procedure of the United Nations, the credentials of Democratic Kampuchea must be accepted as has been recommended by the Credentials Committee. My delegation will vote in favour of the Committee's report.

113. In addition to this point of procedural principle, I shall also refer to another important United Nations principle which is not normally regarded as relevant to the verification of credentials but which is relevant to arguments that have been introduced here today by other delegations. The Government of Democratic Kampuchea was forced out of Phnom Penh as a result of external military intervention. This has resulted in the continued occupation of the country by foreign military forces. If this Assembly were not to accept the credentials of the delegation of Democratic Kampuchea, it would appear to be endorsing and condoning those flagrant violations of the United Nations Charter. It is not the abominable past record of the Pol Pot Government, on which my own Government's views are well known, that is in question here, but the principle of respect for the independence, sovereignty and territorial integrity of a State Member of the United Nations.

114. What is required in the present situation is the withdrawal of foreign military forces and the restoration of conditions in which the Kampuchean people are

able to determine their own future free from outside interference.

115. It is not our view that the proposal to keep the seat of Democratic Kampuchea vacant would assist in efforts to promote such a solution. We appreciate that the representative of India and other representatives sponsoring document A/34/L.3 have tried to find a third course, but such a course, like that proposed in draft resolution A/34/L.2, would have the effect of accepting and endorsing the consequences of external aggression against an independent sovereign State. It would be widely seen as opening the way to the seating of an administration which was installed by foreign military forces and which is only maintained in being today by foreign military forces.

116. It is for these reasons that my delegation does not consider that the proposal contained in document A/34/L.3 constitutes an amendment to the report of the Credentials Committee under the terms of rule 90 of our rules of procedure. By calling for the vacation of the seat of Democratic Kampuchea it confronts us with an entirely new proposal having far-reaching implications, and we believe that it should be treated as such by this Assembly.

117. Mr. LOBO (Mozambique): Mr. President, the head of my delegation will have the occasion sincerely to express the pride that we in Mozambique feel at seeing you presiding over the thirty-fourth session of the General Assembly. Nevertheless, the existing friendship between our two Governments and, above all, the political identity, and even the blood affinity, existing among our two peoples are sufficient reason for me to advance a brief expression of congratulations on your election at this session, which is entrusted with the task of deliberating on the critical colonial situation in southern Africa and sensitive matters in Indo-China, in the Middle East and in other parts of the world.

118. On the question of the representation of Kampuchea in this General Assembly, the position of the People's Republic of Mozambique is that the seat of Kampuchea must be occupied by the People's Republic of Kampuchea. Consequently, among the three documents circulated this morning for adoption, my delegation identifies itself with draft resolution A/34/L.2. However, in order to facilitate the work of this session, my delegation supports the amendment contained in document A/34/L.3, which was introduced by the representative of India, because it is within the spirit of the decision taken at Havana during the Sixth Conference of the movement of non-aligned countries.

119. The Sixth Conference of non-aligned countries decided that Kampuchea's seat should remain vacant while the *ad hoc* committee established followed closely the development of the situation in Kampuchea [see A/34/542, annex, sect. II]. It is in the light of this consideration that my delegation supports the amendment. To decide otherwise would be to go against the decision taken by a group which happens to be the largest in this Assembly. The group of non-aligned countries has a remarkable record of solving many important and critical international problems in various domains, such as those of a political, economic or security nature. So I think it should be given a chance in this particular case.

120. We think that the amendment proposed by India

and others offers the most appropriate solution of the problem of Kampuchea's representation in this thirty-fourth session of the General Assembly.

121. Mr. DJIGO (Senegal) (*interpretation from French*): Mr. President, the head of the delegation of Senegal at this thirty-fourth session of the General Assembly will at the appropriate time, congratulate you on behalf of our delegation.

122. I had not actually prepared a written statement for the simple reason that the problem that concerns us today consists, in our opinion, of taking a decision on the report submitted by the Credentials Committee. We had not prepared a written statement since the situation in Kampuchea appears in the General Assembly's draft agenda [A/BUR/34/1, sect. III] as item 125, and we believed that this would give us an opportunity to restate the position of our Government.

123. As the representative of Viet Nam rightly emphasized in his statement this morning [3rd meeting], the report before us is the result of a request made by his delegation at the 2nd plenary meeting of this session of the General Assembly in which it challenged the presence of the delegation of Democratic Kampuchea. At that time, Mr. President, you said, "I would request the Credentials Committee to meet expeditiously and report to the General Assembly. . . ." [2nd meeting, para. 16]. At least, this was how your ruling was understood by the Legal Counsel in the course of the meeting of the Credentials Committee.

124. That is to say that today's meeting was to be confined to a single subject, which seems now to be relegated to the background, given the nature of the statements that we have been hearing since this morning.

125. Senegal is a member of the Credentials Committee, a body made up of nine countries selected by this Assembly and entrusted by it with the task of examining the credentials submitted to it.

126. The representative of Belgium, when presenting document A/34/500 this morning, introduced the recommendation of the Credentials Committee inviting the General Assembly to approve its first report.

127. The delegation of a certain country—logical, certainly in its mistaken position—saw fit to submit draft resolution A/34/L.2 which is before us and which calls on the General Assembly to admit, instead, the representatives of the so-called People's Revolutionary Council of the People's Republic of Kampuchea.

128. But what surprises us is to find among those delegations the delegation of a country which instigated the meeting of the Credentials Committee, and in particular to see it associating itself with an appeal to the General Assembly not to take into account a report which it itself requested because the conclusions of that report are not acceptable to it.

129. That is the problem. We, for our part, can only reject such tactics. We reject them because we do not consider them to be consonant with the principles of our Organization, and that would have been sufficient reason, even without taking into account the second

document—A/34/L.3—that was submitted, were it not for the fact that that document is dangerous. It is dangerous in form, because it invites the General Assembly, for the first time, to disregard the report of the Credentials Committee; it is dangerous in substance because it calls upon the General Assembly to deprive a delegation of its seat within this institution. This we consider to be a matter many delegations should ponder very seriously, and for a very simple reason. If the credentials of any delegation accredited to this Organization can be suspended at the request of another delegation, although we may be fully aware of the motives that frequently impel delegations to request such suspension—I must state and reiterate that many States should ponder this—and if some country, acting on behalf of a dissident minority group, were to challenge the presence here of another State, and make its challenge a political rallying-point, we must state that such an action would be a dangerous precedent for the future.

130. I said that I would not speak at length, and I shall not do so, because I am convinced that this Assembly, with its usual wisdom, will not be misled by this new argument, which is based on the precedent of a decision taken at the last non-aligned Conference, a decision that was reached in circumstances of which we are all aware.

131. As far as Senegal is concerned, we should like to say that the General Assembly should approve the report of the Credentials Committee.

132. Mr. ROA KOURI (Cuba) (*interpretation from Spanish*): Mr. President, I should first like to express to you our very warm congratulations on your unanimous election as President of the General Assembly, a distinction that deservedly honours both you and your great and friendly country. At a more appropriate time, the head of the Cuban delegation will express my Government's feelings more fully in this regard.

133. Document A/34/500, containing the first report of the Credentials Committee, requests us to approve a draft resolution which, in our opinion, lacks legal sense and is totally devoid of reality.

134. We are being asked to accept as the representatives of the State of Kampuchea a purported, imaginary and non-existent Democratic Republic of Kampuchea, a government whose only known capital is on the Chinese premises of Tien An Men Square in Peking and in the Beekman Hotel in New York, two blocks away from this Organization.

135. It is inconvenient, to say the least, to receive such a proposal from a responsible body of the General Assembly. The Committee did not even consider the credentials presented by the legitimate Government of the People's Republic of Kampuchea to the Secretary-General; but those credentials were communicated to us, duly signed by the Minister for Foreign Affairs of that country and sent from Phnom Penh, its capital.

136. It may be argued that the result of the Credentials Committee's consideration of this problem is purely formal, and this may well be so. However, my delegation cannot accept that verdict, even if it is a mere matter of form. My delegation cannot accept the notion that Chinese magic can interfere in this Assembly's

decisions and act as it chooses with regard to such grave matters.

137. We are obviously faced not with merely a formal problem, but with a problem that is of vital political importance. Not so long ago, this Assembly, impelled by the mechanical majority then commanded by the Government of the United States of America, accepted year after year the credentials of the Taiwan puppets as the legitimate representatives of the People's Republic of China. Today, as it did then, Cuba is against making a rule of conduct of the observance of monstrous political fictions, whether perpetrated by American imperialism or by its newly found allies, the new mandarins of Peking.

138. We therefore consider that the draft resolution submitted this morning by the representative of the People's Republic of Bulgaria along with 10 other countries is both realistic and logical.

139. I should like now to counter the fiction being foisted upon us by the true facts of the heroic history of the people of Indo-China, who, during the greater part of the last decades, resisted and decisively defeated both foreign intervention and internal oppression by puppets in the service of imperialism or other reactionary forces.

140. In their intrepid battle for national salvation and against Yankee aggression, the ever heroic people of Ho Chi Minh rendered fraternal and effective assistance to the other peoples of Indo-China. This is a simple and irrefutable fact, to use the words of the representative of Singapore.

141. The extraordinary victory of Viet Nam—to the discomfiture of some neighbouring countries that, according to my colleague, Mr. Koh, are very familiar with the situation in Indo-China—was an historical landmark in the life of the South-East Asian region. The patriots of Laos and Kampuchea, with the assistance of Vietnamese forces and with the solid support of progressive mankind and the socialist countries, defeated the North American aggressors and their lackeys in Phnom Penh and Vientiane.

142. After swearing eternal friendship and gratitude to the Party, Government and Vietnamese people, Mr. Ieng Sary tearfully, as we were told at that time, returned to his country and, together with Pol Pot—both of whom had been infiltrated by the Maoists of Peking into the Party—became servile instruments of the neo-Fascist, expansionist, insane clique which today governs China, and of its hegemonistic plans in South-East Asia, particularly in the Indo-Chinese peninsula. For almost four years, they attacked frontier posts in Viet Nam, making incursions into Vietnamese territory and massacring men, women and children. To the north, the new mandarins were hatching their cunning attack against the Vietnamese people, which was subsequently unleashed with Hitlerite fury by the head of the new Peking clique, Deng Xiaoping.

143. We have been told here that Viet Nam had the right to defend its territory from enemy attacks but that its defence should be commensurate with the magnitude of the aggression: a new theory, indeed, which flies in the face of history. What was the measure

of the Nazi aggression against the territory of the United States of America which led the armies of that country to disembark in Europe, occupy Germany and install a Government there? Or was the genocidal Pol Pot régime different in nature or ferocity from the Hitlerite régime? Were its aggressions in Viet Nam purely verbal, or was the blood of millions of dead Kampuchians simply a painting by Chi Pai Chi?

144. Actually, the people of Kampuchea are today master of their own destiny. That, too, is a simple and irrefutable truth. Neither words nor threats can change—even on paper—that irreversible fact.

145. The representative of Singapore asks rhetorically what we who support the legitimate Government of the People's Republic of Kampuchea would have done if Thailand had overthrown the genocidal clique of Pol Pot and Ieng Sary. Hypothetical questions find in history hypothetical replies, but may I remind this audience that it was precisely that country—among other neighbouring countries “familiar” with the situation in the area—which yielded its territory to the North American aggressors to help wage the most abject and dirty war of our times against the peoples of Viet Nam and the other peoples of Indo-China. Mankind has not forgotten, nor can it ever forget, its debt of blood to the heroic people of Viet Nam, who, in defending their national dignity, were thus defending human dignity and peace and security, throughout the world.

146. We are advised to bear in mind the resolutions of the Security Council on the question of Kampuchea and the situation in South-East Asia. We remember them. They were certainly not resolutions of the movement of non-aligned countries, but rather of some countries members of that movement. The only decision adopted by the Heads of State or Government on Kampuchea—and I must stress this: freely adopted by the overwhelming majority of those Heads of State or Government of independent and sovereign States—was the decision to leave the seat of Kampuchea here vacant until an *ad hoc* committee could decide on who should occupy that seat.

147. Nor do we forget that the neo-Fascist Government of China committed aggression against Viet Nam, threatened Laos, condemned the Kampuchean people to the ferocious tyranny of Pol Pot and, even now, with typical insolence, speaks of teaching new lessons to the Vietnamese people and of imposing on us here their “Kampuchinese” lackeys. This lack of propriety should not be passed over in silence, but should be firmly and energetically condemned, because it represents the philosophy of looting, aggression and war.

148. Some argue that the People's Revolutionary Council of Kampuchea is in possession of the capital but does not control the entire territory of the country. Mention is made of a supposed struggle of the “patriots” in the jungles. Not only is the term “patriots” perversely applied to the Pol Pot criminals, but we are also told that partisans of Sihanouk are fighting—Sihanouk, no less, who did not raise a single finger against the assassins of his own relatives, too busy was he strumming the banjo or the ukelele at his troubadour soirées in deserted Phnom Penh, populated only by ruins and the common graves of the real Kampuchean patriots—in an attempt to question the

legality of the people's Government in the light of international law.

149. In the "jungle" of international salons and first-class restaurants—of course, in return for all kinds of tidbits and drinks paid for by the Peking puppeteers, the followers of Pol Pot and Ieng Sary are waging their furious "struggle".

150. But even if there were any stragglers or wretched band infiltrated by the new Chinese mandarins, what would that matter? Were there not counter-revolutionary bandits, armed and trained by the United States Central Intelligence Agency in Cuba, for years assassinating workers, farmers and students and destroying the works created at tremendous sacrifice by my people, which was blockaded and held hostage by imperialism? But who doubted for a single instant that the Revolutionary Government of Cuba was the only legitimate representative of my country, everywhere, either with its weapons in its hands, or with the inalienable right given it by the victories of January 1959 and of Playa Girón?

