



President: Mr. Imre HOLLAI (Hungary).

AGENDA ITEM 20

The situation in Kampuchea: report of the
Secretary-General (*concluded*)

1. Mr. CABELLO SARUBBI (Paraguay) (*interpretation from Spanish*): My delegation is concerned at the fact that almost four years after Vietnamese forces illegally crossed the Kampuchean border, so little has been done to mitigate the incredible suffering of the people of Kampuchea, in spite of the great efforts of the international community, especially within the framework of the United Nations, to that end.
2. My country condemned the Vietnamese invasion in 1978, although it put an end to one of the most odious régimes in history, the communist Pol Pot régime, which had until then, paradoxically, relied on the unconditional support of the invaders and of some other States that today so enthusiastically denigrate the Khmer Rouge.
3. We condemned the invasion at the time as a violation of the most sacred principles of international law—the principles of sovereignty, independence and non-interference and non-intervention in the internal affairs of other States, just as today we condemn even more strongly the continued military occupation of Kampuchea by those same invading troops. The prolongation of that occupation casts doubt on the already time-worn excuse that the objective of the invasion was to “liberate” the country from a bloody dictatorship.
4. The suffering of the Kampuchean people did not end with the violent collapse of the Pol Pot régime. In 1980, massive international aid was needed—it was provided mainly by Western nations and countries of the developing world—in order to avoid widespread famine, which might have caused another holocaust comparable only to that which followed the tragic “depopulating” of the urban areas of Kampuchea in 1975.
5. It was the generosity of the international community, not the compassion of the Ho Chi Minh régime, that then saved the people of Kampuchea, which had been obliged to live in exile and to migrate to foreign lands in order to escape the scourges of both war and hunger.
6. Although it seems that today the latter scourge has been lessened, the evil of war continues in Kampuchea, with all its atrocious consequences. Furthermore, the occupying forces have not hesitated on

many occasions to violate the international border with Thailand in pursuit of Kampuchean refugees or Kampuchéans fighting to restore their country's independence and sovereignty. Such action involves the grave risk of turning a local conflict into a regional conflagration with incalculable repercussions.

7. The years of war in that region have demonstrated, as the Secretary-General correctly emphasizes in his report, that the problems of the region cannot be solved by military means, and that “it is evident that only a comprehensive political solution, reached through genuine negotiations, will ultimately allow the countries of the region to undertake the reconstruction of their economies and to look to a future of peace, stability and co-operation” [see A/37/496, para. 14].
8. We fully share the Secretary-General's conclusions, and we make a special appeal to the Vietnamese Government to make—on the basis of the Declaration of the International Conference on Kampuchea,¹ which was held at Headquarters in July 1981 and in which we took part—an active contribution to reaching a broad agreement restoring harmony and tranquillity to the Indo-Chinese peninsula, an area afflicted for many decades by the horrors of war.
9. The recent establishment of a tripartite Coalition Government of Democratic Kampuchea under the presidency of Prince Norodom Sihanouk is a positive step in that it more appropriately represents the people of Kampuchea and thus can engage in negotiations that may lead to such an agreement, though we still have serious reservations about the participation in that Government of elements of the Khmer Rouge, which we have never supported or recognized.
10. Draft resolution A/37/L.1/Rev.1 and Add.1 includes important provisions which, if agreed to and implemented by all the parties concerned, may lead to a solution of the conflict in Kampuchea. In particular, we believe it would be highly useful to again convene the International Conference on Kampuchea and to allow the *Ad Hoc* Committee to continue its work. We should like to congratulate that Committee on the work it has already done, which is covered in its report.² In the present circumstances it is essential that there be a broad and permanent institutional structure which can assist the parties concerned to start a dialogue that may in the near future lead to a comprehensive political solution to the problems of the region, making it possible to establish a zone of peace and neutrality in South-East Asia, as well as to reconstruct Kampuchea.
11. For these reasons, my delegation is one of the sponsors of the draft resolution, and it appeals to all

States Members of the United Nations to support it enthusiastically.

