



Monday, 16 December 1974,
at 10.30 a.m.

Official Records

NEW YORK

CONTENTS

	Page
Agenda item 10: Report of the Secretary-General on the work of the Organization	1489
Agenda item 11: Report of the Security Council	1489
Agenda item 14: Report of the International Court of Justice	1490
Agenda item 3: Credentials of representatives to the twenty-ninth session of the General Assembly (concluded): (b) Report of the Credentials Committee Second report of the Credentials Committee	1490
Agenda item 37: Policies of apartheid of the Government of South Africa (continued): (a) Reports of the Special Committee on Apartheid; (b) Report of the Secretary-General Report of the Special Political Committee	1498

President: Mr. Abdelaziz BOUTEFLIKA
(Algeria).

In the absence of the President, Mr. Aké (Ivory Coast), Vice-President, took the Chair.

AGENDA ITEM 10

Report of the Secretary-General on the work of the Organization

1. The PRESIDENT (*interpretation from French*): The first item on our agenda this morning relates to the report of the Secretary-General on the work of the Organization from 16 June 1973 to 15 June 1974 and the introduction to the report [A/9601 and Add.1]. It has been customary for the General Assembly merely to take note of the annual report of the Secretary-General, as well as the introduction to it, which has been referred to on several occasions during the debates in the Assembly. If I hear no objection, I shall take it that the General Assembly wishes to follow that practice.

It was so decided.

AGENDA ITEM 11

Report of the Security Council

2. The PRESIDENT (*interpretation from French*): The report of the Security Council covers the period 16 June 1973 to 15 June 1974 [A/9602]. A draft resolution [A/L.756] has been submitted by Austria, Indonesia and Peru.

3. Mr. DRISS (Tunisia) (*interpretation from French*): The report in document A/9602 relates to the activities of the Security Council for the period 16 June 1973 to 15 June 1974. It has just been circulated in all languages a few days before it was to be considered by the General Assembly. The fact is, therefore, that it is difficult for us to make comments, as we have done in previous years, on a document which we did not get in time, the more so as agenda item 11 has been submitted for our consideration during the very last stages of this session.

4. We continue to believe that the Security Council, acting on behalf of the Assembly, should take account of the recommendations the General Assembly submits to it, either during its debates on the various items of the agenda or in its annual report, or in interim reports submitted in accordance with Article 24, paragraph 3, of the Charter. To put it mildly, it is odd that the Security Council has confined itself to mentioning without comment, in paragraph 708 of its report [A/9602], the communication concerning General Assembly resolution 3186 (XXVIII) on the report of the Security Council—that is, the letter of the Secretary-General dated 28 January 1974,¹ transmitting to the Council the text of that resolution. Since by that resolution, adopted on 18 December 1973, the General Assembly drew the attention of the Security Council to the views and suggestions submitted by Member States in response to General Assembly resolutions 2864 (XXVI) and 2991 (XXVII), we shall confine ourselves this year to recalling those resolutions and stressing the need to strengthen the action of the Security Council, which should respond to the various recommendations of the General Assembly.

5. We do not have enough time this year to make any more substantive comments on the positive aspects of the action of the Security Council—and we recognize that there are such aspects. We associate ourselves with the approval of the report submitted to us, with that reservation and in the hope that the report of the Security Council for the period June 1974 to June 1975 will be circulated before the opening of the thirtieth session of the General Assembly and that the Assembly will examine it at an earlier date and not under pressure during the final stages of the session.

6. I am convinced that the Secretary-General and his colleagues, to whom I should like to pay a sincere tribute on behalf of the Tunisian delegation, will continue as they have done in the past to lend us their assistance so that the kind of co-operation envisaged in the Charter may be established between the General Assembly and the Security Council. It is by harmonizing the efforts of all—great and small, major Powers and countries of the third world—that a better world based on justice, a world where peace is not just an interval between two conflicts, can be created.

7. The PRESIDENT (*interpretation from French*): As no other delegation has asked to speak, may I take it that the General Assembly decides to adopt draft resolution A/L.756?

The draft resolution was adopted (resolution 3322 (XXIX)).

8. The PRESIDENT (*interpretation from French*): I now call upon the representative of the Soviet Union to speak in explanation of his delegation's position.

9. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): In connexion with the draft resolution just adopted and the references to previous resolutions on this question contained in its preamble, the Soviet delegation would like to make the following statement. The Soviet delegation would like once again to stress that enhancing the effectiveness of the Security Council is exclusively within the competence of the Council itself. Any attempts to impose upon the Council from outside—and particularly attempts by another organ of the United Nations, the General Assembly—procedures and ways and means of enhancing its effectiveness, and to involve the Secretary-General in that process, are contradictory to the United Nations Charter and have nothing whatsoever in common with the genuine task of enhancing the effectiveness of the Council.

AGENDA ITEM 14

Report of the International Court of Justice

10. The PRESIDENT (*interpretation from French*): The Assembly will now consider the report of the International Court of Justice for the period from 1 August 1973 to 31 July 1974 [A/9605]. If no delegation wishes to speak on this item, I shall take it that the General Assembly takes note of the report of the International Court of Justice.

It was so decided.

AGENDA ITEM 3

Credentials of representatives to the twenty-ninth session of the General Assembly (concluded)*

(b) Report of the Credentials Committee

SECOND REPORT OF THE CREDENTIALS COMMITTEE (A/9779/Add.1)

11. Mr. YANGO (Philippines), Chairman of the Credentials Committee: I have the honour of submitting the second report of the Credentials Committee [A/9779/Add.1] for the consideration of the General Assembly.

12. The Credentials Committee held its 65th meeting, on 12 December 1974, and considered the situation of delegations whose credentials had not been received by the Secretary-General in the form provided by rule 27 of the rules of procedure of the General Assembly at the time of the decision taken by the Committee at its 64th meeting, on 27 September 1974. The Under-Secretary-General, the Legal Counsel, informed the Committee that since 28 September

1974, the date of the last report of the Committee to the General Assembly [A/9779] the Secretary-General had received credentials, as provided for by rule 27 of the rules of procedure, from all delegations except in the case of Maldives, which was not represented at the twenty-ninth session of the General Assembly, and of Peru, for whose representatives, owing to postal difficulties, only a photocopy of the original credentials, signed by the President of the Republic of Peru, could be submitted to the Secretary-General.

13. The Credentials Committee was invited by its Chairman, if it so wished, to accept the credentials submitted to the Secretary-General in the form contemplated by rule 27 of the rules of procedure and, in the case of Peru, to accept, as an exceptional measure, the credentials submitted by the representatives of that Member State on the understanding that the formal credentials would be forwarded as soon as possible.

14. After discussion, as reflected in document A/9779/Add.1, the Committee adopted the following draft resolution by a vote of 5 to 1, with 3 abstentions:

"The Credentials Committee,

"Having examined the case of those representatives for whom credentials in the form required by rule 27 of the rules of procedure had not been received by the time of its first report (A/9779),

"1. Accepts, as an exceptional measure, the credentials received for the representatives of Peru, it being understood that the formal credentials will be forwarded as soon as possible;

"2. Accepts the credentials of all representatives of the remaining Member States which have been received since the date of the first report of the Committee."

15. In the light of the foregoing report, I have the honour to submit to the General Assembly for its approval the following draft resolution:

"The General Assembly

"Approves the second report of the Credentials Committee (A/9779/Add.1)."

16. The PRESIDENT (*interpretation from French*): I now give the floor to the representatives who wish to make statements on this item. In view of the fact that the Assembly has already had a wide-ranging debate on this subject, I would urge speakers to confine themselves to essential matters, thus making it possible for us to complete our work at this morning's meeting at a reasonable hour.

17. Mr. KELANI (Syrian Arab Republic) (*interpretation from Arabic*): Five years ago, as a Member of the United Nations, Cambodia was in the habit of sending its legal representatives to General Assembly sessions. However, in March 1970, foreign intervention and invasion succeeded in setting up a puppet régime in the capital, Phnom Penh. The Cambodian people resisted that illegal and illegitimate Government with an uprising during which thousands of demonstrators died. As a result, revolution broke out throughout the country, and the Royal Government of National Union of Cambodia headed by Prince Norodom Sihanouk led the people in their revolt in defence of their freedom and independence after the

* Resumed from the 2281st meeting.

country had been exposed to an overwhelming foreign military invasion.