151. If there are any straggling bandits, the people of Kampuchea will see to it that they get what they deserve. Meanwhile, nobody can sell us this phoney bill of goods as representatives of anything but the new gentlemen of Peking.

152. Finally, I should like to refer to the amendment proposed by the representative of India, my esteemed colleague Mr. Brajesh Mishra—because it is an amendment, according to rule 90 of our rules of procedure, and not a new proposal, as some would have us believe.

153. That amendment, which is fully in keeping with the spirit and letter of the decision of the heads of State or government of non-aligned countries at their Conference in Havana, can be acceptable to Cuba, despite our declared support for the draft resolution introduced by the representative of the People's Republic of Bulgaria. As a non-aligned country, Cuba is fully prepared to support that amendment by India and other States members of our movement, in the certainty that it will win the majority support of the other countries and also, we hope, of many States Members of this Organization.

154. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): Mr. President, the head of the delegation of Madagascar will certainly have an opportunity to congratulate you officially on behalf of the Democratic Republic of Madagascar on your unanimous election as President of the General Assembly. However, may I take advantage of our long and faithful friendship to congratulate you personally and to say how pleased and proud we are to see a brother and a son of our region presiding over our work during this thirty-fourth session. You may be assured of the constant co-operation of our delegation, which has complete confidence that your outstanding qualifications will greatly contribute to the harmonious and successful progress of our work in the weeks to come.

155. The Democratic Republic of Madagascar has always advocated that, when there was a dispute among two countries whose conduct is somewhat similar and would normally have led them to maintain brotherly

relations, everything must be done so that this dispute and anything which might ensue from it be settled directly between the parties concerned by negotiations, or, failing that, by mediation and conciliation.

156. Until negotiations, conciliation or mediation are undertaken, or produce significant results and until, in the present case, the situation in Kampuchea is clarified as to the three classic criteria of effectiveness applicable under international law—namely, control of the territory, the support of the population and the exercise of political power—until these conditions are fulfilled, my delegation, as at the Sixth Conference of Heads of State or Government of Non-Aligned Countries, supports the idea of leaving the seat of Kampuchea vacant in the General Assembly and in the main and subsidiary bodies of the United Nations, without this in any way detracting from its full membership in the United Nations.

157. We have proposed the amendment contained in document A/34/L.3 for three essential reasons: first, for the sake of consistency with the decision which our Heads of State took in Havana about 10 days ago; secondly, as the representative of India has said, to avoid embroiling the General Assembly from the outset of its work in an acrimonious debate which might lead nowhere, but which would profoundly disturb the atmosphere in this Assembly and the normal progress of our work; and finally to indicate our formal reservations concerning the interpretation which some of our colleagues might give to the adoption of the report contained in document A/34/500.

158. The question before us goes far beyond the routine consideration of a report of the Credentials Committee and everybody will agree in saying that the question is eminently and fundamentally political. It might be concluded, mistakenly of course, that if we were to adopt the report of the Credentials Committee, this would be tantamount to international recognition of Democratic Kampuchea. Now, whatever paragraph 6 of document A/34/500 says, what we have before us are credentials presented at the same time by two delegations that both claim to represent a Member State. It would have been right in our view to show more circumspection and to go beyond the pure formal considerations to demonstrate the political common sense which the Khmer people expect from us.

159. Be that as it may, the decision on and choice of the government which is to represent them is primarily the prerogative of the sovereign Khmer people and not of our Organization, still less through the use of a procedure which can easily be challenged in view of the possibly distorted interpretation given to paragraph 23 of document A/34/500 regarding the acceptance by the Committee of the credentials of Democratic Kampuchea and also because the Committee did not consider—I repeat, did not consider—the credentials submitted by the People's Revolutionary Council of Kampuchea.

160. I should now like to go into the arguments put forward by the representatives of Singapore, Malaysia and other delegations regarding the non-admissibility of the amendment in document A/34/L.3 introduced this morning by the representative of India.

161. In theory and in practice when the General As-

sembly has before it a report from a subsidiary organ or a committee, it can approve it, reject it, decide to consider it later or suspend consideration of it. Therefore it is incorrect to say that the General Assembly can only accept or reject a report; this would be an excessively selective restriction of the sovereign rights of the General Assembly.

162. Furthermore, the last sentence of rule 90 of the rules of procedure, which has been mentioned, states: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal."

163. My delegation maintains that the amendment in document A/34/L.3 is an addition to the proposal contained in paragraph 26 of the report in document A/34/500. It proposes a substitution as the result of a deletion and it contains a modification whereby, instead of adopting the report, we would suspend consideration of it. I have already mentioned the prerogatives of the General Assembly as to what it may do with the reports and even recommendations of committees, but if a distinction has been made between a formal amendment and a substantive amendment, my delegation could perhaps have accepted that. It is obvious that the amendment in document A/34/L.3 is a substantive amendment, but the rules of procedure do not distinguish between a substantive and a formal amendment. Is there any provision in the rules of procedure which provides that a substantive amendment is not admissible as an amendment? Let us say for a moment that an addition or a deletion constitutes a formal amendment and, for the sake of argument, let us agree that a change is a substantive amendment. Is it not true that rule 90 of the rules of procedure places additions, deletions and modifications on a footing of equality?

164. The amendment in document A/34/L.3 is not a separate point nor a new proposal. It relates to the report of the Credentials Committee, which it takes into account. It relates to the recommendation of that Committee, seeking of course to modify it for the reasons explained by the representative of India when he introduced the document.

165. Accordingly, document A/34/L.3 is actually an amendment and as such must be put to the vote with priority in accordance with rule 90 of the rules of procedure which provides: "When an amendment is moved to a proposal, the amendment shall be voted on first."

166. Finally, it has been claimed that the amendment proposed in document A/34/L.3 has only one purpose: to deprive Democratic Kampuchea of the seat which it should legally and legitimately occupy.

167. I do not wish at this stage to enter into a consideration of the legitimacy or legality of the Pol Pot régime. The Democratic Republic of Madagascar has a very definite position on the subject which is in accord with our political orientation. I should like simply to refer the General Assembly to what the representative of India said this morning.

168. Our concern, as we have already said, is to ensure that the Assembly should be able to continue to fulfil its responsibilities under the best possible conditions and in an atmosphere of greater serenity, which

would make possible a more objective consideration of the question. That the logical consequence of the proposal should be to leave the seat of Kampuchea unoccupied cannot be helped, for we must have the courage to follow a position taken to its natural and rational end.

169. Mr. KOMATINA (Yugoslavia): Mr. President, the Chairman of the Yugoslav delegation, the Federal Secretary for Foreign Affairs, will, at an appropriate time, congratulate you on your election and express to you and to your country the feelings of our delegation. May I be allowed now to extend to you my personal congratulations on your election and to express my pleasure at seeing a non-aligned diplomat of your calibre presiding over the General Assembly.

170. I shall try to confine myself to what I consider to be the real context of the problem under consideration. My delegation considers that, from both the legal and political points of view, the delegation of the Government of Democratic Kampuchea is the only legitimate representative of that country in the United Nations. We therefore support the recommendation of the Credentials Committee.

171. In endorsing the position of the Credentials Committee, the Yugoslav delegation is guided by the principles embodied in the Charter of the United Nations, as well as principles and stances woven into the policy and all the documents of the non-aligned movement. In this regard, we have in mind particularly the principles of national independence, sovereignty and territorial integrity; the principle of the sovereign equality and free development of every country, regardless of its size, power or social system; the principle of non-intervention and non-interference in the internal and external affairs of other countries; the principle of the freedom of every country to determine its own political system and to develop its economic, social and cultural order without hindrance, harassment or pressure; and the principles of the inviolability of legally established borders, of the non-use of force, and of refraining from the threat or use of force and of the non-recognition of situations arising therefrom.

172. These principles, to which Yugoslavia has adhered constantly, on all occasions, were reaffirmed at the Sixth Conference of Heads of State or Government of Non-Aligned Countries. They constitute the only basis on which equitable relations among sovereign States can evolve. Respect for these principles by all countries is an essential pre-condition for the restoration and maintenance of peace and stability in Indo-China and for international peace and security in general, and, hence, for the preservation of the foundations on which the United Nations and the non-aligned movement have been built. The violation of these principles, or the justification of any such violation on any pretext whatsoever, not only would amount to a legalization of the use of force in relations between States, but also would undermine the whole system of security established under the Charter.

173. In line with this position, we reject any form of great Power rivalry aimed at creating spheres of interest here or elsewhere, or at imposing any form of domination over sovereign States on any ground. In determining our position with respect to this question, we do not declare ourselves in favour of one or the other régime. The character of a régime is an internal matter, to be

decided by the people of each country and it cannot, under any circumstances, be used as a pretext for justifying foreign armed intervention aimed at overthrowing an internal régime.

174. It goes without saying that the question of the representation of Democratic Kampuchea in the United Nations can be solved only on the basis of respect for the above-mentioned principles. This means, in our view, that it must be solved on the basis, first of all, of the withdrawal of all foreign troops from that country. Until this is achieved it will not be possible to accept any demand contesting the legality of the delegation of the Government of Democratic Kampuchea or its representation in the United Nations.

175. The course of adopting the solution of a vacant seat has been proposed, and in that context the formula applied in Havana has been mentioned. In that connexion I should like simply to draw attention to the fact that in the final document of the Sixth Conference of non-aligned countries in Havana [see A/34/542] there is no reference, direct or indirect, to the membership of Democratic Kampuchea in the United Nations or in any other international organization. As a matter of fact, the conclusions of the Sixth Conference constitute a provisional compromise, confined only to the attendance and representation of Democratic Kampuchea at the meetings and conferences of the non-aligned countries, in order to ensure the normal work of these gatherings while the Co-ordinating Bureau is entrusted with the study of the question and to report to the next conference of the Foreign Ministers of non-aligned countries.

176. But here in the United Nations, in order to arrive at a solution concerning a vacant seat, one should first adopt a decision to unseat the existing delegation. In our view, such a decision would amount to depriving of its legitimacy the delegation of a country which is the victim of foreign intervention. Such a solution would constitute a dangerous precedent, especially with regard to small and militarily weak countries. Of the greatest political significance is the fact that such a solution has been rejected by the majority of the countries of Asia and in particular by the countries of South-East Asia. Such a solution is unacceptable to my delegation for reasons of principle.

177. It has also been said here that the régime in Phnom Penh is the only one that controls the whole territory of Democratic Kampuchea. In this regard I would simply add that, regardless of the degree of control exercised on the basis of the presence of foreign troops, such control cannot be considered as a source of legitimacy of a government.

178. In conclusion, I should like to repeat that our position is based exclusively on non-recognition of a situation created by force and on refusal to legitimize the results of foreign intervention. In the opinion of my delegation the report of the Credentials Committee has absolute priority and should therefore be put to the vote before any other proposal.

179. The PRESIDENT: Before I call on the next speaker I should like to draw the attention of the Assembly to the following. There are still several representatives scheduled to take part in this discussion. It is my intention, subject to the concurrence of the As-

sembly, to extend this meeting with a view to our being able to conclude consideration of the item now before us. This means, depending on the length of the statements to be made, that we may extend this meeting for two hours or a maximum of three. It is my hope that if we do that we may complete our consideration of the present item and, if possible, of the recommendations of the General Committee also [item 8]. Otherwise, we shall be compelled to hold a meeting either tonight or tomorrow, because, as members know, the Assembly is due to begin its general debate on Monday. Unless I hear any objection, I shall take it that my intentions meet with the concurrence of the General Assembly.

It was so decided.

180. Mr. GYEE (Burma): Mr. President, at the outset allow me to extend to you the warm congratulations of the delegation of Burma on your well-deserved election to the high office of the presidency of this Assembly. I need not add that my Foreign Minister will formally convey the congratulations of the delegation of Burma in due course.

Mr. Tómasson (Iceland), Vice-President, took the Chair.

181. The delegation of Burma has followed attentively the present debate on the question of Kampuchean representation at this session of the General Assembly. Democratic Kampuchea was founded in April 1975, and the credentials of its delegation have been accepted by the General Assembly ever since. To our mind, there should be no questioning of the credentials of the delegation of Democratic Kampuchea. There has been no significant change that would justify preventing Democratic Kampuchea from continuing its membership in the United Nations. Therefore the delegation of Burma is unable to recognize any representation other than that of Democratic Kampuchea. Nor can we subscribe to the view that Kampuchea's seat should be left vacant for the time being.

182. Accordingly the delegation of Burma associates itself with those speakers who have proposed that the report of the Credentials Committee should be given priority in the voting.

183. Mr. KAISER (Bangladesh): On the opening day of the General Assembly, when the representative of Viet Nam made a motion challenging the seating of the representatives of Democratic Kampuchea, the President gave a ruling under rule 71 of the rules of procedure that the matter should be referred to the Credentials Committee for expeditious consideration. We now have before us the report of the Credentials Committee, and it is our belief that, given the urgency implicit in the referral to the Committee, this Assembly has a particular charge to consider its recommendation on an immediate priority basis.

184. My delegation listened carefully to the introduction of document A/34/L.3 by the representative of India. We believe that the proposal contained therein does not represent an amendment to the draft resolution recommended by the Credentials Committee in paragraph 26 of its report [A/34/500] but constitutes a new substantive proposal.

185. Given the nature of its jurisdiction over matters of credentials, it is our belief that the Assembly should forthwith proceed to decide on the draft resolution submitted by the Credentials Committee. It is obvious that that draft resolution, in point of substance and time, takes precedence over the other proposals submitted in documents A/34/L.2 and A/34/L.3.