12. Mr. OULD HAMODY (Mauritania) (*interpretation from French*): For the fourth year in succession, and to our very deep regret, because of deliberate disregard of resolutions of the Organization, the situation in Democratic Kampuchea remains before the General Assembly.

13. The Islamic Republic of Mauritania continues to have the same position of principle on this question, with respect to the use of armed force in flagrant contradiction of international law and with respect to the settlement of disputes between the political régimes of two neighbouring countries.

14. In the case with which we are concerned today, and which is of concern to the entire international community, a number of reasons are being used to justify a large-scale military expedition that can only be termed interference in the internal affairs of another State, whatever failures to observe international laws in the sphere of human rights can be ascribed to its leaders.

15. In view of this distortion of the Charter of the United Nations and the rules of peaceful coexistence between States, our country has, on a number of occasions, condemned the violation of the international frontiers of Kampuchea and the continued occupation of its national territory. Our country and our Government remain gravely concerned at this abnormal situation, which dangerously disturbs peace in South-East Asia.

16. This year we have welcomed the constitution of the coalition of national forces of Democratic Kampuchea under the presidency of Samdech Norodom Sihanouk. We have also reiterated our position on the problem before us; that position is essentially unchanged.

17. First, our country is more than ever attached to General Assembly resolutions 34/22, 35/6 and 36/5, as well as to the Declaration on Kampuchea and resolution 1 (I) adopted at the International Conference on Kampuchea.¹ Secondly, we condemn the continued illegal occupation of Kampuchea, and we urgently appeal for the total and unconditional withdrawal of all foreign troops from the national territory of that country. Thirdly, the Islamic Republic of Mauritania reaffirms its support for the inalienable right of the Khmer people freely and democratically to run their own affairs and to maintain the integrity of their national territory.

18. Our delegation believes that taking account of these decisions and respecting these principles will lead all parties concerned to engage in the negotiations that are essential for a general, genuine settlement of this grievous conflict. Hence, we once again appeal to those who have refused to subscribe to this far-reaching international consensus to set out sincerely upon the only just and reasonable course that will put an end to the Kampuchean tragedy and the sore trials that for 40 years have been faced by the three courageous peoples of Indo-China.

19. That, at least, is the hope of the delegation of the Islamic Republic of Mauritania, and that is the

appeal we make to those peoples, for which we have great admiration, respect and deep affection.

20. Mr. NARKHUU (Mongolia) (*interpretation from Russian*): This is the fourth time that the General Assembly has discussed the so-called question relating to the situation in Kampuchea without the consent or participation of the sole legitimate representative of the Kampuchean people, the Government of the People's Republic of Kampuchea.

21. The Mongolian delegation fully endorses the views expressed here by a number of delegations to the effect that this discussion is an act of direct intervention in the domestic affairs of a sovereign and independent country and completely at variance with the Charter of the United Nations. This was made possible by the ongoing unseemly manoeuvres and underhanded machinations of those who are attempting to alter the *status quo* in Indo-China, the situation that has arisen as a result of many years of joint struggle by the peoples of Viet Nam, Laos and Kampuchea for the freedom and independence of their countries and against imperialist aggression.

22. It is a fact that in recent months a growing clamour has arisen about the so-called Kampuchean issue and about non-existent "Democratic Kampuchea". Unrestrained propaganda and slander have been utilized to discredit the People's Republic of Kampuchea and to whitewash the Pol Pot criminals. Under the patronage of imperialist, hegemonist and reactionary circles, quite recently, somehow or other, the so-called Coalition Government of Democratic Kampuchea was concocted, made up of the betrayers of the vital interests of the Kampuchean people.

23. That act, which is profoundly hostile to the sovereignty and independence of the People's Republic of Kampuchea, is intended to hinder the efforts of the Kampuchean people to bring about national resurgence and has further complicated the situation in South-East Asia. That political farce was needed by those that are hostile to Kampuchea to deceive world public opinion, to lend some semblance of respectability to the fiendish countenance of the remnants of the Pol Pot clique and to preserve the place they have usurped here in the United Nations.