18. After four and a half years of struggle, the Cambodian people was able to restrict the power of the Lon Nol Government to very limited areas. That puppet Government now controls less than 10 per cent of Cambodian territory, inhabited by about 15 per cent of the Cambodian people. Thus the Lon Nol Government continues to be unrepresentative of the Cambodian people, and, were it not for the fact that it was installed in the country's capital and backed by foreign arms and foreign military, economic and financial support, it would have collapsed in its first days.

19. The General Assembly consists of sovereign States with the exception of the Khmer Republic. The sovereignty of the Government of the Khmer Republic over the Cambodian people and territory is extremely limited; it is so limited that it does not entitle it to the representation of the Cambodian people, nor to sovereignty over the Cambodian territory as a whole. Thus it is perfectly clear and evident that the Lon Nol Government since its establishment has not been based on the right of self-determination which the Cambodian people have been prevented from exercising in full freedom and democracy by foreign intervention and invasion. The Lon Nol Government is illegal and the presence of its representatives in the General Assembly is consequently illegal.

20. General Assembly resolution 3238 (XXIX), adopted on 29 November 1974, that is, about two weeks ago, emphasized and reasserted some of these facts. In the third preambular paragraph, the Assembly emphasized that two Governments exist on Cambodian territory. In paragraphs 1 and 2 of the resolution, it was stated very clearly that there are two conflicting parties, each of which claims legal and legitimate rights in Cambodia. The Assembly by this resolution did not favour one party over the other nor did it give any particular right to one of the parties, while denying it to the other.

21. In paragraph 3 of the resolution, the General Assembly recommended that no hasty decision should be adopted concerning any step to be taken until Member States had had an opportunity to examine the report of the Secretary-General to the Assembly at its thirtieth session. This clearly means that no decision should be taken in favour of either party until the General Assembly has considered the matter during its thirtieth session. The principle of equal treatment applies in this case to the two parties in conflict. The logical sequence would be to reject the credentials of the representatives of the Khmer Republic.

22. For these reasons the delegation of the Syrian Arab Republic would like to propose that the following words be added at the end of the draft resolution proposed by the Credentials Committee in its report [A/9779/Add.1]:

“... except with regard to the credentials of the representatives of the so-called Khmer Republic”.²

I should like a roll-call vote to be taken on this amendment.

23. Mr. FALL (Senegal) (*interpretation from French*): On 29 November last, after a long and dif-

ficult debate, we concluded our consideration of the question of the restoration of the lawful rights of the Royal Government of National Union of Cambodia by adopting General Assembly resolution 3238 (XXIX). The text was adopted by 56 votes to 54, with 24 abstentions; five countries that had recognized the Royal Government of National Union of Cambodia, for reasons I will not go into, failed to heed the appeal of the opponents of the resolution. This prompted one journalist to say that the draft resolution on Cambodia was adopted by a “slim majority”.

24. However, that is the past as far as we are concerned; the Assembly handed down a verdict that was not the one that we expected, a verdict that we opposed to the end; and if we had to start all over again, our opposition would be even more vigorous, because we still believe that the only lawful Government of Cambodia is the Royal Government of National Union led by Prince Norodom Sihanouk. That, however, is no longer a relevant issue for we have before us a decision of the Assembly which is immediately and totally applicable.

25. A moment ago, the Chairman of the Credentials Committee gave us an outline of how the Committee's work had proceeded. In the course of the Committee's work, we were called on to explain to the members of the Committee that the decision adopted by the General Assembly on Cambodia [resolution 3238 (XXIX)] had two main features: first, it did not recognize that either party claiming to have lawful rights in Cambodia had the exclusive privilege to represent the country.

26. Secondly, the General Assembly decided not to press for further action until Member States of the United Nations had had an opportunity to examine the report of the Secretary-General to be submitted next year to the General Assembly at its thirtieth session.

27. On the basis of those two facts, we proposed in the Credentials Committee that it postpone a decision on the credentials of the so-called Khmer Republic. At that time we did not believe that the Committee would have very much difficulty in endorsing that stand. But, to our surprise, the head of the United States delegation took the floor and expressed his opposition to that point of view. We found that conduct particularly paradoxical because the United States delegation not only had advocated the adoption of resolution 3238 (XXIX) but seemed quite obviously to be, if not the father, at least the midwife of that resolution. In view of the membership of the Committee, that United States opposition led, as was to be expected, to the rejection of our proposal, which was based on respect for the Assembly's decisions.

28. The report of the Credentials Committee, which was distributed this morning [A/9779/Add.1] gives the genesis of the debate that took place and the decision that followed it.

29. As we said in the Committee, we believe that this is not the right time to reopen a debate on the question of Cambodia. However, we believe too that we have the obligation to respect the Assembly's decisions. It seems that the very persons who were behind the decision in question now wish to violate it.

30. As representatives are aware, after the vote on the draft resolution that became resolution 3238 (XXIX), I came to this rostrum and drew the Assembly's attention to a number of points and asked it to take note of them [2302nd meeting, paras. 24-36].

31. Among other points, I asked the Assembly to take note of the fact that, in the resolution it had adopted, no reference whatsoever was made to the right of the Lon Nol Government to represent, even provisionally, in our Assembly the Cambodian people as a whole. In paragraph 1 of resolution 3238 (XXIX), the Assembly

"Calls upon all the Powers which have been influencing the two parties to the conflict to use their good offices for conciliation between these two parties with a view to restoring peace in Cambodia."

Finally, in paragraph 3—which in the present circumstances seems to us the most important—the Assembly

"Decides not to press for any further action until Member States have an opportunity to examine the report of the Secretary-General."

That report of the Secretary-General is to be submitted next year to the General Assembly at its thirtieth session. That too is clearly stated in the resolution.

32. It goes without saying that the Assembly is master of its procedures. But, if we are to proceed to change our decision for some extraordinary reason, then we should do it in accordance with rule 81—that is, we must take a decision by a two-thirds majority on whether it is appropriate to reconsider paragraph 3 of resolution 3238 (XXIX). Indeed, rule 81 says:

"When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the General Assembly, by a two-thirds majority of the members present and voting, so decides."

33. The draft resolution which the Chairman of the Credentials Committee has just introduced, calls on us to reconsider our vote on paragraph 3 of resolution 3238 (XXIX). We believe that this is hardly a business-like approach, especially since—as we have pointed out—the very ones who were behind that resolution are now beginning to violate its terms.

34. Before coming into this Hall, I was careful to read the verbatim record of our meeting of 29 November [2302nd meeting], and I saw indeed that I was not mistaken. No delegation raised the slightest objection when I called on the Assembly to take note of the considerations that I have just put forward. This then, does reflect a feeling shared by the Assembly as a whole. Furthermore, the text itself is clear enough. It leaves no room for doubt. That is why the very least that we can do now is not to accept the credentials which might be submitted by either—I repeat, by either—of the two parties claiming "lawful rights in Cambodia". That is why my delegation supports the draft amendment just introduced by the representative of the Syrian Arab Republic [para. 22 above]. I would request that the Assembly not reverse its judgement by going back on a resolution that has already been adopted. I must confess that I did not vote in favour of

it, but it has, after all, become a resolution of the General Assembly.

35. With respect to the provisions of rule 81, I believe that if there is any doubt whatsoever in your mind, Mr. President, about its relevance, I would ask you to consult the Legal Counsel of the United Nations for his opinion on this question.

36. The PRESIDENT (*interpretation from French*): The delegation of Senegal has raised certain points with which we shall deal in due course.

37. Before calling on the next speaker, I should like to suggest to the Assembly that the list of speakers on this item be closed at noon today. If there is no objection, I shall consider that it is so decided.

It was so decided.