186. On the substantive question of representation, Bangladesh's position has been consistent, and it was clearly enunciated at the Sixth Conference of non-aligned countries in Havana. I shall briefly reiterate that position.

187. Bangladesh supports the seating of the representatives of Democratic Kampuchea until conditions are created to enable the people of Kampuchea freely to choose a government without outside interference and without military presence or intervention. Bangladesh will accordingly support the recommendation of the Credentials Committee.

188. Mr. BOUAYAD-AGHA (Algeria) (*interpretation from French*): My Minister will have an opportunity at the appropriate time to express the high esteem in which Algeria holds Mr. Salim and the justifiable pride we feel on seeing him presiding over the thirty-fourth session of the General Assembly.

189. At this stage of our work, I shall limit myself to stating the point of view of my delegation on one of the most complex questions facing our Assembly today, a question of which the report of the Credentials Committee is but one aspect.

190. Our Assembly cannot take a decision without carefully analysing all the facts of the problem. At any rate, that was the conclusion reached by the Conference of non-aligned countries held recently at Havana; and, as was so rightly stated this morning by the representative of India, most countries present here are not in a position to pronounce themselves equitably. In their wisdom, the non-aligned countries, not having all the facts at hand, avoided taking a hasty decision, which might have been detrimental to the principles and ideals governing the non-aligned movement.

191. The amendment proposed by India and six other countries offers in our opinion, the only choice we have if we are to preserve the serenity of our work. Need I explain here that, contrary to what has been affirmed by certain delegations, this amendment is in no sense a new proposal, since it merely seeks to amend a single paragraph of the report of the Credentials Committee, which, I should like to point out, consists of five pages. Specifically, it would amend only paragraph 26, the last paragraph of the report. Thus, this amendment in itself cannot be considered to be a new proposal. It might have been described as a new proposal if it had sought to change the report altogether. Hence we feel that the Indian amendment constitutes the only possible approach which could authorize our General Assembly to pronounce itself in all wisdom without repudiating its Charter, its rules of procedure or even our practice in seeking solutions to similar problems which might yet arise before the United Nations.

192. Taking all those elements into account, my delegation supports the proposed amendment of the delegation of India.

193. Mr. KRAVETS (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): The delegation of the Ukrainian SSR will have an occasion to congratulate Mr. Salim on his election to the responsible and esteemed post of President of the thirty-fourth regular session of the United Nations General Assembly. I should like at this time sincerely to wish him every success in his very difficult task.

194. In common with the majority of the delegations that have spoken before us, the Ukrainian SSR cannot accept the first report of the Credentials Committee on the question of the representation of Kampuchea at the thirty-fourth session of the United Nations General Assembly.

195. The Committee did not examine all the communications submitted to it, nor did it take into account all aspects of the question being discussed. Therefore, its recommendation is incomplete and one-sided.

196. The position of principle of the Ukrainian SSR is that the conscience of the United Nations and its international authority and prestige would be seriously impugned and subverted if the General Assembly were to allow pathological sadists and murderers such as the notorious Pol Pot-Ieng Sary clique have proved themselves to be to occupy a seat in our Organization. Deliberately and in cold blood and trying to carry out an inhuman "social experiment" borrowed from the Maoists, these monsters went so far as to kill 3 million people—children, women and old people—and destroy the flower of the nation, condemning it to inescapable death.

197. That truth is irrefutable. It is recognized by all, including the delegations that have spoken here and invoked exclusively juridical aspects of the problem in trying to prove the legality of Pol Pot's followers being represented in the United Nations. It is, of course, possible to find legal grounds to justify the position of one's country. But how can one who recognizes the fact of mass murder of people running into the millions at the same time agree that a Government which has been overthrown and ousted by its people, and which is guilty of genocide, should represent that people in an international organization? That we cannot understand. I should not like to illustrate at this point the scant cogency of the juridical arguments by referring to the practice of international relations.

198. Approximately one year ago a genuine people's revolution took place in Kampuchea and a new Government, the People's Revolutionary Council, came to power. That Government controls the entire territory of its country and is resolving its internal and external problems. The priority task is the rehabilitation of the country, which was destroyed as a result of criminal experiments. The People's Republic of Kampuchea is contributing to the development of international relations, advocating the strengthening of peace and security and the development of international co-operation and staunchly abiding by the principles of non-alignment.

199. Consequently, the People's Revolutionary Council of the People's Republic of Kampuchea is the sole legitimate Government of that country. The People's Revolutionary Council alone is authorized to speak on behalf of the Kampuchean people in the

United Nations and in other international forums. For that reason the delegation of the Ukrainian SSR has become a sponsor of the draft resolution which demands that Kampuchea be represented in the United Nations by a delegation appointed by the People's Revolutionary Council, whose communication was not examined by the Credentials Committee.

200. In my delegation's opinion, the amendment submitted by the representative of India on behalf of the non-aligned countries is only a temporary measure. We do not agree with those who consider that amendment to be a new proposal. Invoking rule 90 of the rules of procedure of the General Assembly is not a cogent position. That rule states: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal." All those points are covered by the Indian amendment. In substance, the amendment only postpones the examination of the report on credentials. It gives time for further study of the question of how Kampuchea should be represented in the United Nations and in the non-aligned movement.

201. A group of countries has attacked the Indian amendment, but this only shows the weakness of position of those who wish to maintain the Pol Pot clique's representation in the United Nations. These countries simply fear a vote on the amendment before we vote on the Committee's report.

202. Today, the People's Republic of Kampuchea is going through an incredibly difficult period of overcoming the consequences of many years of aggression and Maoist experiments. The country needs selfless and energetic assistance to rehabilitate its economy in order speedily to restore normal living conditions for those who escaped annihilation. The delegation of the Ukrainian SSR considers that the United Nations should play a positive role in this sphere. It should promote the national rebirth of the Kampuchean people, and give them necessary assistance.

203. Mr. LOHANI (Nepal): I should like to begin by congratulating Ambassador Salim on his election to the presidency of this Assembly. We have no doubt that his youthful dynamism, combined with his maturity and experience, will greatly assist our deliberations to arrive at a fruitful conclusion.

204. The first report of the Credentials Committee, contained in document A/34/500, accepts the credentials of the delegation of Democratic Kampuchea, and the Committee recommends to the General Assembly that its report be approved. It is now for the General Assembly to approve or reject the report.

205. It is our view that this report should have priority over other documents that are now before this Assembly. As far as the issue of the credentials of the Government of Democratic Kampuchea is concerned, the representatives of that country have participated in the meetings of this Organization, and they should continue to do so. We consider the representatives of Democratic Kampuchea to be legally accredited to this world body for the following reasons.

206. The established Government of Democratic Kampuchea was overthrown neither by the people of

Kampuchea nor by any due constitutional process, but by external armed intervention. We have taken note of the charges against the Pol Pot régime. Whatever the magnitude of the atrocities of that régime, this does not warrant outside interference or external invasion in an attempt to overthrow the Government of that régime and impose a Government subservient to the will of an alien Power.

207. The people of Kampuchea have every right to determine their own future without outside interference. We firmly believe in the sacred principle of non-interference in the internal affairs of other States, and non-use of force in international affairs. Therefore, we reject aggression and we refuse to accept its consequences.

208. Mr. MOHAMUD (Somalia) (*interpretation from Arabic*): I should like first of all to extend my warm congratulations to Mr. Salim on his election to the high office of President of the thirty-fourth session of the United Nations General Assembly. There is no doubt that this choice reflects the recognition and respect he enjoys from his colleagues, the members of the various delegations, or that it is an acknowledgement of his experience and the ability he has shown in carrying out the various missions entrusted to him and in assuming the different responsibilities as representative of his friendly country and as Chairman of the United Nations Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. We are confident that under his enlightened and wise leadership the work of this session of the General Assembly will be highly successful.

209. Today, we are confronting a complicated problem involving international relations. The matter concerns an extremely important and serious question, because should this problem remain unresolved, it might create unexpected consequences which would endanger the very purposes and principles of the United Nations. Several members of delegations have spoken of the nature of the Pol Pot Government, describing it with various names. But the grave problem facing us is this: has any country the right to perpetrate an aggression against a neighbouring country, using force to cause the downfall of its legitimate Government, and to impose its military and political presence on that country? That is the core of the problem.

210. We are facing a new principle which jeopardizes all our known concepts of international law and international relations. Respect for the principle of sovereignty and of national independence and the right of every people to select the system of government best suited to its particular conditions are in danger. The right to change the national government system if it does not reflect the national aspirations and the desire of the people is an absolute right of each people separately, and no country, whatever it may be, may exercise this right on behalf of the people concerned.

211. We are not seeking to defend the Pol Pot régime, but we do defend the recognized international principles. We defend international legitimacy, and the Charter of the United Nations.

212. We cannot approve aggression, foreign invasion,

or the overthrowing of a national régime by foreign forces and its replacement by an imposed one, followed by an attempt to legitimize such a régime. For this reason we consider that the recommendation made by the Credentials Committee is well grounded as concerns the legal and political aspects, and should therefore be taken into consideration, since it is in conformity with the principle of international legitimacy. Consequently we support that recommendation.

213. Mr. PETREE (United States of America): The matter before us is the report of the Credentials Committee. We can either accept or reject that report. The proposal of India, contained in document A/34/L.3, is not an amendment to that report. It does not merely add to or delete a part of the recommendation of the Committee, as required by rule 90 of the rules of procedure. It in fact amounts to producing the opposite result, and, consequently, constitutes a new and separate proposal.

214. My Government supports on technical grounds the recommendation of the Credentials Committee to accept the credentials of the representative of the Democratic Kampuchean authorities. In the absence of a superior claim, the General Assembly should seat the representatives of the Government whose credentials were accepted by the previous General Assembly. The Heng Samrin régime, installed and maintained by Viet Nam through its military invasion and continuing occupation of Kampuchea, does not present such a superior claim. This conclusion parallels the position taken during the Security Council meetings held in January and March of this year to consider the situation in South-East Asia, and is one supported by the Governments of the region which are most directly concerned with the problem.

215. However, I wish to make it absolutely clear that our position on the technical question of credentials in no way implies any degree of support or recognition of the Pol Pot régime itself, or approval of its atrocious practices. For three years we have been in the forefront of international efforts to effect fundamental changes in these practices and policies by peaceful means. We condemn and abhor the brutal human rights violations which have taken place under the Pol Pot régime in Kampuchea. We have spoken against those abuses in the Security Council, in the Commission on Human Rights and in the General Assembly, and I reiterate that condemnation today. The brutal practices of the Pol Pot régime are clearly contrary to internationally-accepted principles of human rights as set forth in the United Nations Charter and in the Universal Declaration of Human Rights.

216. However, the so-called Heng Samrin régime, both because it was imposed by Vietnamese military force on the Khmer people, and because of its treatment of the Khmer people, is also open to condemnation. One indication of that régime's cruel attitude towards the Khmer people is the serious threat of famine which affects over 2 million people and the obstacles which the régime continues to pose to an effective international relief effort.

217. Moreover, in the case of the Vietnamese invasion, Members of the United Nations confront an important principle of the Charter, the sovereign independence of Member States. The United Nations cannot condone the action of one nation in invading, occupying

and controlling the internal political life of another. At this very moment in fact, these Vietnamese occupation forces have embarked on a new offensive, which can only bring further suffering to the Kampuchean people.

218. My Government believes that it is incumbent upon the General Assembly to address the fundamental issues involved in the situation in Kampuchea. We believe the over-all human rights situation and the political aspirations of the Khmer people need further investigation through United Nations machinery, and there will be appropriate occasions to deal with these questions. During the consideration of the agenda item on the situation in Kampuchea, my Government will spell out in greater detail ideas on what should be done to deal with these very serious problems.

219. The United States looks forward to working with all Members of the United Nations to encourage the withdrawal of Vietnamese troops, to put an end to outside interference, and to ensure the emergence of a genuinely independent Government in Kampuchea which would be at peace with its neighbours, represent the aspirations of the Khmer people, and respect their human rights.

220. Mr. GUNA-KASEM (Thailand): The Chairman of my delegation will have the opportunity, when he addresses this General Assembly, to offer his congratulations to the President personally and on behalf of my delegation. But on a personal note, allow me to say how very glad I am to see Ambassador Salim presiding over our deliberations and to offer to him my warm and heartfelt congratulations on his election to the presidency of this session of the General Assembly.

221. The first report of the Credentials Committee, document A/34/500 dated 20 September 1979, as introduced by the Ambassador of Belgium, the Chairman of the Credentials Committee [3rd meeting], is before us for consideration. It is thus, in the opinion of my delegation, the first task of the General Assembly immediately to consider that report *in toto*, and to decide forthwith whether the Assembly will accept or reject it. The members of the Credentials Committee have voted overwhelmingly to recommend that the credentials of Democratic Kampuchea be accepted. In the view of my delegation, that is right and proper and should be acted upon promptly.

222. As a next-door neighbour of Kampuchea, we in Thailand are gravely alarmed by the developments inside that country since the beginning of this year. Today, there are about 200,000 foreign troops inside Kampuchea waging armed struggle against the various patriotic elements of that country. In the opinion of my delegation, the best way to solve the present situation would be along the lines of the ASEAN draft resolution submitted earlier this year¹: that is, first, to have a cessation of hostilities; then, secondly, to have all foreign forces withdrawn from the territory of Kampuchea; and thirdly, to initiate constructive political solutions to the problem employing strictly peaceful means.

223. In the opinion of my delegation, neither the pro-

¹ See *Official Records of the Security Council, Thirty-fourth Year, Supplement for January, February and March 1979*, document S/13162.

posal contained in document A/34/L.2 nor the one contained in document A/34/L.3 is a move in the right direction. Nor do these proposals constitute constructive solutions to the existing problem. On the contrary, to replace Democratic Kampuchea with the present alternative, or to seek to keep the Kampuchean seat vacant, would be tantamount to condoning—indeed, to endorsing—international conduct which violates the letter and the spirit of the Charter of this Organization and would banish the victim of aggression from the world community. For it is an undeniable fact that the alternative to Democratic Kampuchea is a Government which was put in its place through direct intervention by the force of arms of a foreign country. Furthermore, this Government is maintained with the help of the same foreign forces whose continued occupation of the territory of Kampuchea is being strongly resisted by various patriotic elements inside that country. The situation in Kampuchea currently remains fluid and, in the opinion of my delegation, because of that fluidity and uncertainty, the *status quo* regarding the Kampuchean seat in all the organs of the United Nations should be maintained.

Mr. Salim (United Republic of Tanzania) resumed the Chair.

224. Document A/34/L.3, presented by the representative of India this morning and purporting to be an amendment to the recommendation of the Credentials Committee, is, in the opinion of my delegation, not an amendment at all but, in fact a new and substantive proposal since it introduces two completely new and extraneous elements to the original recommendation, namely, first, that the consideration of the report should be suspended and, secondly, that the seat of Kampuchea should be kept vacant for the time being. The suggestion involving keeping the Kampuchean seat vacant is completely unacceptable to my delegation as well as to other delegations members of ASEAN. Furthermore, the Indian suggestion to keep Kampuchea's seat vacant contradicts the provisions of rule 29 of the General Assembly's rule of procedure, which states:

"Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the General Assembly has given its decision."

225. I therefore submit that the Indian proposal in document A/34/L.3 is not an amendment as claimed but is a new and substantive proposal. I would thus urge that the document in question be treated as such and that we move, in accordance with the rules of procedure, to consider the report of the Credentials Committee without further delay.

226. As I have said, in our opinion it is quite clear that the Indian document amounts to a new proposal, but since legal interpretations may differ, for the benefit of all concerned I formally request you, Mr. President, to ask the Legal Counsel to address this Assembly so that he can give us the benefit of his opinion as to whether the Indian suggestion contained in document A/34/L.3 is an amendment as claimed or whether in fact it amounts to a new proposal.

227. The PRESIDENT: I call on the representative of Singapore on a point of order.

228. Mr. KOH (Singapore): At the end of his statement, the representative of Thailand, formally requested the legal opinion of the United Nations Legal Counsel on whether the alleged amendment contained in document A/34/L.3 is an amendment within the meaning of rule 90 or whether it is a new proposal.

229. I would ask you, Mr. President, to be kind enough to ask the Assembly if there is any objection to that formal request. If there is not, we could perhaps inform the Legal Counsel so that he could come and give us the benefit of his legal advice at the end of the debate. If there is an objection to the request made by the representative of Thailand, then I think that, in the usual democratic way, you should put his request to the vote.

230. The PRESIDENT: It was my intention, following the end of the debate, to place the proposal made by the representative of Thailand before the Assembly, but since the representative of Singapore, on a point of order, has asked that the Assembly should take a decision right away I shall, of course, leave it to the Assembly to pronounce itself.

231. In this connexion, I call on the representative of Algeria on a point of order.

232. Mr. BOUAYAD-AGHA (Algeria) (*interpretation from French*): I believe that to request legal counsel would do an injustice to our Assembly. I trust that I may be forgiven any apparent lack of seriousness if I point out that this is not a question of a motor-car collision or a divorce. The General Assembly is sovereign; it has taken certain decisions in the form of resolutions; it has laid down international law; and many speakers here have given their opinion and explained how they construe the amendment, either rejecting it or approving its wisdom. Therefore, my delegation is opposed to the proposal that the Legal Counsel be requested to enlighten the General Assembly.

233. The PRESIDENT: In the context of the statement just made by the representative of Algeria and what was said earlier by the representative of Singapore on a point of order, and in conformity with rule 71 of the Assembly's rules of procedure, I shall ask the Assembly to take a decision on the proposal made by the representative of Singapore that we should ask for a legal opinion. A recorded vote has been requested.

A recorded vote was taken.

In favour: Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Burma, Canada, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Greece, Haiti, Honduras, Iceland, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Lesotho, Liberia, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Romania, Samoa, Senegal, Singapore, Somalia, Spain,

Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yugoslavia, Zaire

Against: Afghanistan, Algeria, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Poland, Sao Tome and Principe, Seychelles, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam

Abstaining: Argentina, Bahrain, Burundi, Cyprus, Dominican Republic, Equatorial Guinea, Finland, Ghana, Guatemala, Iran, Iraq, Ivory Coast, Jamaica, Kuwait, Mexico, Nigeria, Qatar, Rwanda, Saudi Arabia, Sierra Leone, Tunisia, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Yemen, Zambia

The proposal was adopted by 81 votes to 31, with 26 abstentions.

234. The PRESIDENT: Since this proposal made by the representative of Singapore has been adopted, we shall request the Legal Counsel to prepare a legal opinion that will be presented to the Assembly before we take a decision on document A/34/L.3.

235. Mr. MISHRA (India): I apologize to you, Mr. President, and to the Assembly for taking the floor for the second time today on the same question. With your indulgence, I should like to clarify some matters that have been raised during the discussion of the Indian amendment that is also sponsored by many friends [A/34/L.3].

236. The most pressing argument that has been made about this amendment, an argument begun by my good friend Ambassador Koh of Singapore, is that it is a new proposal and not an amendment. In the opinion of my delegation, if one reads rule 90 as a whole, and not merely parts of it to suit one's convenience or one's point of view, there can be no conclusion other than the one that we share, and that is, that it is an amendment.

237. Rule 90 contains a sentence which says that the amendment furthest removed from the substance of the proposal shall be put to the vote first. What does that sentence mean? We have not submitted an amendment to a treaty on the moon. It is an amendment to the report of the Credentials Committee, the subject we are discussing. It is an amendment that seeks to revise part of that report. How can it be taken to constitute a new proposal?

238. We can debate the question and the merit of following one proposal or amendment or another, but I do not think it is correct to make interpretations of rules of procedure to suit one's convenience. Please read the rule as a whole, and not merely parts of it—as has been done today during this debate.

239. Two other arguments have been advanced here

today that have struck me as meriting some reply. There was an argument repeatedly made that if we were to seat the new régime of Kampuchea in this Assembly we would be condoning intervention in the affairs of one State by another State. Of course, as representatives all know, India has not subscribed to the proposal to seat the new régime in Kampuchea in this Assembly. But at the same time, those very representatives who argue that we should not condone intervention go on to say that they are not condoning the atrocities of the Pol Pot régime in Kampuchea.

240. Well, if you apply one argument on one side—namely, that by taking one action you are condoning intervention—then how can you plead that you are not condoning the atrocities merely by excusing yourself? No, there must be some logic in what we do. Almost all the representatives who have spoken here in favour of the continuance of the present régime in this hall have referred to the atrocities of the Pol Pot régime and said that, while they were not excusing them, at the same time, if we seat the new régime we would be condoning intervention. No, we do not consider this question—and particularly our amendment—as condoning anything. We consider our amendment as something that prevents the Assembly from taking a decision it might regret later.

241. The second point that has struck me during our debate is that some of the legal arguments that have been advanced here today are the same ones I heard for 21 years on the question of representation of a permanent member of the Security Council. Some arguments were put in legal terminology. It is said that the credentials are valid because they were issued by a legal authority, quite forgetting the reality of the situation. Today, we are asked in the report of the Credentials Committee to forget that reality. I say to representatives here that by closing their eyes to reality they will make the situation difficult.

242. Most of the arguments that have been made here on the question of intervention, interference, and so on, are very valid arguments, but they are arguments that should be taken up on the new item proposed for inclusion in the agenda of the Assembly, namely, the question of Kampuchea, and I assure all representatives here that I shall be voting in favour of the inclusion of that item in the agenda, and that I shall take part in the debate on it. But at this point that is not the question we are discussing.

243. We are discussing the question of the credentials of a delegation, and I earnestly submit to members that by supporting the recommendation of the Credentials Committee they would not in reality be accepting the credentials of anybody who could discharge the obligations imposed by membership in this august body.

244. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): Sir, I should like at the outset to offer you our most sincere congratulations upon your election to the presidency of the thirty-fourth session of the General Assembly. Your wealth of experience, combined with your outstanding qualities as a diplomat and statesman, guarantee the successful completion of the work of this session, and I wish to assure you of the full co-operation of the delegation of the Republic of Zaire, which, moreover, enjoys excellent relations of co-operation with your country.

245. The question before us today, and the focus of our debate, is essentially, if not exclusively, one of principle. We did not come here as auctioneers to sell to the highest bidder this or that régime or Government in Kampuchea, as if we were the owners.

246. Of course, we understand the deep concerns of those who have spoken of allowing the People's Revolutionary Council of Heng Samrin to occupy the seat of Kampuchea. Indeed, if it happens that I commit aggression—excuse the word—against a sovereign country and overthrow its Government and set up another, or if I support such actions, I cannot come to this body to prohibit States represented here from endorsing my action. Naturally, I would ask them to say that I was right.

247. That is why we say right away that we fully understand the concerns of those who have come to this rostrum to defend a régime the circumstances of whose establishment in Phnom Penh we are fully familiar with. But we say that, for our part, the direct or indirect recognition which we are being asked surreptitiously to give to the new régime or to the régime of the People's Republic of Kampuchea, can be only an individual act of sovereignty and in no wise a collective act of sovereignty. The very fact that we in this Assembly are allowed to undertake a collective act of recognition of a régime or Government is in itself an innovation in the law of nations.

248. We have heard it resoundingly said that the Heng Samrin régime is in *de facto* control of the territory. I would say "perhaps", since there is much about the situation that we do not know. But what we are saying is that any sovereign Government can consider that, check the facts, and then decide whether or not to accord its recognition to any particular Government or régime. In no way can this argument be brought to bear here in favour of the admission to this chamber of the representative of People's Kampuchea at the expense of the representative of Democratic Kampuchea, which is already a Member of the United Nations.

249. Despite the insistence that the Heng Samrin régime exercises *de facto* control over the territory, it will be recalled that no one has said that that régime has the support of the population. Nevertheless, I should have liked to hear this extremely important element in the recognition of Governments and régimes raised by one or two speakers, particularly those who have tried to defend this régime's admission. I have heard no such statement, and this simple omission somewhat surprises, if not disquiets, me.

250. The question before us is actually that of the recognition of the Government or régime of the People's Republic of Kampuchea of Heng Samrin, to the detriment of the Pol Pot régime. As I have said, it is not for us to defend or to promote one against the other. The real problem is that by a thousand and one subterfuges we are being asked to recognize the Heng Samrin régime, and that raises the problem of the legitimacy of that régime we are being asked to recognize to the detriment of the régime of a State Member of this Organization.

251. But by what act has the present Phnom Penh régime been legitimized? I say that only the people of Kampuchea can give us the answer to this question.

And until we have the answer from the people, we have no choice but to say that the representatives of Democratic Kampuchea, a State Member of this Organization, have the right to its seat.

252. I think the exercise is quite simple, actually. It will be noted, moreover, that none of the preceding speakers in this debate have said or have sought to demonstrate that there was no foreign armed intervention in Kampuchea. This is quite extraordinary. I think this is the core of the problem. This deliberate omission, or this silence on what seems to me to be the very nub of the matter, is highly significant. Hence there is unanimity here that no one can say that there has been no foreign armed intervention in Kampuchea. Therefore, we surely agree that there was foreign armed intervention in Kampuchea, as a result of which a Government was set up. But we still have the Charter of the United Nations before us on our desks.

253. I consider these facts extremely serious. The proposal to leave Democratic Kampuchea's seat empty is unacceptable to us and indefensible when it comes to a State Member of the United Nations, for it would be tantamount to denying its sovereign rights. Democratic Kampuchea—or let us just say Kampuchea—is not a *res nullius*. It does exist; there is a people. And if within this Assembly we defend the idea of leaving the seat vacant, is this not a way of saying that we deny the sovereign rights of a people or a State, inasmuch as there is already such a State which is already a Member of our Organization?

254. It is not correct to say that there was consensus within the non-aligned movement on leaving the seat of Democratic Kampuchea vacant. I shall not go into detail: the contradictory statements we have just heard from representatives of many non-aligned countries bear out what I am saying. There was no consensus on leaving the seat vacant. Many non-aligned countries have spoken here, and, unless I am mistaken, consensus is nothing more than a convergence of the views of the majority without formal opposition by one or several delegations or persons, but with the possibility of reservations. We have heard from this podium representatives of non-aligned countries that were formally opposed to the idea of leaving the seat vacant.

255. To those of us who were in Havana, participating in the work of the Sixth Conference of non-aligned nations, that argument does not seem to be the correct interpretation of what really happened.

256. The document submitted by India [A/34/L.3] does not, in our view, constitute an amendment of the Credentials Committee report, because in its content and by its nature it denies and rejects the substance of that report. Moreover, the Indian proposal implies denial of the sovereign rights of a Member State. This is a new proposal which I think in due course and at the proper time and place can be taken up, after we have dealt with the Committee's report. But I say again that the Indian proposal is in direct conflict with paragraph 29 of the rules of procedure, which reads:

"Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the General Assembly has given its decision."

But what the Indian proposal is suggesting is in essence that we do not consider the report of the Credentials Committee and leave the seat of Kampuchea vacant. But to leave the seat vacant clearly means to recognize the Heng Samrin régime and to eject Democratic Kampuchea.

257. Thus India completely rejects the contents of the report, and does not even want the report to be considered; it would prevent the General Assembly from taking a decision and is even proposing another course of action: to eject Democratic Kampuchea and to leave the seat vacant in order to place the two régimes on the same footing and thus bring about a sort of indirect recognition of the Heng Samrin régime.