38. Mr. NAÇO (Albania) (*interpretation from French*): With regard to the report of the Credentials Committee, the Albanian delegation whole-heartedly supports the draft amendment just presented by my colleague and friend, Mr. Kelani of the Syrian Arab Republic, according to which we would not recognize as valid the credentials of the Lon Nol clique, which represents nothing.

39. It is well known that that clique is the creation of the aggressive policy of American imperialism and is kept in power thanks to American arms and dollars. It was illegally established in Phnom Penh by a fascist *coup d'état* organized by the United States to serve the ends of its policies and global strategy in Cambodia and throughout Indo-China. It in no way represents the interests and aspirations of the Cambodian people, but rather those of its American patrons, which put it in power. The only lawful Government of the Cambodian people, which enjoys the confidence and support of that people as a whole, is the Royal Government of National Union of Cambodia, headed by Prince Norodom Sihanouk. That Government controls more than 90 per cent of the territory of the country, and 85 per cent of the population of Cambodia lives in zones under its administration. All the members of the Government, with the exception of the Minister for Foreign Affairs, live and work inside Cambodia, where they organize and run the life of the whole country and guide the struggle of the Cambodian people for the total liberation of Cambodia from foreign invaders and traitors to their country.

40. The Royal Government of National Union of Cambodia enjoys the whole-hearted and powerful support of many countries. Its authority and prestige in the international arena have considerably increased. More than 62 countries maintain diplomatic relations with it. As such, only the Royal Government of National Union of Cambodia possesses all the necessary attributes to represent Cambodia and the Cambodian people in international relations, and this includes the United Nations.

41. Many Members of the United Nations have expressed themselves strongly, both before and during this session, in favour of the restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations and in favour of the expulsion of the representatives of the Lon Nol group from the United Nations and from all organizations associated with the United Nations. However,

in pursuing their criminal policies against the Cambodian people and its legitimate Government, American imperialists have continuously impeded the attainment of the legitimate aspirations and rights of the Cambodian people, including the restoration of the inalienable rights of the Royal Government of National Union of Cambodia in the United Nations.

42. We have all witnessed the way in which the United States has tried, during this session also, by manoeuvres, manipulation and pressure of all kinds, to postpone the just demands of Member States in this regard. In carrying out these manoeuvres, the United States is attempting to prolong the life of its puppet in Phnom Penh so as to use them for as long as possible to serve the ends of its aggressive policies in Cambodia and throughout Indo-China.

43. In any case, neither the aggressive actions of the American imperialists in Cambodia nor their stratagems here in the United Nations can bring the valiant people of Cambodia, the National United Front of Kampuchea or the Royal Government of National Union of Cambodia to their knees, nor will they ever be able to. For them the objectives to be attained and the methods to be employed in order to achieve victory are clear. They are aware of the fact that it is only thanks to their resolute and uncompromising struggle that they will inflict defeat on the American imperialists and the puppet clique in Phnom Penh. This has also been recently stressed in the statements of the head of the National United Front of Kampuchea, Prince Norodom Sihanouk.

44. The just struggle of the Cambodian people has ceaselessly won the multilateral support of the freedom-loving peoples of the world. The successive victories won by the Cambodian patriots are a source of infinite gratification to them. On the other hand, the Soviet socio-imperialists are playing the role of false friends to the Cambodian people, while maintaining relations with the Phnom Penh clique in various ways.

45. The usurpation of the seat of Cambodia in the United Nations by a clique of traitors enjoying the direct support of the United States is a flagrant violation of the principles of the Charter, on which the United Nations is founded, and constitutes a grave precedent in the activities of our Organization. All peace-loving peoples and countries demand that this situation, which openly compromises the name of our Organization, should be brought to an end as soon as possible and that the representatives of the Lon Nol clique should be expelled from the United Nations and the representatives of the Royal Government of National Union of Cambodia, led by Prince Norodom Sihanouk, called upon to occupy their rightful seat here.

46. The Albanian people and Government will remain, as always, at the side of the Cambodian people in its struggle for liberation until all its aspirations are finally attained.

47. The PRESIDENT (*interpretation from French*): I should like to inform the Assembly that, in accordance with its decision [*see para. 37 above*], the list of speakers is now closed.

48. Mr. OR KOSSALAK (Khmer Republic) (*interpretation from French*): Although surprised and

distressed at certain statements, which were rather out of place, concerning the credentials of my delegation, we welcome with satisfaction the conclusions of the second report of the Credentials Committee [A/9779/Add.1]. We shall vote in favour of the adoption of that report.

49. On behalf of the delegation of the Khmer Republic, I should like to pay a tribute to the members of the Credentials Committee that have recognized the authenticity of the credentials of my delegation—presented, I would point out, properly and in accordance with rule 27 of the rules of procedure of the General Assembly. I venture to hope that all the Members of this Organization that have faith in the fundamental principles of the Charter governing our Organization will approve the second report of the Credentials Committee.

50. Mr. President, in respectful response to your appeals for calm and dignity in our debates on this serious problem of war and peace, I shall refrain from replying to the unjust allegations made by some delegations against the representatives of Cambodia, recognized by the United Nations since 9 October 1970 under the new name of "Khmer Republic". I should simply like to stress that the Khmer Republic was duly represented at the twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sessions of the General Assembly, not to mention the special sessions and international or regional conferences held under the aegis of the United Nations. The credentials of its representatives were always accepted as valid.

51. I do not think it is necessary to dwell on the Khmer representation in this Organization since 18 March 1970, the date when Prince Norodom Sihanouk was legally stripped of his powers by the Khmer Parliament. The archives of the Secretariat contain correspondence and official documents of the Security Council and the General Assembly relating to the events in my country, which demonstrate the development and continuity of Khmer representation in the United Nations. Among those documents I would venture to refer to the text of a communiqué published on 6 April 1970 by the United Nations Secretariat according to which the late U Thant, then Secretary-General, on the basis of practice and on the advice of the Legal Department, had decided to deal with the authorities effectively controlling the Government of Cambodia—in that case, the Government headed by the current President, Lon Nol. This is the text of the communiqué:

"A telegram has been received from Prince Sihanouk which raises constitutional and legal problems which may have an influence on questions concerning the credentials of delegations. These questions are not decided by the Secretariat of the United Nations, but, when the problem arises, by the major deliberative bodies of the General Assembly. Until we receive instructions from these bodies, the normal practice in the Secretariat has been to deal with the authorities clearly in control of the Government of a Member State."

52. Last year some delegations, guided by interests that have nothing to do with those of the Khmer people, attempted to create a precedent with serious consequences by substituting a government-in-exile for our Government, which actually is in our capital. In its

wisdom, the Assembly decided not to consider that proposal but to defer it until this year. On 29 November last, on the initiative of justice-loving and peace-loving countries, the Assembly decided to conform to the purposes and principles of the United Nations Charter and not to intervene in the internal affairs of a Member State. What is more, it opened up prospects for peace and national harmony for the Khmer people, which has suffered so much. It was in that spirit that we supported resolution 3238 (XXIX) and have begun to apply it. The Secretary-General has already received an official invitation to come to our country and explore ways and means of achieving peace.

53. On the very morrow of the adoption of resolution 3238 (XXIX), the President of the Khmer Republic addressed the whole Khmer nation and said:

“Our objective has been and remains to put an end to the sufferings of the Khmer people by ending this war that has lasted all too long. As I stated on 9 October last, we have certainly not fought for four and a half years for the benefit of a man or a group of men but for the triumph of an ideal and certain values dear to all men—that is, liberty, justice and human rights. We have fought those who wanted to impose upon us by force of arms a system alien to our traditions and our beliefs. We are ready to end the military struggle if our enemies express the wish to sit at a conference table with us.”

54. All attempts or manoeuvres intended to reopen the debate on the substance of this matter and reject our credentials at this stage of our discussion, in the context of a question of procedure whose legal form has already been provided for and defined by the Charter, are not only contrary to the spirit and the letter of the resolution already adopted on the question of our representation but also serve only to disrupt the process of peace-making recommended by that resolution and, as a consequence, to prolong the sufferings of the Khmer people, which all of us here would like to see ended as soon as possible.