258. In our view, the Indian proposal, by its thrust, substance and nature, is not an amendment to the report of the Credentials Committee: it is a new proposal. The representative of India cited rule 90 of the rules of procedure and quoted many paragraphs or phrases from it, but I believe he omitted to refer to its last sentence, which reads: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal." To which part of which proposal does India's document refer? I hope that the Legal Counsel, whose opinion we have requested, will shortly be able to give us some clarification on this problem.

259. We are deeply concerned with the maintenance of international peace and security in the world, and we cannot light-heartedly condone certain actions which are in reality flagrant violations of the provisions of the Charter simply because some of us wish to sit in judgement on Governments, or States or peoples on various pretexts, such as human rights. But, on the basis of such pretexts, are we really going to be the judges of States, can we really judge the actions of Governments? I think that between the good that we are seeking and the excesses that we should rightly avoid there is a mean that we should abide by, and I think that it is to the finding of that mean that we should devote our efforts.

260. What has happened in Kampuchea is a serious violation of international peace and security first in South-East Asia and then in the world as a whole, and a serious violation of the Charter. That is why we support the adoption of the recommendations made by the Credentials Committee as well as the brilliant statement by the representative of Singapore [3rd meeting].

261. In conclusion, I should like to say that it is our strong impression that the régime of People's Kampuchea is trying to obtain from the General Assembly what it has not been able to obtain inside the country, that is, the support of the people, recognition and legitimacy. But I must say it has certainly not followed the best procedure: the recognition of States is an individual act of sovereignty, it is not a collective act, and legitimacy is a matter for peoples to decide. It is not the General Assembly of the United Nations which confers legitimacy upon a Government or régime, and I therefore think it would certainly be a mistake and a very serious precedent if we took that road.

262. This is briefly what I had to say. I shall spare you further arguments. In closing I should like to say that

the delegation of Zaire strongly supports the adoption of the report of the Credentials Committee.

263. The PRESIDENT: We have heard the last speaker in the debate on this question. The Assembly will now proceed to take action on the proposals before it.

264. In this connexion, in accordance with the Assembly's decision, I shall first invite the Legal Counsel to give his legal opinion.

265. Mr. SUY (The Legal Counsel) (*interpretation from French*): The purpose of the draft resolution which has been put forward by the Credentials Committee is to finalize the procedure laid down in rule 29 of the rules of procedure of the General Assembly. The draft resolution put forward by the Committee is designed, in effect, to settle the problem of the challenge raised to the credentials of Democratic Kampuchea the day before yesterday by the delegation of Viet Nam. It contains a single brief, clear and simple proposal. Document A/34/L.3, on the other hand, would seem to fall within a somewhat different context, namely, representation rather than credentials, as stipulated in rule 29 of the rules of procedure, which the Committee's draft resolution is designed to deal with.

266. I should like to recall the terms of the definition of an amendment contained in rule 90 of the rules of procedure. That rule says, *inter alia*: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal."

267. Reading document A/34/L.3 and evaluating it in the light of the definition of an amendment, it seems to me that it does not fall within the definition given in rule 90. However, in the past the General Assembly has always been extremely flexible in its understanding of what constitutes an amendment, and it would be entirely in keeping with past practice for it, if it so wished, to determine expressly itself the nature of document A/34/L.3.

268. The PRESIDENT: I call on the representative of Malaysia on a point of order.

269. Mr. ZAITON (Malaysia): We have heard the views of the Legal Counsel on the question whether the amendment contained in document A/34/L.3 is an amendment or a proposal, and we have noted his final remarks. Views have also been expressed by various representatives, one way or another, during the morning and afternoon meetings, and I now formally propose, Mr. President, that you submit the question to the members for a decision through the voting process.

270. The PRESIDENT: I call on the representative of Bulgaria on a point of order.

271. Mr. YANKOV (Bulgaria): Mr. President, I apologize for interrupting you, but my only intention is to help, and I believe that the proceedings of this meeting may be facilitated by the point of order which I am going to raise.

272. Reference has been made to several proposals, and specifically to the amendment submitted by India in

document A/34/L.3. As I understand it, we are now going to determine whether what is contained in that document is indeed a proposal or is an amendment. I had the honour to submit a proposal which was introduced at the 3rd plenary meeting, and I felt, therefore, that the proceedings of this present meeting might be facilitated if, on behalf of the sponsors of that proposal, draft resolution A/34/L.2, and on behalf of my own delegation, I were to inform the Assembly that, in the light of the debate which has taken place today, we do not insist on a vote on our text.

273. I wish to take this opportunity to express, on behalf of the sponsors and of my own delegation, our deepest appreciation to those delegations which found it possible to lend their support to draft resolution A/34/L.2.

274. In a spirit of accommodation, we would support the amendment contained in document A/34/L.3, on the understanding that this should not be taken as in any way implying a change in our position of principle.

275. I do apologize again, Mr. President, for interrupting you, but it was my hope that after my statement you would appreciate my efforts to avoid any further complication of the procedures we have been involved in. Thank you for your indulgence.

276. The PRESIDENT: I thank the representative of Bulgaria for his statement, which will certainly help the Assembly.

277. Before I go on to explain how I intend to proceed with this exercise, I call on the representative of Singapore, who wishes to speak on a point of order.

278. Mr. KOH (Singapore): As the sponsors of draft resolution A/34/L.2 do not insist on a vote on that draft resolution, the Assembly now has before it only two documents: the recommendation in paragraph 26 of the Credentials Committee [A/34/500], and the amendment sponsored by India and six other countries in document A/34/L.3 and Add.1. The point is this: if document A/34/L.3 is an amendment, it must be put to the vote first. If, on the other hand, it is not an amendment, but amounts to a new proposal, then the report of the Credentials Committee must be put to the vote first. In view of this, it is absolutely essential that this Assembly pronounce itself now on whether document A/34/L.3 is an amendment within the terms of rule 90 of the rules of procedure, or a new proposal.

279. I asked to be allowed to speak in order to make this clear and to support the formal proposal just made by my colleague, Ambassador Zaiton of Malaysia, that document A/34/L.3 be considered a new proposal and not an amendment to the report of the Credentials Committee. I respectfully request, Mr. President, that you put his proposal to the vote. Those who are of the view that document A/34/L.3 is a new proposal should vote "yes", and those who are of the view that—

280. The PRESIDENT: The representative of Benin has asked to be allowed to speak on a point of order in a situation where the representative of Singapore is already speaking on a point of order. May I appeal quite frankly to the Assembly. We have had a long day. We are trying to conclude our work. The rules of procedure

are clear. If only everybody will permit the President to apply them, perhaps we can solve this problem without a proliferation of points of order. This appeal goes to the Assembly as a whole.

281. Mr. KOH (Singapore): I heed your appeal, Mr. President and was, in any case, about to conclude. I was going to say that Malaysia's proposal is that document A/34/L.3 be considered a new proposal and not an amendment, and I respectfully request that this proposal be put to the vote.

282. The PRESIDENT: It seems that my colleague from Singapore, while heeding the President's appeal, went on to make his point anyway. Hence I have no alternative but to recognize also the representative of Benin on a point of order.

283. Mr. HOUNGAVOU (Benin) (*interpretation from French*): Mr. President, since you have just stated your intention to tell the Assembly how you intend to conduct our meetings, I should simply like to say that my delegation feels that the statement made by the representative of Singapore has caused us loss of time. You did well to interrupt him, just as he did well to curtail his statement. Everything he said is contained in the rules of procedure and we should waste no more time. I was simply going to ask you to request the representative of Singapore to allow you to continue with the meeting.

284. The PRESIDENT: I call upon the representative of India, who wishes to speak on a point of order.

285. MR. MISHRA (India): I must thank my very good friend Ambassador Koh of Singapore for making it very clear to the Assembly how it should vote. Those who are in favour of the Indian amendment should vote "no" on the proposal.

286. But my point of order is this. I should like at this stage to remind you, Mr. President, that if the Malaysian proposal is carried, we shall then ask for priority for document A/34/L.3.

287. The PRESIDENT: Let me try to explain the situation as I understand it.

288. The question has been raised whether the text contained in document A/34/L.3 is to be considered an amendment or a new proposal. The sponsor of the text has indicated its view that the text should be considered an amendment under rule 90 of the rules of procedure. However, other delegations have expressed the view that the text is a new proposal that must be acted upon in accordance with rule 91. The Assembly has also heard the opinion of the Legal Counsel.

289. In view of the divergence of opinion that has emerged and the proposals that have been made by Malaysia and Singapore, quite clearly it is up to the Assembly to take a decision. However, the proposal made by Singapore somehow complicates the situation. Under normal circumstances, in view of the fact that India submitted its proposal as an amendment, the Assembly would have to decide whether it was in fact an amendment. On the other hand, the representative of Singapore says that we should vote on whether the

Indian amendment is a new proposal. If I interpret the proposal made by our colleague from Singapore as a formal motion, then in the first place the Assembly will have to take a decision as to whether or not it wants to vote in the manner prescribed by the representative of Singapore. If it is not a formal proposal, then we shall act in accordance with established rules. I do not think that the representative of Singapore insists on it being considered a formal proposal. He indicates that he does not.

290. That being so, we shall now proceed to take a decision in respect of the Indian amendment. I shall now put to the vote the motion that the text contained in document A/34/L.3 constitutes an amendment. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Bahrain, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mauritius, Mongolia, Mozambique, Nicaragua, Poland, Qatar, Sao Tome and Principe, Seychelles, Sierra Leone, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam

Against: Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Burma, Canada, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Haiti, Honduras, Iceland, Indonesia, Ireland, Italy, Japan, Kenya, Lesotho, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire

Abstaining: Argentina, Bolivia, Botswana, Burundi, Finland, Ivory Coast, Lebanon, Liberia, Malawi, Mexico, Nigeria, Panama, Suriname, Sweden, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Yemen, Zambia

The motion was rejected by 80 votes to 43, with 19 abstentions.

291. The PRESIDENT: The Assembly has thus decided that the text contained in document A/34/L.3 is not an amendment.

292. The representative of India has proposed—and I hope I interpret his proposal correctly—that, in the voting, his proposal contained in document A/34/L.3, which the Assembly has decided is not an amendment,

should have priority over the draft resolution contained in the report of the Credentials Committee. I shall now put to the vote the motion that priority be given to the Indian proposal [A/34/L.3]. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Bahrain, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iran, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mozambique, Nicaragua, Poland, Sao Tome and Principe, Seychelles, Sierra Leone, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam

Against: Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Burma, Canada, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Guatemala, Haiti, Honduras, Iceland, Indonesia, Ireland, Italy, Japan, Kenya, Liberia, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Portugal, Romania, Samoa, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire

Abstaining: Argentina, Botswana, Burundi, Cyprus, Dominican Republic, Finland, Ghana, Greece, Ivory Coast, Lebanon, Mexico, Panama, Peru, Qatar, Rwanda, Saudi Arabia, Suriname, Sweden, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Yemen, Zambia

The motion was rejected by 76 votes to 39, with 23 abstentions.

293. The PRESIDENT: I shall now put to the vote the draft resolution recommended by the Credentials Committee in paragraph 26 of its report [A/34/500]. A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Burma, Canada, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Fiji, Gabon, Gambia, Germany, Federal Republic of, Greece, Guatemala, Haiti, Honduras, Iceland, Indonesia, Italy, Japan, Kenya, Lesotho, Liberia, Luxembourg, Malaysia, Maldives, Mauritania, Mauritius, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Portugal, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Swaziland,

Thailand, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Yugoslavia, Zaire

Against: Afghanistan, Albania, Algeria, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Jamaica, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Panama, Poland, Sao Tome and Principe, Seychelles, Sierra Leone, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam

Abstaining: Austria, Bahrain, Botswana, Burundi, Cyprus, Dominican Republic, Finland, France, Ghana, Iran, Ireland, Ivory Coast, Jordan, Kuwait, Lebanon, Malawi, Mali, Mexico, Netherlands, Peru, Qatar, Rwanda, Spain, Suriname, Sweden, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Yemen, Zambia

The draft resolution was adopted by 71 votes to 35, with 34 abstentions (resolution 34/2).

294. The PRESIDENT: In view of the adoption of the draft resolution recommended by the Credentials Committee, may I take it that there is no need to take a decision on the proposal contained in document A/34/L.3?

It was so decided.

295. The PRESIDENT: I now call on those representatives who have expressed their desire to explain their votes after the voting.

296. Mr. von WECHMAR (Federal Republic of Germany): My delegation voted in favour of the report of the adoption of the draft resolution recommended in the Credentials Committee. The credentials of the representatives of Democratic Kampuchea were duly recognized at the thirty-third regular session of the General Assembly, which was of the opinion that they did comply with the provisions of the Charter of the United Nations.

297. My Government is of the opinion that the General Assembly should strongly reject any attempt to question the credentials of a Government on the grounds that part of that Government's country has been subject to armed foreign attack. This would be tantamount to rewarding armed intervention in the internal affairs of a Member of this Organization.

298. My Government, together with some of its allies, strongly supports the point of view of the most concerned States of South Asia, in particular the members of ASEAN, which condemn all expansionist moves in Indo-China and call for stability in the region.

299. My Government's decision is exclusively based upon respect for the Charter of the United Nations and the rules of procedure of the General Assembly dealing with the recognition of a Member's representatives. We likewise continue to raise our voice in severe condem-

nation of the violations of the most basic human rights of which the Pol Pot régime is guilty. But those violations did not prevent this Assembly from recognizing its representatives at the thirty-third regular session of the General Assembly, and it should not do so, and has not done so, at our present session.

300. Yet, we sincerely hope that, with the co-operation of the States immediately concerned, it will be possible to find an equitable solution to the Cambodian problem, one which will not only guarantee the survival of the Khmer people but also allow Cambodia to send a delegation to the United Nations that is supported by the people and is unanimously recognized by the international community as its legitimate representatives.

301. Mr. MORALES SUAREZ (Colombia) (*interpretation from Spanish*): Mr. President, first of all, I should like to express my delegation's satisfaction at seeing you presiding over our discussions. The head of my delegation will in due course have occasion to convey our congratulations and wishes for the success of our work.

302. The delegation of Colombia wishes most clearly to state for the record that its vote in favour of the draft resolution recommended by the Credentials Committee does not imply any change in its judgement or attitude in rejecting the obvious and repeated violations of human rights by the Pol Pot régime. Its vote should not be interpreted as anything but its agreement that the procedural rules which should be taken into account by the Credentials Committee have been complied with rigorously from a legal point of view.

303. Mr. LEPRETTE (France) (*interpretation from French*): Mr. President, the Chairman of the French delegation will in a few days officially express to you his warm congratulations and best wishes for success in your exalted office, to which the General Assembly has elected you unanimously. At this time, I should like in my personal capacity to greet you as a man of talent, an experienced and wise negotiator who has earned the esteem of us all.

304. I wish briefly to give the reasons for the vote cast by the French delegation with regard to document A/34/500. The question put to us, in the vote on which the French delegation abstained, could not obviously be considered on purely procedural grounds. In most cases, of course, the problem of the representatives of régimes wishing to take a seat at the United Nations is easily solved through recourse to the opinion of the Credentials Committee. That is why, in the overwhelming majority of cases, the reports of that Committee are not challenged by the General Assembly.

305. Nevertheless, we recall that in certain particularly difficult situations the opinion of the Committee did not answer the questions the Assembly might be asking itself. It could hardly be otherwise. Our Committee, to whose Chairman I wish to pay a particular tribute, has put before us a recommendation concerning Kampuchea. No doubt it did so within the bounds of its authority and with due respect for the texts and our traditions.

306. However, the report of the Committee put for-

ward considerations and conflicting positions of principle which revealed the division among the members on strictly political issues.

307. The French delegation would not have liked, by voting in favour of this report, to leave itself open to the suspicion that it endorses some of the positions put forward in this document. Neither would it like it to be felt that it was referring to such a small committee the task of dealing single-handedly with the political issue.

308. In this respect, I should like to recall that my Government, which has never had relations with the régime which took power in Phnom Penh in April 1975, condemned in this forum in 1976 through our Foreign Minister the violations of human rights and the inhuman and unacceptable treatment to which the Cambodian people had fallen victim. Our Charter is founded on the respect of inalienable human rights, and one may well question the qualifications of a régime accused of genocide which seeks recognition here in the international community. Similarly, the French Government cannot admit that here, in this chamber, representatives should be accepted who have come to power by military aggression. This would be a violation of the Charter. It would also be an affront to the people of Kampuchea, who have not been in a position to give their views in a democratic manner on the régime they would like to have set up in the exercise of their independence.

309. Mr. KLESTIL (Austria): Mr. President, there will be a more appropriate occasion for me to congratulate you on your assumption of your high office. For the time being, may I just briefly summarize Austria's position on the issue that was before us. There can be no doubt about Austria's position on the abominable record of the Pol Pot régime. Austria condemns in the strongest possible terms the violations of basic human rights which characterized the unacceptable pattern of behaviour of this régime. I wish to refer in this context to Austria's active sponsorship of the relevant draft resolution submitted in the Commission on Human Rights last year,² which aimed at launching an investigation into the human rights situation in Cambodia.

310. At the same time, and with the same vigour, Austria condemns forcefully the foreign military intervention in Cambodia. This intervention was carried out in violation of the territorial integrity and political sovereignty of Cambodia and stands in flagrant contradiction to the right to self-determination of the people of Cambodia.

311. It was this foreign military intervention which led to the installation of the Government of Heng Samrin. With regard to the devastating situation in this country, we are deeply conscious of the amount of human suffering and senseless sacrifice of human life among a people with a noble tradition who now stand in danger of extinction through persecution, famine and disease, and Austria's first and foremost objective is directed towards alleviating the suffering and rendering to Cambodia all the humanitarian help possible, so that Cambodia will be in a position to secure its integrity and sovereignty against any foreign influence.

312. Mr. THUNBORG (Sweden): Mr. President, during the general debate, Sweden will have the opportuni-

ty to express its deep satisfaction at your election to the office of President of this General Assembly.

313. The Swedish Government considers that at this present time, no Government is in a position to represent Kampuchea. This does not prevent us from having contacts with both sides, in order to promote humanitarian relief operations for the suffering people of Kampuchea as a whole. In the present situation, the Swedish delegation has abstained in the voting.

314. Mr. FERNANDO (Sri Lanka): Mr. President, during the general debate, the Foreign Minister of Sri Lanka will pay you a well-deserved tribute. For the time being, may I be permitted to say that Sri Lanka is very happy and proud that you are the President of the thirty-fourth session.

315. Sri Lanka has voted in favour of the report of the Credentials Committee. I would like to explain the reasons for our vote.

316. First, Sri Lanka's support of the report does not imply that we are thereby condoning the policies of the régime that will continue to represent Kampuchea at the United Nations during this session in accordance with the recommendation of the report.

317. Secondly, Sri Lanka's acceptance of the present representation of Kampuchea in the United Nations could be subject to review, as we believe that the situation in the territory of Kampuchea is still quite unclear.

318. Thirdly, Sri Lanka is unable to accept the credentials of the other régime, which have been submitted to the United Nations, as we believe that that régime's present position is the result of circumstances which involve a breach of certain principles of non-alignment which Sri Lanka values greatly. These principles are non-interference in the internal affairs of other States, and the non-use of force in the settlement of disputes.

319. The present situation also appears to contravene the sovereign independence of Member States and the principles of the United Nations Charter.

320. Mrs. IENG THIRITH (Democratic Kampuchea) (*interpretation from French*): At the end of this debate, the delegation of Democratic Kampuchea would like to express, first of all, its deep gratitude to this honourable Assembly and to the peoples that love peace and justice, who by their vote just now have done an act of justice. They did this by saying "No" to aggression and "No" to violation of the United Nations Charter, and by recognizing the legitimate right of a victim of aggression in this Assembly.

321. The impact of the recent vote is very great, for Democratic Kampuchea, for South-East Asia, for the whole world, and for the United Nations itself.

322. For Democratic Kampuchea, this vote is deeply significant for the survival of Kampuchea because the people of Kampuchea, under the leadership of Democratic Kampuchea, are heroically waging a war of national liberation against the Vietnamese invaders of the Le Duân clique.

323. The wholesale war of intervention and aggres-

² See document E/CN.4/L.1405.

sion perpetrated by Hanoi's 200,000 soldiers is no conventional war of colonial conquest such as history has known in the past. This is a war of genocide, of the extermination of an entire race, a whole nation.

324. The vote just taken, by recognizing the legitimacy of the Government of Democratic Kampuchea, acknowledges the right of Kampuchea to remain an independent nation with its own identity. This acknowledgement of the legitimate rights of Democratic Kampuchea will encourage the people of Kampuchea to pursue their struggle, whatever the sacrifices and difficulties involved, for the survival of the nation of Kampuchea. The situation in Kampuchea created by the war of aggression waged by Viet Nam is far from irreversible as has been claimed by the Le Duân clique. History has shown that a situation created by aggression can never be irreversible. Since the reorganization of our regular army into guerrilla units, the military situation has been changing constantly in our favour and the aim of the Le Duân clique, to swallow Kampuchea whole, has been checked. This explains why new reinforcements of several North Vietnamese divisions have been sent by the North Vietnamese into the south-west, the north-west and the north-east of Kampuchea. These have been sent in successive waves from February to August 1979.

325. The next dry season, from November 1979 to May 1980, will be a decisive time for us and for the aggressors. The General Assembly's vote will contribute greatly to a favourable turn in our struggle to recover the territorial integrity, independence and sovereignty of Democratic Kampuchea.

326. Furthermore, my delegation considers that the vote taken just now will give the people of Kampuchea and their Government a powerful instrument in their struggle for the right to decide their own destiny and to make of Democratic Kampuchea an independent, united, peaceful, neutral and non-aligned country.

327. For the countries in South-East Asia and for the rest of the world, the vote taken just now will contribute to the defence of peace, to stability and to security, because it will humble the arrogant expansionist Le Duân clique and its masters. The question of Kampuchea has significance beyond the borders of that country. There can be no doubt of its international importance since the aggressors themselves have declared that they belong to the expansionist camp.

328. Let the countries that love peace and independence join forces regarding the problem of Democratic Kampuchea, to fight the forces of *diktat*, aggression and expansionism, and to defend peace and stability throughout the world. Nothing could be more legitimate. In fact, it is more—it is an imperative.

329. For the United Nations itself, this vote strengthens the principles of the Charter of the United Nations and the confidence of States in this Organization. In the event of a vote to the contrary, its prestige would have been seriously damaged. The vote taken just now will enhance the hopes of those who wish to avoid another Munich. Thus, as in other difficult circumstances of its history, our Organization has once again shown itself very far-sighted. That redounds to its credit. Moreover, this vote will contribute to the development of international relations based on equality

and mutual respect and to the elimination from the international scene of the law of the jungle, which the Le Duân clique and its supporters wish to see prevail. Finally, our delegation expresses its determination to contribute here together, as do our freedom fighters in the field, to the peace, security and stability of South-East Asia and of the world.

330. Mr. KATAPODIS (Greece): Mr. President, my Foreign Minister will have the opportunity of addressing to you the official congratulations of the Greek delegation on your election to this high office. Allow me, in the meantime, to present to you my personal congratulations.

331. The Greek delegation has voted in favour of the draft resolution in the report of the Credentials Committee because it considers, first, that no Member State should be deprived of its right to be represented and to participate in the various organs of the United Nations and especially in its supreme body, the General Assembly; and, secondly, that, under the circumstances, the recommendation of the Credentials Committee constituted the lesser of two evils. This by no means signifies that my Government in any way condones the policies of the Government of Democratic Kampuchea, especially in the field of human rights because these policies have brought great suffering to the people of that unfortunate country.

332. Mr. FIGUEROA (Argentina) (*interpretation from Spanish*): The delegation of Argentina supported the draft resolution contained in the first report of the Credentials Committee because, as a matter of principle, it considered that the General Assembly must support the work and the opinion of the bodies to which it has delegated technical functions. This position has been unswervingly maintained by my country in the past in regard to the reports of the Credentials Committee, which is a technical body. Consequently we must reiterate it today.

333. Mr. HEIDWEILLER (Suriname): The political scene in South-East Asia has, for the past 40 years, been drenched in blood and tears. This has been a period marked by great acts of heroism as well as by extreme acts of cruelty. Those who entertained hopes of lasting peace and well-being for the peoples of Viet Nam, Laos and Cambodia after the end of the Viet Nam war are now seriously concerned about the prevailing situation. The situation in what was formerly known as Indo-China does not concern only the South-East Asian region but, as in the case of the Middle East, may eventually affect other regions as well. It is for these reasons that the delegation of Suriname attaches great importance to all matters evolving in this forum in relation to that region.

334. We are dismayed by the continuing military intervention of Viet Nam in the affairs of Cambodia, although we must concede that Viet Nam acted only after prolonged provocation on the part of the Pol Pot régime. As a result of the continuing military intervention of Viet Nam, the Pol Pot régime lost control of the capital, Phnom Penh, as well as of major parts of the Cambodian territory. The Pol Pot régime, representing Democratic Kampuchea was, as representatives all know, subsequently replaced by the Government of the People's Republic of Kampuchea, which now claims the seat of that country in the United Nations and in other international bodies.

335. The representation of that country has been the subject of continued and often acrimonious discussion within the United Nations, as well as in other international bodies. The traditional criteria for the recognition of its Government and for the acceptance of the credentials of its representatives seem to lack the normal weight and significance in this particular case. An objective analysis and evaluation of the situation prevailing in Cambodia seem to lend credibility to those who consider that the new Government has effective control over the territory. Through the application of traditional criteria to this matter, the representative of the new régime could possibly be admitted to participate in the activities of our Organization. That would, however, be tantamount to acquiescence in the continued military intervention by Vietnamese forces which makes it possible for the new régime to hold the reins of power in that country.

336. The alternative—to accept the credentials of the representative of the Pol Pot régime—seems even less attractive, if not outright repulsive, in view of the genocidal crimes committed by that régime. One wonders, however, why the discovery of those crimes by certain countries seemed to coincide with the intervention by the army of Viet Nam.

337. A legitimization of the representation of the Pol Pot régime would, in our opinion, be morally unacceptable, although we indeed realize the very great danger of judging the validity of the credentials of a delegation according to the moral or political clout of the Government it represents. We are very much aware that such an approach could eventually entail great and grave risks for the membership of all States, in particular of the small and weaker ones. The hideous nature and scale of the crimes committed by the Pol Pot régime against the Cambodian people do, however, place that régime in a separate category to which the normal legal criteria do not seem justifiably applicable. Confronted with a choice between two unacceptable options, my delegation preferred to abstain in the vote on the proposal of the Credentials Committee.

338. Mr. de PINIES (Spain) (*interpretation from Spanish*): Mr. President, since I have worked with you on very important issues, it will not surprise you that, in my personal capacity and without prejudice to the fact that the head of my delegation will do it with greater solemnity, I should like to congratulate you on your election to the presidency in recognition of your many talents.

339. The Spanish delegation abstained in the vote because, while it cannot accept any foreign military intervention for the purpose of overthrowing an established Government, neither can it support a Government that has systematically violated human rights and has for that been universally condemned. That was the meaning of our abstention.