55. In conclusion, I should like once again, on behalf of my delegation, to repeat solemnly in this august Assembly our commitment to respect scrupulously the recommendations of resolution 3238 (XXIX) and to do everything in our power to see to it that genuine negotiations are started, and that they end as soon as possible in the reconciliation and national harmony that are so essential for the restoration of peace in our dear country.

56. Mr. ANWAR SANI (Indonesia): My delegation has no intention of reopening the debate on the substance of the question of the Cambodian representation at this closing stage of our session since, as you have said, Mr. President, the Assembly has exhaustively discussed the question and taken a decision not to take any further action until its thirtieth session. The adoption of resolution 3238 (XXIX) by the General Assembly should logically lead to the conclusion that the status of the Khmer Republic as a Member of the United Nations remains unchanged, unless the Assembly takes a contrary decision at its session next year.

57. My delegation would like to remind the Assembly that we have already considered the credentials of the

representatives of the Khmer Republic four times, and each time the Assembly has confirmed them. The question of the credentials of the Khmer delegation has become a purely technical matter, as the Assembly has disposed of the political aspects by adopting resolution 3238 (XXIX), at least until next year.

58. The question now is whether those credentials conform to the terms of rule 27 of the rules of procedure of the General Assembly; whether they are issued in the proper form by the head of State or Government or by the Minister for Foreign Affairs of the Khmer Republic. The Credentials Committee has found the credentials to be in good order and my delegation sees no reason why the General Assembly should not confirm the decision of the Credentials Committee. My delegation certainly sees no reason why the General Assembly should be pressed into debating the question of Cambodian representation all over again. My delegation, for its part, has no intention of doing so. In our view we have concluded the debate on that item.

59. We have expressed, in one way or another, our worry about the prestige of the United Nations. We have talked about the lack of credibility and the lack of authority of the Organization. My delegation is of the view that we, the Members, should be the first to uphold that prestige; that we should be the first to show respect for the credibility and authority of the United Nations by not ourselves undermining the decisions it has adopted. In the case of the representation of the Khmer Republic the General Assembly has taken a decision. Let us, the Members, not be the ones to act against that decision by introducing amendments that are contrary to its letter and spirit, only a few weeks after it has been taken.

60. I should have liked to appeal to my friends to allow the Assembly to adopt the report of the Credentials Committee as it stands and to withhold those arguments which have a bearing on the substance until next year, when the General Assembly will again discuss the question of Cambodia. Let them register their reservations. But since they have introduced an amendment to the report of the Credentials Committee my delegation will vote against that amendment. Perhaps by the time the General Assembly meets for its thirtieth session a solution will have been found which will make a renewed confrontation between friends unnecessary. My delegation contemplates the possibility of a combined effort to bring to an end the fighting in Cambodia and the tragic sufferings of the Khmer people, on the basis of resolution 3238 (XXIX). Let us make a concentrated effort together for the restoration of peace in Cambodia.

61. Mr. BAROODY (Saudi Arabia): Let it be clear in the minds of each one of us that the Credentials Committee is not a body of jurists. Every year the Credentials Committee is appointed by the President of the General Assembly to sit with representatives of the Secretary-General from the Legal Department in order to verify the signatures of accreditation of the representatives of States Members of this Organization. It was only in 1970 that, owing to the displeasure many of us felt at the policy of *apartheid* practised by South Africa and frustrated as we were, some of us thought that we could give the Credentials Committee the right to scrutinize the validity, or lack

of it, of the credentials of any Member State of this Organization.

62. I have been here since the beginning, and I maintain that no one before 1970 questioned the fact that the Credentials Committee is only a formal, technical committee. Let me repeat: that Committee has no right whatsoever to render any verdict on letters of accreditation aside from the formalistic verification of the authenticity of the signatures appearing on the accreditation documents submitted by the Governments of Member States.

63. The Credentials Committee, furthermore, has no right whatsoever to pronounce on whether a Member State has a *de facto* or a *de jure* Government. I am sorry to say that since 1970 such discussions as we have had on the alleged prerogatives of the Credentials Committee have been out of order and a waste of time. The situation in which we find ourselves today is the result either of frustration on the part of some of us, as was the case with the suspension of South Africa through a vote here, or of the United Nations being confronted with doubts as to which Government is representative of the people, as is the case now in respect of the Cambodian people. We cannot take the word of a State, be it a major State or a small State, that this or that Government represents its people, for if we do we will be setting a most dangerous precedent.

64. But there are ways open to any State which questions whether Cambodia should be represented by the Government of Prince Sihanouk or the Government whose representatives are sitting here with us in this Assembly. Those ways are very clear. Such a question should be referred to the Sixth Committee. But its verdict would not be final. The Sixth Committee should submit its report to us—but not until after the Secretary-General is asked to send a mission to Cambodia to find out what the situation is. There is a long legal process to go through. A State, because of special interests, declares that it does not recognize this or that Government, and many of you small States here just take the word of that State. It so happens that today it is China; tomorrow it may be the Soviet Union and another day it may be the United States. We will not take their word as being sacrosanct unless we set in motion the machinery to find out what is what—and I am speaking objectively. And even after the Secretary-General sends a commission, a fact-finding body, to ascertain which Government is the rightful Government of a certain country, that is not the end of the road.

65. The report of the Secretary-General together with the report of the Sixth Committee should then be submitted to the Security Council. Whether we like it or not, it is the Security Council which should pronounce on such momentous questions. We will be told: Well, the Security Council can exercise the veto. Thank God for the veto. Had it not been for the veto the rights of many States would have gone down the drain by a consensus among the members of the Council. That is quite possible. It happened in 1947—that time not in the Security Council, but in this Assembly, when we were meeting at Lake Success.

66. There were many colonial Powers that had empires. Did any State that championed the colonial people come forth with a request that the colonial

Powers be suspended or expelled? They did not. Why did they not? Because they knew that we could not attain anything by a mere vote, even assuming that we had the majority. The United Nations would have broken up. We in the General Assembly cannot set ourselves up as judges as to who should represent a certain State.

67. I shall not mention names in order not to exacerbate matters, but in 1947 a land was partitioned and 66 per cent of its population were not consulted. Yet this Charter highlights the principle of self-determination. It fell to me and to a few colleagues to elaborate that principle into a full-fledged right in an international draft covenant. Many of us felt frustrated, but we did not take issue—although we had the right to do so—with this Organization. We said: “You had no right to partition that land”, but we did not act in concert to expel that State, although it came into being artificially, in contravention of the principle of the right to self-determination. Why? Because there is no State that is perfect.

68. Who are we to sit as judges in this Assembly, where our resolutions only have recommendatory, not mandatory, value? Let this be properly understood by all of you: every resolution adopted here in this body is only of recommendatory value. It is not absolute. Do we want to act as if we were an absolute body? We should wreck the United Nations if we followed such a procedure; for what will prevent any of us, during the next session of the Assembly, from lobbying against another State which we do not like and saying that it should be expelled? What will prevent us from gathering votes that can then be handled as many of us are handling them now? We should be setting a precedent.

69. My good friend from Senegal, I can look you straight in the eye and tell you that although you mean well, just as others mean well, this is not the way to do things. I say this with all due respect and with all the admiration I feel for your sometimes skilful dialectical arguments. Baroody, on this question, as on most questions, does not go by group solidarity. And I am glad there are a few from our region like the representative of Tunisia, with whom I often exchange views: we are both for the United Nations and not in favour of backing up any project or any cause that will finally back-fire because it is not based on the true facts of the Charter.

70. You cannot make of the Credentials Committee a body of jurists, I repeat; and therefore all the discussion on this question has been out of order—out of order. You are frittering away the time of the Assembly. And who am I to say that? I am just one of you who has had experience of the United Nations for over 29 years, but who never saw this happen until 1970. In 1970 we had an illustrious President in the person of Mr. Hambro, with whom many of us consulted privately. In order to give moral support to our African and Asian friends, the President himself, in finding a *pro tempore* solution, disparaged *apartheid* in South Africa. But it was not until this year that we began to act blindly by solidarity. I do not say solidarity must always be blind, no; but we have been acting blindly by solidarity instead of in accordance with the justice of the case. I warned this Assembly that if it proceeds even next year in this manner, then we had better set

up boxes outside the Assembly and cast our votes, whatever they may be on any given subject, by ballot, rather than give and take, as we are trying to do today.