340. Mr. ULRICHSEN (Denmark): Mr. President, at a more appropriate moment during the debate Denmark will have an opportunity of saying how happy we are at seeing you presiding over this session of the General Assembly.

341. I should like briefly to explain the vote of the Danish delegation on the resolution just adopted. In the

present circumstances, my Government would clearly have preferred a neutral solution of the problem. For purely procedural reasons, however, we voted in favour of the draft resolution contained in the report of the Credentials Committee. I wish to emphasize that this positive vote should not be taken as an expression of support for either of the two Governments that claim to represent Kampuchea.

342. Mr. LA ROCCA (Italy): The decision to cast a positive vote on the recommendation of the Credentials Committee concerning the credentials of the delegation of Democratic Kampuchea was a difficult one for the Italian Government. My Government is on record as having firmly condemned the crimes committed by the Pol Pot régime against the Kampuchean people, and I wish to take this opportunity to reiterate that condemnation.

343. If the matter under consideration did not involve other far more important issues, our vote would have reflected this position. However, the situation in Kampuchea raised fundamental questions of United Nations Charter principles, and we felt that we had no choice but to uphold those principles.

AGENDA ITEM 8

Adoption of the agenda and organization of work

FIRST REPORT OF THE GENERAL COMMITTEE (A/34/250)

344. The PRESIDENT: We shall examine first section II of the report of the General Committee, which deals with the organization of the session [A/34/250]. The General Committee has recommended several measures to improve the General Assembly's existing procedures and practices, on the basis of the observations and suggestions of the Secretary-General. Those measures are not contrary to the rules of procedure and, if adopted, would represent a giant step towards the rationalization of the procedures and organization of the General Assembly. It is hoped that the experience of this session will contribute to the proceedings of future sessions.

345. With these introductory remarks, I request the Assembly to direct its attention to paragraph 2 (a) and (b) of the report relating to the work of the General Committee. May I take it that the General Assembly approves those recommendations?

It was so decided.

346. The PRESIDENT: In connexion with the schedule of meetings referred to in paragraph 3, the General Committee recommends that both plenary and committee meetings should begin at 10.30 a.m. and 3 p.m. and that, in order to expedite the work of the Assembly, all meetings should begin promptly at the scheduled time. It is also understood that meetings on Saturdays, as well as night meetings, may be scheduled, should this prove necessary. May I consider that it is the wish of the General Assembly to adopt the recommendation made in paragraph 3?

It was so decided.

347. The PRESIDENT: We now turn to paragraph 4, concerning the general debate. May I take it that the General Assembly approves the recommendations in paragraph 4 (a), (b) and (c)?

It was so decided.

348. The PRESIDENT: In view of the unprecedented number of names already on the list of speakers, I would urge representatives to take the floor in the order in which their names were included in the list.

349. We now turn to paragraph 5. The General Committee recommends that explanations of vote should be limited to 10 minutes and that when the same draft resolution is considered in a Main Committee and in the plenary Assembly, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in the plenary Assembly, unless that delegation's vote in the plenary Assembly is different from its vote in the Committee. May I take it that the General Assembly approves those recommendations?

It was so decided.

350. The PRESIDENT: I now invite members to turn their attention to paragraph 6, concerning the right of reply. In addition to the recommendation in subparagraph 2 (a), which has been the practice of recent years, the General Committee recommends that the number of interventions in the exercise of the right of reply for any delegation at a given meeting should be limited to two per item. It further recommends that the first intervention in the exercise of the right of reply for any delegation on any item at a given meeting should be limited to 10 minutes and the second intervention should be limited to five minutes. May I take it that the General Assembly approves those recommendations?

It was so decided.

351. The PRESIDENT: Paragraph 7 deals with the closing date of the session and paragraph 8 with the records of the Main Committees. I take it that those recommendations are approved by the General Assembly.

It was so decided.

352. The PRESIDENT: No action is required on paragraph 9, which refers to the seating arrangements during the session.

353. May I take it that the General Assembly approves the recommendation in paragraph 10 concerning meetings of the Main Committees?

It was so decided.

354. The PRESIDENT: We turn now to paragraph 11, "Non-utilization of the rostrum". The General Committee recommends that explanations of vote, interventions in the exercise of the right of the reply and procedural motions should be made by delegations from their seats. I take it that the General Assembly approves that recommendation.

It was so decided.

355. The PRESIDENT: Paragraphs 12 and 13 refer to budgetary and financial questions under rule 153 of the rules of procedure. As members are aware, this has been a serious problem, especially towards the end of the session; this year Friday, 7 December, is the target date for the conclusion of the work of the Main Committees. To alleviate the situation, the General Committee has made recommendations in paragraphs 12 and 13 (a) to (d). May I take it that the General Assembly approves those recommendations?

It was so decided.

356. The PRESIDENT: Paragraphs 14 and 15 concern the reports of Main Committees. May I take it that the recommendations contained in those paragraphs are approved by the General Assembly?

It was so decided.

357. The PRESIDENT: I now put before the General Assembly the recommendation of the General Committee in paragraph 16, concerning balloting procedure. May I take it that it is the wish of the Assembly to approve that recommendation?

It was so decided.

The recommendations of the General Committee concerning the organization of the session (A/34/250, sect. II) were adopted (decision 34/401 A).

358. The PRESIDENT: That completes our consideration of the recommendations concerning the organization of the session. It is hoped that the General Committee, at a subsequent meeting, will consider the other recommendations which are of a more far-reaching character requiring more time for study and discussion—for example, those relating to documentation and subsidiary organs of the General Assembly.

359. We turn now to section III of the report of the General Committee relating to the adoption of the agenda.

360. May I just recall to members of the General Assembly rule 23 of the rules of procedure which provides that:

"Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of, and three against, the inclusion."

I should like to stress that at this time we are not discussing the substance of any item. I should also like to remind delegations that in accordance with the decision taken earlier today, interventions will have to be made from their seats.

361. Paragraph 18 relates to the report of the Economic and Social Council, item 12 of the draft agenda, submitted by the Secretary-General in his

memorandum [A/BUR/34/1, para. 25]. May I take it that the General Assembly takes note of paragraph 18?

It was so decided.

362. The PRESIDENT: We turn now to paragraph 19, containing the recommendation of the General Committee on item 29 of the draft agenda, entitled "Question of the Comorian island of Mayotte: report of the Secretary-General". Taking duly into account the report of the General Committee, and the statements made in that Committee, may I consider that item 29 is included in the agenda?

Item 29 was included in the agenda.

363. The PRESIDENT: We now turn to paragraphs 20 and 21, which contain recommendations of the General Committee to postpone to the thirty-fifth session the consideration of item 88 of the draft agenda, "Question of a convention on the rights of the child," and item 112, "Review of the multilateral treaty-making process: report of the Secretary-General". May I take it that the General Assembly approves those recommendations?

It was so decided.

364. The PRESIDENT: In paragraph 22, the General Committee recommends the inclusion of item 125 of the draft agenda, or item 123 in paragraph 24, entitled "The situation in Kampuchea". Taking duly into consideration the report of the General Committee, may I take it that this item is included in the agenda?

Item 123 was included in the agenda.

365. The PRESIDENT: I now invite members to turn their attention to the suggestions contained in paragraph 23, regarding the grouping of related items under a single heading and the staggering of more items over two or more years. May I take it that the General Assembly takes note of those suggestions?

It was so decided.

366. The PRESIDENT: We now turn to the agenda which the General Committee recommends for adoption by the General Assembly.

367. In accordance with past practice, we shall follow the numbering given in paragraph 24 of the General Committee's report [A/34/250], and shall consider together several items in groups, where that seems appropriate. I once again remind members that at present we are not discussing the substance of any item, except when such discussion can assist the Assembly in deciding whether or not to include an item in the agenda.

368. Agenda items 1 to 6 have already been acted upon in plenary meeting. Therefore, their inclusion has been approved.

369. We come now to items 7 to 28 inclusive. I take it that it is the wish of the General Assembly to include those items in the agenda.

Items 7 to 28 were included in the agenda.

370. The PRESIDENT: The question of the inclusion of item 29 has already been acted upon by the Assembly when it adopted paragraph 19 of this report.

371. We now turn to items 30 to 90, inclusive. May I take it that the Assembly decides to include them in the agenda?

Items 30 to 90 were included in the agenda.

372. The PRESIDENT: I call on the representative of Indonesia concerning item 91.

373. Mr. SUWONDO (Indonesia): My delegation wishes to restate its strong opposition to the inclusion of item 91, concerning the question of East Timor, in the agenda of the thirty-fourth session of this Assembly. My delegation therefore requests that its position on this matter be reflected in the records of this meeting.

374. The PRESIDENT: The statement of the representative of Indonesia will be reflected in the records of this meeting.

375. Mr. MISHRA (India): May I join my colleague from Indonesia in opposing the inclusion of the item on East Timor in the agenda of the Assembly.

376. The PRESIDENT: The position of the representative of India will likewise be reflected in the records.

377. May I now take it that the Assembly decides to include items 91 to 122 inclusive, in the agenda?

Items 91 to 122 were included in the agenda.

378. The PRESIDENT: The question of the inclusion of item 123, entitled "The situation in Kampuchea", has already been acted upon by the Assembly when it adopted paragraph 22 of this report.

379. The recommendations of the General Committee concerning the last two items—items 124 and 125—were adopted by the Committee without objection. May I take it that these two items are included in the agenda?

Items 124 and 125 were included in the agenda.

380. The PRESIDENT: The General Assembly has thus adopted the agenda for its thirty-fourth session [decision 34/402].³

381. We now turn to the question of the allocation of items dealt with in section IV of the report of the General Committee [A/34/250]. In this connexion, I should like to invite the attention of the Assembly to the recommendation of the General Committee in paragraph 25 that substantive items should normally be discussed initially in a Main Committee and, therefore, items previously allocated to plenary meetings should henceforth be referred to a Main Committee unless there are compelling circumstances requiring their continued consideration in the plenary Assembly. May I take it

³ See also paragraph 425 below.

that it is the wish of the General Assembly to approve that recommendation?

It was so decided.

382. The PRESIDENT: The modifications indicated in paragraph 26 are reflected in the proposed allocation, so we shall therefore consider them when we come to the relevant items under paragraph 27.

383. May I now invite members to turn to the list of items recommended by the General Committee for consideration in plenary meetings in paragraph 27 of its report.

384. With regard to item 18 on the list, I should like to invite the Assembly's attention to the recommendation of the General Committee in paragraph 26 (a) (i) that the Assembly refer to the Fourth Committee all the chapters of the report of the Special Committee relating to specific Territories so that the General Assembly may deal in plenary meeting with the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples as a whole. May I take it that the General Assembly approves that recommendation?

It was so decided.

385. The PRESIDENT: In connexion with item 21 on the list, concerning the question of Cyprus, the General Committee recommends in paragraph 26 (a) (ii) that the item should be considered directly in plenary meeting, on the understanding that the Assembly will, when considering the item, invite the Special Political Committee to meet for the purpose of affording representatives of the Cypriot communities an opportunity to speak in the Committee in order to express their views, and that it will then resume its consideration of the item, taking into account the report of the Special Political Committee.

386. Mr. ERALP (Turkey): Mr. President, no doubt my Foreign Minister, when he makes his statement, will extend to you his best wishes and congratulations. However, I should like to take this first opportunity to express to you, Sir, on behalf of my delegation and myself, not only our congratulations on your universally acclaimed election, but also our confidence in your exceptional ability to conduct the business of the Assembly, as already exemplified by the efficient, equitable and effective manner in which you have conducted the deliberations of the General Committee.

387. The Assembly must by now be familiar with the Turkish Government's views about the procedure to be followed in the discussion of the Cyprus question at the General Assembly of the United Nations. As we have time and again stressed from this rostrum, the procedure to be followed has a direct and important bearing on the substance of the General Assembly's debate on Cyprus. Therefore, it goes without saying that the question of procedure—in other words, the question of the allocation of the agenda item relating to the Cyprus question—requires particular consideration by the General Assembly.

388. The recommendation of the General Committee that the agenda item on the question of Cyprus be

allocated for discussion in the plenary meetings of the Assembly is a repetition of the procedure followed at the thirty-third session. The Turkish delegation strongly objected to that procedure last year, and is determined to maintain the same position this year.

389. As a matter of fact, under the procedure followed at the last session of the General Assembly, the Turkish Cypriot community, one of the two principal parties to the Cyprus dispute, has been denied the right of equal participation and equal say at all levels of the debate. As you, Mr. President, have already stated, according to the procedure followed last year, the question of Cyprus should be allocated directly to the plenary meetings. The Assembly in plenary meeting would, however, when considering the item, invite the Special Political Committee to meet for the purpose of affording the representatives of the two Cypriot communities an opportunity to speak in the Committee in order to express their views, and would then resume its consideration of the item.

390. Past experience has already shown that the procedure recommended by the General Committee is totally inadequate for a valid and constructive discussion of the Cyprus problem. Such a procedure unjustly deprives the Turkish Cypriot community of the right to participate in the debate proper, which will resume in the plenary meetings of the Assembly after the meeting of the Special Political Committee.

391. The General Assembly is quite aware of the fact that brief meetings held by the Special Political Committee in the past have proved to be just a perfunctory audition of the representatives of the two communities, since the real debate took place exclusively in the plenary meetings. The draft resolution on the question was introduced directly at the plenary meetings, and the Turkish Cypriot community did not have any say during its consideration in plenary meetings. Furthermore, this arrangement magnified the unequal treatment accorded to the Turkish Cypriot community by enabling the Greek Cypriots to double their voice and speak in yet another capacity, that of the Greek community, in addition to that of the Greek Cypriot delegation. Moreover, it prevented the General Assembly from acquainting itself with the views of the Turkish Cypriot side, which was so essential for a meaningful and constructive debate on the Cyprus question.