71. I assure you, all the work that has been done on this question by the Credentials Committee, in so far as the expulsion or suspension of States is concerned, is entirely out of order. I regret that it is out of order because I should like to see things proceed in a just way. Why did we not expel the colonial Powers? We go and pick on a small people that is divided by civil war—no doubt because major Powers are interfering in their internal affairs. Try to pick on the United States or China or the Soviet Union, you small nations. It almost happened during the nineteenth session, I remember, in the days of the late representative of the United States Mr. Adlai Stevenson. He did not know about it at that time. He confided in me. The policy was to bar the Soviet Union from voting because it refused to contribute to the United Nations guard in the Middle East. That was their privilege. But they found out that, by the rule of the majority, they should have paid. Then it was said that their right to vote should be suspended. That resulted in a crisis, a big crisis, and some of us had to intervene. I was sitting over there and I had to come up here and ask one of my colleagues to leave the rostrum. Then we began to have some order, and the Americans thought that they had erred.

72. We are here to work with one another, not to obstruct each other. So you want to divide this house into two camps? Go ahead. What will you accomplish if you divide this house into two camps? Nothing. Time and again I have told you, a house divided against itself will totter and fall. This is such a house, the house of the United Nations. It is a house where practical measures have to be used so that we may reduce antagonisms, frustrated though many of us may be.

73. I am sorry, Mr. President, that I have taken so much time, but there must be parting of the ways. We cannot go on like this year in, year out. And you, Mr. Secretary-General, are my witness. If you do, and I am here, I shall raise hell again. Hell—maybe it's a good place because of the shortage of fuel these days.

74. Mr. MINIKON (Liberia): By its report [A/9779/Add.1], the Credentials Committee has determined that the credentials of the remaining States which have been received since the date of the first report of the Committee are in order; consequently, such credentials are accepted. The delegation of Liberia whole-heartedly endorses the report of the Credentials Committee, and will therefore vote in favour of it.

75. Our position on this matter stems from the fact that, in accordance with rule 27 of the rules of procedure, the examination of the credentials of representatives accredited to a General Assembly session is purely a procedural matter, strictly confined to determining the designation of the representatives of a Member State to that General Assembly session and that the credentials are issued by the head of State or Government or by the Minister for Foreign Affairs of a given Member State of the United Nations.

76. My delegation is fully aware that arguments have been raised in the meetings of the Credentials Committee as well as here in the Assembly against

the credentials of the representatives of the Khmer Republic on the grounds that, as there are two contending parties claiming lawful rights in Cambodia, no decision should be taken so far as the credentials of the representatives of the Khmer Republic are concerned.

77. That argument, in the opinion of Liberia, does not appear to bear any relevance to the matter of the validity of credentials, since the essential element with respect to the credentials of representatives is that they identify the representatives, and that the documents in question be issued by the head of State or Government or the Minister for Foreign Affairs. The credentials of the representatives of the Khmer Republic obviously fulfil these requirements, thus prompting the Credentials Committee to include them among other credentials as being valid.

78. In international relations, the question of the recognition of the Government of a Member State does not arise when it comes to the matter of the credentials of representatives at international conferences. The status of the Khmer Republic as a Member State of the General Assembly is in no way affected by the request made to the Secretary-General to lend appropriate assistance to the two contending parties claiming lawful rights in Cambodia, as this question falls within another category of items being considered by the General Assembly. For all these reasons, my delegation fully supports the report of the Credentials Committee.

79. Mr. HUANG Hua (China) (*interpretation from Chinese*): The Royal Government of National Union of Cambodia under the leadership of the head of State, Prince Norodom Sihanouk, and with Prince Penn Nouth as the Prime Minister and Mr. Khieu Samphan as the Deputy Prime Minister, is the sole lawful Government of Cambodia and the authentic representative of the Cambodian nation and people. It has obtained firm support from the broad masses of the Cambodian people at home and extensive international recognition. Whether at home or abroad, the Royal Government of National Union of Cambodia enjoys high prestige. The traitorous Lon Nol clique is the scum of the Cambodian nation, a puppet fostered solely by the United States and imposed on the Cambodian people. Under the telling blows of the People's Armed Forces of National Liberation of Kampuchea, the Lon Nol clique can only entrench itself in Phnom Penh and a few isolated strongholds, eking out a precarious existence through total reliance on massive United States military and economic aid. Evidently, it is utterly illegal for this puppet clique to usurp Cambodia's seat in the United Nations, and the credentials issued by this clique are null and void.

80. The essence of the Cambodian question lies in a super-Power's wanton subversion and aggression against a third-world country which pursued a policy of non-alignment, and its illegal deprivation of the rights of the lawful Government of this country in the United Nations. The current session of the General Assembly should have upheld justice and adopted the draft resolution submitted by Algeria and 36 other countries, restoring to the Royal Government of National Union of Cambodia its lawful rights in the United Nations and immediately expelling the Lon Nol clique from the United Nations and all the organiza-

tions related to it. However, the obstruction and sabotage by a super-Power have prevented this just draft resolution from being voted upon. Instead, a draft resolution master-minded by the United States was adopted by the General Assembly by a slim margin of two votes, thus obstructing the restoration of the Cambodian people's lawful rights in the United Nations and permitting the traitorous Lon Nol clique to hang on in the United Nations. It is designed to interfere in the internal affairs of Cambodia through the instrumentality of the United Nations and to force the Royal Government of National Union of Cambodia to enter into so-called negotiations with the imperialist puppet, thereby legalizing the United States aggression and intervention against Cambodia. This runs diametrically counter to the will of the Cambodian people and the principles of the United Nations Charter. The Cambodian head of State, Prince Norodom Sihanouk, issued a statement on 28 November, strongly condemning and solemnly rejecting the so-called resolution manufactured and forced through at the General Assembly by the United States single-handed. He categorically refused to enter into the so-called negotiations with the Lon Nol clique and solemnly declared that the Cambodian people would persevere in protracted armed struggle and would never accept a "pax Americana". The aforesaid just position of the Royal Government of National Union of Cambodia and the determination of the Cambodian people to carry on the fight have won the firm support of the numerous third-world countries. This has declared the bankruptcy of the resolution concocted single-handed by the United States. The lawful rights of the Royal Government of National Union of Cambodia in the United Nations will surely be restored, and the traitorous Lon Nol puppet clique is bound to be expelled from the United Nations. The Chinese delegation firmly supports the Syrian amendment to the draft resolution on the report of the Credentials Committee. This does not affect our attitude on the credentials of other representatives referred to in the report. We hope that all justice-upholding countries will vote in favour of this amendment and reject the so-called credentials of the Lon Nol clique.

81. The PRESIDENT (*interpretation from French*): The General Assembly will now take a decision on the report of the Credentials Committee [A/9779/Add.1]. I should like to remind members of the Assembly that the Chairman of the Credentials Committee orally presented a draft resolution [see para. 15 above], which reads as follows:

"The General Assembly

"Approves the second report of the Credentials Committee (A/9779/Add.1)."

82. The representative of the Syrian Arab Republic proposed an amendment to that draft resolution [see para. 22 above], whereby the following words would be added at the end of the resolution:

"... except with regard to the credentials of the representatives of the so-called Khmer Republic."

83. I should like to know whether the representative of Senegal, in his statement, made a formal proposal with regard to rule 81 of the rules of procedure.

84. Mr. FALL (Senegal) (*interpretation from French*): I said earlier that, in the opinion of my dele-

gation, a vote on the report of the Credentials Committee, as submitted by its Chairman, was a violation of resolution 3238 (XXIX), which we have adopted at this session, and that under rule 81 of the rules of procedure the Assembly could not reconsider a decision adopted at the same session unless it decided to do so by a two-thirds majority. I asked you, Mr. President, to consult the Legal Counsel on that interpretation of rule 81. After hearing his opinion, I shall be able to tell you whether I wish to maintain my proposal.

85. The PRESIDENT (*interpretation from French*): I should like to know whether the representative of Senegal is making a formal proposal that I ask the Legal Counsel for his opinion. If it is not a formal proposal, I shall not ask him for that opinion.

86. Mr. FALL (Senegal) (*interpretation from French*): If a formal proposal is needed to ask the advice of the Legal Counsel, then I will confirm that mine is indeed a formal proposal.

87. The PRESIDENT (*interpretation from French*): Now the matter is clear.

88. Mr. RICHARD (United Kingdom): I shall be very brief, particularly in view of the formal proposal made by the representative of Senegal that the opinion of the Legal Counsel be sought as to the effect of rule 81 on the draft resolution moved orally this morning by the representative for the Philippines.

89. I would concur very much in that request. I have only one thing to add to it: that the opinion of the Legal Counsel should be sought also upon whether or not rule 81 applies to the amendment moved by the representative of the Syrian Arab Republic and seconded by the representative of Senegal.

90. Let us get it quite clear that what we are asking the Legal Counsel is whether or not rule 81 applies and therefore a two-thirds majority is needed for the amendment proposed by the representative of the Syrian Arab Republic, as well as for the draft resolution proposed orally this morning by the representative of the Philippines.

91. It would seem to me that our good friend and colleague from Senegal has indeed done the Assembly a service this morning in that before we proceed to a vote we should know exactly what it is we are voting on and what sort of vote is needed. Since I know that the Legal Counsel is present this morning, I would hope that an opinion not only would be sought from him but could be given by him soon so that we might proceed to the vote.

92. The PRESIDENT (*interpretation from French*): In accordance with the formal proposal presented by the representative of Senegal and supported by the representative of the United Kingdom, I now ask the Legal Counsel for his opinion.

93. Mr. SUY (Legal Counsel) (*interpretation from French*): In reply to the first question put by the representative of Senegal, supported by the representative of the United Kingdom, I should like to give the following legal opinion.

94. The adoption of the report of the Credentials Committee, as proposed by its Chairman, does not mean reconsideration of resolution 3238 (XXIX), adopted on 29 November 1974. Indeed, while the Assembly decided "not to press for any further ac-

tion", the decision in question relates to the item entitled "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations". The adoption of the Credentials Committee's report would entail the acceptance of the credentials of the representative of the Khmer Republic to the twenty-ninth session and would maintain the *de facto* situation. Hence, it could not be regarded as "further action".

95. With regard to the question raised by the representative of the United Kingdom—that is, whether the amendment proposed by the representative of the Syrian Arab Republic would require a two-thirds majority, I should like to give the following legal opinion.

96. In my opinion, the Syrian amendment must be viewed in the light of paragraph 3 of resolution 3238 (XXIX). The adoption of that amendment would mean that the Assembly was taking no measures with regard to the credentials of the representatives of the Khmer Republic. Hence, that amendment too would not require the two-thirds majority provided for in rule 81 of the rules of procedure.

97. The PRESIDENT (*interpretation from French*): We shall now take a decision on the two proposals before us—that is, the draft resolution and the amendment.

98. Rule 81 not being applicable, we shall proceed in the usual way. I shall put to the vote first the amendment proposed by the representative of the Syrian Arab Republic [*see para. 82 above*]. A roll-call vote has been requested.

A vote was taken by roll call.

The United Arab Emirates, having been drawn by lot by the President, was called upon to vote first.

In favour: United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Equatorial Guinea, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Kuwait, Libyan Arab Republic, Madagascar, Mali, Malta, Mauritania, Mauritius, Mongolia, Nepal, Niger, Pakistan, Poland, Romania, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Germany (Federal Republic of), Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Khmer Republic, Lesotho, Liberia, Luxembourg, Malawi, Malaysia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Oman, Panama, Paraguay, Philippines, Portugal, Qatar, Rwanda, Saudi Arabia, Singapore, Spain, Swaziland, Thailand, Turkey.

Abstaining: United Arab Emirates, Bahrain, Bangladesh, Botswana, Burma, Cyprus, Ethiopia, Finland, France, Jamaica, Laos, Lebanon, Morocco, Nigeria, Peru, Sri Lanka, Sweden, Trinidad and Tobago, Tunisia.

The amendment was rejected by 61 votes to 53, with 19 abstentions.³

99. The PRESIDENT (*interpretation from French*): The Assembly will now vote on the draft resolution submitted by the Chairman of the Credentials Committee.

The draft resolution was adopted by 85 votes to 6, with 41 abstentions (resolution 3323 (XXIX)).

100. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who wish to speak in explanation of vote after the vote.

101. Mr. KELANI (Syrian Arab Republic) (*interpretation from Arabic*): My delegation would like to express its reservations concerning the credentials of the representatives of Israel.

102. We oppose the credentials of the representatives of the Israeli and Zionist authorities, who represent only an imperialist expansionist authority occupying Arab territories and usurping the rights of the Palestinian people.

103. Mr. BARROMI (Israel): My delegation voted in favour of the second report of the Credentials Committee [A/9779/Add.1] in so far as it confirms the credentials of the delegations at this session of the General Assembly.

104. We voted against the amendment proposed by Syria, on the basis of, among other reasons, the principle of universality in the United Nations, to which Israel has consistently adhered.

105. While I have the floor, I find it necessary to make a clarification concerning the diatribe against Israel just voiced by the representative of Syria. The credentials of the delegation of Israel were duly issued and submitted in full conformity with the rules of procedure, as has been reported by the Credentials Committee. We therefore utterly and categorically reject the *ex parte* and baseless contentions of the representative of Syria.

106. Mr. TSHERING (Bhutan): The delegation of Bhutan abstained in the voting on the draft resolution submitted by the Chairman of the Credentials Committee. This abstention of my delegation is not to be construed as being against the credentials of all the Member States covered by the report, but my delegation abstained in view of the rejection of the amendment submitted by the Syrian Arab Republic.

AGENDA ITEM 37

*Policies of apartheid of the Government of South Africa (continued).**

- (a) Reports of the Special Committee on Apartheid;
- (b) Report of the Secretary-General

REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/9931)

107. Mr. ABDULDJALIL (Indonesia), Rapporteur of the Special Political Committee: I have the honour to

* Resumed from the 2254th meeting.

present to the General Assembly the report of the Special Political Committee on item 37 on the policies of *apartheid* of the Government of South Africa. The report is contained in document A/9931.

108. As is indicated in the report, the Special Political Committee in dealing with the item held 20 meetings between 26 September and 28 November. It had before it various documents, among others: the report of the Special Committee on *Apartheid* [A/9622 and Corr.1]; the report of the Special Committee on *Apartheid* on violations of the Charter of the United Nations and resolutions of the General Assembly and the Security Council by the South African régime [A/9780]; the report of the Special Committee on *Apartheid* on arbitrary laws and regulations enacted and applied by the South African régime to repress the legitimate struggle for freedom [A/9781]; the report of the Special Committee on *Apartheid* on assistance provided by Governments and non-governmental organizations to the oppressed people of South Africa and their liberation movements [A/9803]; the report of the Special Committee on *Apartheid* on actions against *apartheid* taken by specialized agencies and other intergovernmental organizations [A/9804 and Corr.1]; and the report of the Secretary-General on the United Nations Trust Fund for South Africa [A/9806 and Corr.1 and Add.1].

109. As stated in its first report [A/9774], the Special Political Committee at its 906th meeting, on 26 September 1974, upon the request of the Special Committee on *Apartheid*, decided without a vote to recommend to the General Assembly that it invite the representatives of the African National Congress of South Africa [ANC] and the Pan Africanist Congress of Azania [PAC] to participate in the debate in the Special Political Committee on item 37. At its 2254th meeting, on 3 October, the General Assembly approved that recommendation, and accordingly, the representatives of the two liberation movements participated in the discussion of the item in the capacity of observers.

110. During the debate, the Special Political Committee also heard statements made by the representatives of the following international organizations: the Secretary-General of the Organization of African Unity [OAU]; the President of the South African Non-Racial Olympic Committee; the Deputy Secretary-General of the Afro-Asian Peoples' Solidarity Organization; and the Secretary-General of the World Peace Council and other representatives of the Council.