392. There is no doubt that the procedure which is once again being recommended by the General Committee disregards the fact that there are today in the island of Cyprus two distinct administrations, that all resolutions of the General Assembly and the Security Council on the very question recognize the two communities as the principal negotiating parties in the Cyprus dispute, and that the negotiating process carried out under the good offices of the Secretary-General involves the two communities.

393. The fact that a substantial body of delegations could not find it possible at the last session of the General Assembly to vote in favour of the General Committee's recommendation concerning the allocation of the item under the procedural arrangement that I referred to points indisputably to widespread misgivings as to the merits of that procedure.

394. The question of Cyprus is going to be discussed

at this session of the General Assembly at a time when serious and intensive efforts are under way in order that the intercommunal talks may continue in a constructive and meaningful manner. These talks were resumed on 15 June this year, after a hiatus of two years. The leaders of the two communities, at their meeting of 18 and 19 May 1979, not only decided to resume the intercommunal talks, but also agreed on the basis for these talks, which are designed to achieve an independent, non-aligned, bicomunal and bizonal federal republic. Furthermore, the leaders of the two communities showed the wisdom to accept the concept of a political truce between the two communities by agreeing, in point 6 of the 19 May accord, to abstain from any action which might jeopardize the continuing and sustained conduct of the talks, and committed themselves to giving special importance to initial practical measures to promote goodwill, mutual confidence and a return to normal conditions.

395. It is against that background and in keeping with the spirit of political truce between the two communities of Cyprus that the Turkish Cypriot community is rightfully demanding participation on the basis of full equality at all levels during the discussion of the Cyprus question. This demand is indisputably in conformity with the principle of equity, the realities of Cyprus and the prerequisites for a peaceful settlement.

396. However, my delegation, taking into account procedural constraints and political intricacies, limited itself on Wednesday in the General Committee⁴ to proposing a compromise formula, which, while falling short of achieving equality between the two communities, would to a certain extent redress the unequal treatment suffered by the Turkish community at previous sessions. Our measured proposal, which was not endorsed by the General Committee, was simply that the item be allocated directly to the Special Political Committee. This would have enabled the Turkish community of Cyprus to participate in the debate at the Committee level and take an active part during the consultations on a draft resolution. The adoption of our proposal by the General Committee also would have at least partly enhanced the principle of political equality between the two Cypriot communities, as laid down by the various relevant resolutions of the General Assembly and the Security Council.

397. The proposal of the Turkish delegation on Wednesday in the General Committee was entirely in keeping with the rules of procedure of the General Assembly and the recommendation made by the Secretary-General in paragraph 19 of his report on the rationalization of the procedure and organization of the General Assembly [A/34/320]. I shall not repeat the paragraph, because it is set out in paragraph 25 of the report now before us [A/34/250].

398. The adoption by the General Committee of our proposal that the item on the question of Cyprus be allocated to the Special Political Committee would have been therefore a prompt response to the recommendation of the Secretary-General.

399. My delegation is firmly convinced that the procedure recommended by the General Committee in

paragraph 26 (a) (ii) of its report is unjust and politically unwise and that it constitutes an impediment to a constructive and meaningful debate on the question of Cyprus in the General Assembly. The result of the vote that took place the other day in the General Committee on our proposal requesting the allocation of the item to the Special Political Committee is in fact significant. It clearly indicates that the majority of the members of the General Committee share with us the same misgivings as to the merits of the procedure which is now before the Assembly for decision.

400. To conclude, I reiterate that the Turkish delegation is strongly opposed to the procedure recommended by the General Committee. I would therefore request the President to put that recommendation to a vote. I also request a recorded vote.

401. Mr. MAVROMMATIS (Cyprus): Mr. President, during the general debate the President of the Republic of Cyprus will have the opportunity to extend to you his own, our country's and our delegation's congratulations on your well-deserved election, but allow me, on a personal basis, and having observed you both in the General Committee and in the plenary meetings, to offer my own congratulations and to add that we have the assurance that under your very able leadership we shall finish the work of this session of the Assembly in record time.

402. Nothing would have given me greater pleasure than to be in a position now to report to this body even some progress in the quest for a solution to the Cyprus problem, and I am certain that such good tidings would have pleased the General Assembly, which has, by word and deed, through its resolutions, often adopted unanimously, constantly and consistently supported the just cause of Cyprus. I do not think that it would be hyperbole to say that the United Nations is the only shield that defenceless Cyprus has, a shield that has perhaps prevented its total occupation.

403. But unfortunately I can only report frustration and a complete lack of progress; even worse, the wind of hope that blew on 19 May, when the 10-point agreement was concluded between President Kyprianou and the leader of the Turkish community, Mr. Denktas, has given way to the stagnant air of desperation as a result of the setting of pre-conditions which depart from the very agreement dictated by Turkey in an effort to achieve alien solutions. These pre-conditions have all but thwarted a new initiative once again. This is the reason why the question of Cyprus remains, in the words of the Secretary-General in successive reports and statements, one of the most acute of the problems that are before the United Nations, and this is one of the compelling reasons why it should be dealt with in accordance with the well-established precedent that the recommendation of the General Committee embodies and thus should be debated in the plenary meetings of the Assembly.

404. Further reasons can be found in the indisputable fact that Turkey has contemptuously ignored the succession of resolutions on Cyprus and thus the occupation army remains, refugees are still prevented from returning to their homes, the missing are still unaccounted for and human rights are but a dream for people living in enclaves and the displaced. I do not think that I need stress to my colleagues the well-known and oft-

⁴ See *Official Records of the General Assembly, Thirty-fourth Session, General Committee, 2nd meeting, paras. 79-84.*

explained fact that our debate in the plenary meetings concerns the international aspect—and I underline this—of the Cyprus question, and does not concern the communities, but the Government of occupied Cyprus and the Government of Turkey that occupies 40 per cent of my country.

405. Neither we nor any others wish to bring into the United Nations the difficulties, polemics and frustrations of the intercommunal dialogue which is concerned only with the internal aspect of the Cyprus problem. That would happen if the Turkish proposal made in the General Committee were to be accepted. It would be highly undesirable to disturb the delicate balance of the established procedure, which already represents a compromise and by which ample opportunity is given for the two communities to air their views. One might even be tempted to say that I am now merely echoing words uttered by way of explanation when similar attempts were frustrated—more than once—in the past in the plenary meetings of the Assembly.

406. Reference was also made by the representative of Turkey to point 6 of the agreement of 19 May 1979. Let me reply by saying not only that point 6 cannot be considered in isolation; it has to be considered along with the other eight points which envisage a continued dialogue with priorities that Turkey no longer accepts—priorities such as the town of Varosha, which is well known to almost everybody here. Moreover, the letter and the spirit of point 6 in no way affects the inalienable and sovereign right of the Government of Cyprus to bring a problem of the seriousness and magnitude of the question of Cyprus before the General Assembly of the United Nations. I can even go a step farther and say that it does not relieve Member States of the duty to examine such a potentially explosive situation.

407. But if there were even a scintilla of progress, then both tone and content could be affected and might have varied accordingly. Let us never lose sight of the fact that it is we, the oppressed and occupied that crave progress, a solution and liberation, not those who are still sitting astride our bleeding body.

408. In conclusion, allow me to make a strong plea to every representative present once again resolutely to resist Turkish efforts to create new and dangerous precedents; let the Assembly maintain the *status quo* with its proven usefulness, probity and legality. I had occasion in the General Committee to stress the fact that the real intent of Turkey in making these unprecedented demands regarding procedure is to confuse the issue and to present it as a mere intercommunal problem, and at the same time to gain indirect recognition of the so-called Turkish Federated State of Cyprus, whose establishment was unanimously rejected both by the General Assembly and the Security Council.

409. I sincerely hope that the recommendation of the General Committee will have the backing of the overwhelming majority of this august body.

410. The PRESIDENT: We shall now vote on the recommendation of the General Committee on the question of the allocation of the item concerning the question of Cyprus as contained in paragraph 26 (a) (ii) of document A/34/250. A recorded vote has been requested by the representative of Turkey.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, German Democratic Republic, Greece, Guatemala, Guinea-Bissau, Guyana, Honduras, Hungary, India, Ivory Coast, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Madagascar, Malawi, Maldives,⁵ Mali, Malta, Mexico, Mongolia, Mozambique, Nepal, Niger, Peru, Poland, Portugal, Romania, Rwanda, Samoa, Senegal, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yugoslavia, Zambia

Against: Bangladesh, Indonesia, Malaysia, Pakistan, Saudi Arabia, Somalia, Turkey, Upper Volta⁶

Abstaining: Australia, Austria, Belgium, Canada, Chile, Comoros, Denmark, Djibouti, Egypt, Germany, Federal Republic of, Iceland, Ireland, Italy, Luxembourg, Mauritania, Netherlands, New Zealand, Norway, Oman, Papua New Guinea, Philippines, Qatar, Sierra Leone, Suriname, Thailand, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen

The recommendation was adopted by 74 votes to 8, with 30 abstentions.

411. The PRESIDENT: Regarding item 27 on the list, concerning the question of Namibia, the General Committee recommends in paragraph 26 (a) (iii) that the item should be considered directly in plenary meetings on the understanding that hearings of organizations concerned will be heard in the Fourth Committee. May I consider that the Assembly adopts that recommendation?

It was so decided.

412. The PRESIDENT: In connexion with item 28 on the list, concerning the policies of *apartheid* of the Government of South Africa, I invite the Assembly's attention to the recommendation contained in paragraph 26 (a) (iv). The General Committee recommends that this item be considered directly in plenary meetings on the understanding that the representatives of the Organization of African Unity and of national liberation movements recognized by it will be permitted to participate in the discussion in the plenary meetings and that organizations having a special interest in the question will be permitted to be heard by the Special Political Committee. May I consider that the General

⁵ The delegation of Maldives subsequently informed the Secretariat that it wished to have its vote on the recommendation recorded as an abstention.

⁶ The delegation of Upper Volta subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the recommendation.

Assembly approves the recommendation of the General Committee?

It was so decided.

413. The PRESIDENT: May I now consider that the General Assembly approves the allocation of the other items listed for consideration directly in plenary meetings?

It was so decided.

414. The PRESIDENT: We turn now to the list of items which the General Committee has recommended for allocation to the First Committee.

415. Regarding item 16 on the list, concerning general and complete disarmament, the General Committee recommends in paragraph 26 (b) (i) that the relevant paragraphs of the annual report of IAEA, which is to be considered directly in plenary meetings under item 14, should be drawn to the attention of the First Committee in connexion with its consideration of the item. May I take it that the Assembly approves that recommendation?

It was so decided.

416. The PRESIDENT: May I consider that the General Assembly approves the proposed allocation of items to the First Committee?

It was so decided.

417. The PRESIDENT: We come now to the items recommended for allocation to the Special Political Committee. May I consider that the General Assembly approves that recommendation?

It was so decided.

418. The PRESIDENT: I now invite members to examine the list of items recommended for allocation to the Second Committee.

419. In connexion with item 3 on the list, concerning UNCTAD, the General Committee recommends that in view of the time schedule referred to in paragraph 26 (c) (ii), the Second Committee should consider the question of changing the periodicity of future sessions of the Trade and Development Board and report thereon to the Assembly as a matter of priority. I take it that there is no objection to that recommendation.

It was so decided.

420. The PRESIDENT: May I take it that the General Assembly approves the proposed allocation of items to the Second Committee?

It was so decided.

421. The PRESIDENT: We now come to the items proposed for allocation to the Third Committee. May I take it that the General Assembly approves that proposed allocation?

It was so decided.

422. The PRESIDENT: Are there any comments on the proposed allocation of items to the Fourth Committee? If not, I shall take it that the Assembly approves that proposed allocation.

It was so decided.

423. The PRESIDENT: We now turn to the list of items recommended for allocation to the Fifth Committee. May I consider that the General Assembly approves that proposed allocation?

It was so decided.

424. The PRESIDENT: Finally, we come to the list of items proposed for allocation to the Sixth Committee. May I consider that the General Assembly approves that proposed allocation?

It was so decided.

425. The PRESIDENT: The General Assembly has thus adopted the agenda and the allocation of items for its thirty-fourth session [decision 34/402].

426. I wish to thank the members of the Assembly for their co-operation, which has made it possible for us to complete our task at this meeting.

427. Each Committee will promptly receive the list of agenda items allocated to it so that it may begin its work as soon as possible, in accordance with rule 99 of the rules of procedure.

428. Before adjourning this meeting I should like to draw an important point to the attention of the Assembly. One of the first proposals adopted at this session, on the recommendation of the General Committee, was that all meetings should begin promptly at the scheduled time. Members should be aware that it is my intention to do everything I can to ensure that the decisions of the General Assembly on how its work shall be conducted are fully and faithfully implemented. That means that it is incumbent on delegations to occupy their seats promptly at the opening of our next meeting, which is scheduled for 10.30 a.m. on Monday, when we shall commence the general debate. It is of course particularly important that representatives whose names appear on the speakers' list should be prepared to speak when their names are called. I wish to reiterate that I intend to start the meeting at 10.30 a.m. punctually, as agreed on by the General Assembly.

429. As members know, the decisions adopted also specify a 10-minute limitation on explanations of vote and rights of reply, with a second right of reply being limited to five minutes. I wish to inform members well in advance that it is my intention to apply these time limitations strictly in the interests of the membership as a whole. I am sure that members will understand that to be fair I must apply the limit impartially to all speakers without exception, and I request the understanding and full co-operation of members as together we seek to improve our work performance this year for the common good.

The meeting rose at 8.35 p.m.