111. At its 937th and 940th meetings, held on 22 and 28 November, the Special Political Committee adopted five draft resolutions. Draft resolution A, relating to the United Nations Trust Fund for South Africa, was adopted unanimously. Draft resolution B, relating to the arms embargo against South Africa, was adopted by a roll-call vote of 100 to 1, with 10 abstentions. Draft resolution C, on the release of political prisoners, was adopted by a roll-call vote of 111 to none, with 3 abstentions. Draft resolution D, on the programme of work of the Special Committee on *Apartheid*, was adopted by a roll-call vote of 106 to none, with 10 abstentions. And draft resolution E, relating to the situation in South Africa, was adopted by a roll-call vote of 90 to 13, with 15 abstentions.

112. In paragraph 23 of its report, the Special Political Committee recommends to the General Assembly the adoption of these draft resolutions. In conclusion, may I express the hope of the Special Political Committee that each of these recommendations will meet with the approval of the General Assembly.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the report of the Special Political Committee.

113. The PRESIDENT (*interpretation from French*): The Assembly will now proceed to vote on the draft resolutions recommended by the Special Political Committee, beginning with draft resolution A, entitled "United Nations Trust Fund for South Africa". The Special Political Committee adopted this draft resolution without objection. May I take it that the Assembly wishes to do likewise?

Draft resolution A was adopted (resolution 3324 A (XXIX)).

114. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution B, entitled "Arms embargo against South Africa". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, El Salvador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, France, Germany (Federal Republic of), Italy, Japan, Luxembourg, Malawi, Netherlands, United Kingdom of Great Britain and Northern Ireland.

Draft resolution B was adopted by 109 votes to 1, with 9 abstentions (resolution 3324 B (XXIX)).⁴

115. The PRESIDENT (*interpretation from French*): The Assembly will now proceed to vote on draft resolution C, entitled "Release of political prisoners". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium,

Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, El Salvador, Ethiopia, Fiji, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Malawi, United States of America.

Draft resolution C was adopted by 118 votes to none, with 2 abstentions (resolution 3324 C (XXIX)).⁵

116. The PRESIDENT (*interpretation from French*): The Assembly will now proceed to vote on draft resolution D, entitled "Programme of work of the Special Committee on *Apartheid*". The report of the Fifth Committee on the administrative and financial implications of this draft resolution is contained in document A/9956. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, El Salvador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, France, Germany (Federal Republic of), Israel, Italy, Luxembourg, Malawi, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Draft resolution D was adopted by 111 votes to none, with 10 abstentions (resolution 3324 D (XXIX)).⁵

117. The PRESIDENT (*interpretation from French*): According to paragraph 12 of the draft resolution just adopted, the General Assembly:

"*Decides to expand the membership of the Special Committee and requests the President of the General Assembly, in consultation with the regional groups, to appoint additional members, taking into account the principle of equitable geographical representation.*"

The President will inform the Assembly later of the names of the new members of that Committee.

118. The Assembly will now proceed to vote on draft resolution E, entitled "Situation in South Africa". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ethiopia, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Belgium, Denmark, France, Germany (Federal Republic of), Ireland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Chile, El Salvador, Fiji, Finland, Greece, Japan, Lesotho, Malawi, New Zealand, Portugal, Spain.

Draft resolution E was adopted by 95 votes to 13, with 14 abstentions (resolution 3324 E (XXIX)).⁶

119. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who wish to speak in explanation of vote after the vote.

120. Mr. OGBU (Nigeria): I have asked to be allowed to speak—as the current Chairman of the Special Committee on *Apartheid*, which is now renamed the "Special Committee against *Apartheid*" [resolution 3324 D (XXIX), para. 11] in recognition of its active

role in the struggle against *apartheid*—to express the gratitude of the members of the Special Committee for the commendation by the General Assembly.

121. The Special Committee is greatly encouraged by the approval, by such large majorities, of its recommendations for stepping up international action in support of the oppressed people of South Africa. The resolutions now adopted entrust additional responsibilities to the Special Committee, and I wish to assure this Assembly, on behalf of all the Committee's present members, that we will strive to discharge these responsibilities to the best of our abilities.

122. The Special Committee is deeply conscious, as it indicated in its last report [A/9622 and Corr.1], that the recent developments in South Africa, and in the rest of the world, have signalled a turning-point in the struggle of the South African people and the efforts of the international community to eradicate *apartheid*. Given the sincere co-operation of all Member States, we can foresee an early victory in this long struggle—a victory which we in the Special Committee have never doubted.

123. The decisions adopted by the General Assembly at the current session represent a new stage in international action against *apartheid*. The Assembly has not only rejected the credentials of the delegation of the white minority régime in South Africa, but has decided that that delegation cannot participate in the proceedings of this august body at the current session. On the other hand, it has invited the South African liberation movements, which are the authentic representatives of the oppressed people of South Africa, to participate in the debates on *apartheid*.

124. I should like to stress that it was, in fact, the South African régime which excluded itself from this Assembly and from all international organizations by its exclusion of the great majority of the South African people from their rightful role in the Government, in the economy and in the cultural life of the country. We cannot co-operate with that régime, under the present circumstances, except at the price of abandoning our own commitment to the principles of the Charter.

125. What we seek in southern Africa is equality of rights and duties for all the inhabitants of that region, irrespective of race, colour or creed.

126. As the Lusaka Manifesto,⁷ which was endorsed by this Assembly five years ago [see resolution 2505 (XXIV)], declared, the principle of human equality and human dignity is a principle on which we can never afford to compromise.

127. In the resolutions just adopted, the General Assembly has once again called for a peaceful solution of the grave situation in South Africa, based on the recognition of the equality of all the peoples of South Africa. It has stressed that there can be no peaceful solution without an unconditional amnesty to all persons who have been persecuted because of their opposition to *apartheid* and without an end to all repressive measures, including the ban on ANC and PAC, the two liberation movements recognized by OAU.

128. It was the South African régime which closed the possibilities for peaceful change by its brutal

repression against the leaders of the liberation movement. The way for peaceful settlement will be opened only when the prison gates are opened in South Africa.

129. It is only when the genuine representatives of all the people of South Africa get together on the basis of freedom and equality that there can be meaningful consultations on the future of South Africa and on any transitional arrangements which may be required to allay the fears or meet the special problems of segments of the population. The white minority alone cannot, and will not, be allowed to decide the destiny of the country, either unilaterally or by arrangements with tribal chiefs or other people whom it chooses as convenient partners for enforcing inequality.

130. By the resolutions adopted today, the General Assembly has reaffirmed the commitment of the United Nations to help the people of South Africa to attain freedom and equality. It has pledged to redouble efforts so that racism is abolished as soon as possible and with as little suffering and bloodshed as possible.

131. Our commitment to freedom in South Africa is unqualified. We reject any attempts to restrict the inalienable rights of the oppressed people, including their right to choose their means of struggle in the light of the situation in that country.

132. Anxious as we are to avert dangers of a racial conflict, we have been following with attention the statements which have come out of South Africa in the past few weeks. We welcome the recognition by the South African régime that South Africa is a part of Africa and that the white community does not seek to be an appendage of some other continent. But there has been little evidence that it is prepared to abandon racial discrimination. No one should be deceived by its efforts to show a friendly face to Africa and the world, or to engage in propaganda describing its racism as "multi-nationalism".

133. It is proceeding with its plans to fragment the country and dispossess the African people of their rights by establishing "bantustans" as pseudo-independent states. The creation of "bantustans" is no way to a solution, but a prescription for a prolonged conflict.

134. We also note that in the past few weeks, the South African régime has detained many more black leaders under the notorious Terrorism Act. It has been taking vengeful action even against the families of political prisoners. We are gravely concerned over the safety of many prisoners who have grown old and sick in the dungeons of *apartheid*.

135. As if the aforementioned measures were not Draconian enough, last week the South African régime confiscated the passport of the Reverend Beyers Naude and other leaders of the Christian Institute who have been advocating a peaceful and just solution of the serious situation in South Africa.

136. We have also just received news that Mr. 'Bram Fischer, scion of a distinguished Afrikaner family, and an eminent Afrikaner humanist and jurist in his own right, who was sentenced to life imprisonment in 1966 for his support of the liberation movement, has been seriously sick with cancer. He has been on crutches for two months, and is in great pain. The

South African régime, whose so-called sweet reasonableness some Member States defend with all their might, has not only refused to release him, but has restricted visits by his family to twice a week. This action is yet another proof of the callousness of the Vorster régime. We hope that the Secretary-General and the International Committee of the Red Cross will intercede to see that this courageous and decent man will be able to spend the last days of his life in freedom.

137. The General Assembly has again been obliged to express its disappointment and distress at the actions of some States and some interests which have continued to collaborate with the South African régime. They have thereby frustrated and hindered the efforts of the United Nations towards a peaceful solution. They have encouraged the white minority to pursue a suicidal course, causing enormous suffering to the great majority of the people in South Africa.

138. Today, when even some elements in the white minority have come to recognize that there has to be a change, we hope that these external forces will desist from their utterly selfish and evil activities.

139. My delegation is deeply distressed by some recent pronouncements about the United Nations. We are disturbed that just when there appears to be a growing awareness of the intrinsic value of the United Nations, certain Member States have made statements which could weaken this Organization. It is obvious to my delegation that with the increasing interdependence of all nations, no nation or group of nations could meaningfully structure a new world order to replace our 29-year-old Organization.

140. I submit that in discussing the role of the United Nations today, more emphasis should be placed on how there could be a meeting of minds, without compromising the lofty and inspiring ideals of the Charter, than on the strength of individual nations. If the vote of majorities has, unfortunately, been interpreted as irritating rich and powerful minorities, is it not fair to consider the issues at stake and the underlying principles that motivated the voting? Let us not forget that colonial peoples did not make great sacrifices in their struggle to win national independence for just the fun of it. For after all, the sovereign equality of nations is central to the operations of the United Nations. We must not forget that no State becomes a Member of our Organization in the expectation of being denied the exercise of part of its sovereignty or of being disenfranchised.

141. Those who have chosen to play the role of Jeremiahs in connexion with what course the United Nations is charting, owe it to themselves and to the international community to find the root cause of what they have discerned as growing disenchantment with the world community. My delegation strongly recommends that they take out a little time for some dispassionate soul-searching. By doing so, they may find out why they do not seem to retain the support of even their traditional friends or allies on some crucial questions of principle. They may ask themselves whether, in this changing world, they honestly deserve in these hallowed halls the support of the newly emergent nations, when they persist in dreaming dreams about their good old days of imperialist domination, support measures that would tend to perpetuate

economic injustice and exploitation, or fall back on sophistry instead of lending the full weight of their authority and influence to the United Nations during consideration of the evil practices of racialism and the gross denial of basic human rights to many colonized peoples. Surely, all these practices violate the spirit of the Charter of the United Nations.

142. Some Member States have been criticized for so-called "steam-rollering" resolutions they are not in any position to implement. How many members of the "powerful minority" have proposed any alternatives to the provisions of these so-called "one-sided" drafts? How many of them have shown willingness to harmonize their views with others? Did they expect their views to be a series of *diktats*?

143. The history of mankind records the shift of power and influence from one area to another. Power and influence have not been known to remain within one area or in the hands of one group for too long. Therefore we should appreciate these developments. I am reminded of the words of the British poet, Alfred Lord Tennyson, who wrote:

"The old order changeth, yielding place to new
And God fulfils himself in many ways,
Lest one good custom should corrupt the world."

It is the hope of my delegation that the United States does not intend to make us all see every world problem in only its own perspective.

144. The United Nations, like other human institutions, deserves to be criticized from time to time. This time, I submit, it is being criticized for the worst possible, and wrong, reasons. I submit that, instead of playing the role of prophets of doom, we should continue to remind ourselves of the vision of the framers of our Charter. Their vision was of a brave new world order, a world of respect for the equality and sovereignty of nations, no matter how big or small, powerful or weak, a world based on justice and economic co-operation, not exploitation, a world committed to the encouragement and respect of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

145. We have to remind ourselves that no country is above the norms of international law, the law as expressed in the sovereign and collective will of representatives of the international community. Need I say that if we turn our backs on the rule and force of law we only invite the laws of force? The implications of this are clear, ominously clear.

146. As the General Assembly has now reaffirmed, the full implementation of the arms embargo against South Africa is essential to prevent an aggravation of the situation in southern Africa. It is imperative that the Security Council take urgent and effective action to enforce the arms embargo under Chapter VII of the Charter. It is even more imperative now than ever before; for, as South Africa now panics under the pressure of world public opinion to mend its ways, we expect that Africa, already the target of subversion, will soon become a veritable area for nuclear blackmail—or should I say "whitemail"?

147. The Special Committee has given utmost attention in the past year to consultations with Governments and organizations in many countries in order

to promote an end to collaboration with the South African régime and to encourage concerted international action against *apartheid*. It has held fruitful consultations not only with those Governments and organizations which have fully supported United Nations resolutions in the past but also with those which have failed to support those resolutions. The Special Committee will expand these consultations during the forthcoming year, with the authorization it has just received from the General Assembly. We would earnestly invite all Governments and organizations to consider seriously the resolutions adopted today and find means to co-operate in their implementation.

148. The cause of the people of South Africa is the cause of all humanity. We seek the co-operation of all States, all organizations and all individuals in the struggle against *apartheid*.

149. In conclusion, we hope that all nations, big and small, poor and rich, will, in the words of one of my favourite poets:

“Take up our quarrel with the foe
To you from failing hands we throw the torch;
Be yours to hold it high,
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.”

150. Ms. WHITE (United States of America): My delegation wishes to refer to draft resolution B, entitled “Arms embargo against South Africa”, on which we have just voted. Since the United States explained its position on this draft resolution in the Special Political Committee, I will not repeat that explanation in full here. I only want to call two points to the attention of the General Assembly. First, the United States believes that sanctions would not be an effective means in causing South Africa to alter its racial policies. Secondly, the United States instituted its arms embargo against South Africa prior to that established by the United Nations. We continue to bar the sale of military equipment to South Africa. We have not collaborated with South Africa on military or naval matters for over a decade and have no intention of beginning such collaboration in the future.

151. Mr. THAPA (Nepal): My delegation wishes to explain its vote on draft resolution E, entitled “Situation in South Africa”. My delegation voted in favour of the draft resolution just adopted by the

Assembly but would like to express its reservations on the fifth preambular paragraph and paragraph 8. My delegation’s position on the substantive issue of paragraph 8 of the resolution has been explicitly stated in this very hall as well as in the Special Political Committee.

152. Mr. EKUA MIKO (Equatorial Guinea) (*interpretation from Spanish*): I am sorry that my delegation was unable to be in the hall when the report of the Special Political Committee [A/993/1], on the policies of *apartheid* of the Government of South Africa, was considered. In this connexion, I request that the records of this meeting show that we would have voted in favour of the draft resolutions contained in that report.

153. The PRESIDENT (*interpretation from French*): The Assembly has concluded its consideration of agenda item 37, with the exception of the appointment of the additional members of the Special Committee against *Apartheid*, whose names will be announced at a forthcoming meeting.

The meeting rose at 1.50 p.m.

NOTES

¹ *Official Records of the Security Council, Twenty-ninth Year, Supplement for January, February and March 1974, document S/11204.*

² Subsequently circulated as document A/L.757.

³ The delegation of Hungary subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the amendment.

⁴ The delegations of Egypt, Iceland and Swaziland subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution. The delegations of Canada and Uruguay informed the Secretariat that they wished to have their votes recorded as abstentions.

⁵ The delegations of Egypt and Swaziland subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution. The delegation of Uruguay informed the Secretariat that it wished to have its vote recorded as an abstention.

⁶ The delegations of Egypt and Swaziland subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution. The delegations of Iceland and Uruguay informed the Secretariat that they wished to have their votes recorded as abstentions.

⁷ See *Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.*