24. The final objective of all these despicable acts is essentially to impose that genocidal régime once again on the Kampuchean people, with the support of imperialist and hegemonist forces. It is quite plain that the Kampuchean people has totally rejected that group of criminals. It has not forgotten, nor will it ever forget, the bloody misdeeds of the Pol Pot clique, which barbarically slew one quarter of its own people and reduced to nothing the economic, political and cultural life of the country. If it had not been for the victory of the people's revolution in 1979, the Kampuchean people would probably have by now disappeared from the face of the earth. That long-suffering people recalls very well what forces prompted the Pol Pot clique to carry out such a monstrous experiment, and whose far-fetched ideas inspired it when it engaged in brutalities unparalleled in history. Today, the self-same forces, which have refused to give up their insidious plans, are still trying to use the situation that has arisen in Kampuchea in order to prevent the People's Republic of Kampuchea from

constructing a new and peaceful life, and in order to blunt the aspirations of the Kampuchean people to freedom and independence.

25. A period of almost four years has elapsed since the people of Kampuchea overturned that odious genocidal régime. In that period, the country has achieved striking successes in all fields of endeavour, despite the unbelievable difficulties which were inherited from the Pol Pot régime and the constant hostile acts on the part of outside forces. Thanks to the tremendous effort made by the Kampuchean people and the unselfish assistance and support provided by fraternal socialist States, Kampuchea has now emerged from the agony and anarchy in which it was left and is slowly but surely rising from the ashes and ruins. The restoration of the economy of the country is accelerating. Successful campaigns are being waged against famine. Diseases are now gradually being overcome. During the present school year, more than 1.5 million children have been seated at their desks. The cultural life of the country has tangibly improved. In May 1981, for the first time in Kampuchea, free general elections were held for the principal organs of the country, and a new democratic Constitution was adopted, which is the fundamental law of the People's Republic of Kampuchea.

26. The achievements of People's Kampuchea are beyond question, and the Mongolian people, together with all progressive forces throughout the world, sincerely welcome them. The successes of the Kampuchean people in bringing about their national resurgence and the categorical manner in which they have rebuffed hostile encroachments constitute absolute proof that the situation in Kampuchea is on an irreversible course, that no political manoeuvres on the part of the forces of international reaction can deflect the course of events in Kampuchea. The Kampuchean people today are employed in creative toil and need, as does the entire world, peaceful conditions. This is the fundamental objective of the peaceful foreign policy of that country.

27. The People's Republic of Kampuchea, together with the Socialist Republic of Viet Nam and the Lao People's Democratic Republic, has consistently favoured the early normalization of relations with neighbouring States by means of negotiations on a basis of equality, with strict attention to each other's legitimate interests and without any external interference, and the establishment of peace and stability in South-East Asia. In this connection, my delegation would like to express its whole-hearted support, on behalf of the Government of the Mongolian People's Republic, for the constructive proposals put forward by the sixth conference of the Ministers for Foreign Affairs of the three countries of Indo-China, held at Ho Chi Minh City in July 1982 [A/37/334, annex], and also for their basic position as described in the letter dated 15 September 1982 from the Minister for Foreign Affairs of the Lao People's Democratic Republic addressed to the Ministers for Foreign Affairs of the five member countries of the Association of South-East Asian Nations [ASEAN] [A/37/477, annex I]. We consider that the new initiative on the part of the three countries of Indo-China indicates their earnest desire to find mutually acceptable solutions. At the same time, it is to be regretted that

the frequent demonstrations of good will on the part of the Indo-Chinese States have so far not found any positive response from the other side.

28. The root cause of tension in South-East Asia, we are convinced, has been and remains the policy of the imperialist and hegemonist forces. This policy is based on the age-old colonialist principle of "divide and rule". Today, its purpose is to foster a constant state of fruitless confrontation between the countries of Indo-China on the one hand, and the ASEAN member countries on the other, in order to make it possible for the imperialist and hegemonist forces to realize their own ambitions for hegemony and expansion in that part of the world. As some representatives have quite rightly remarked, the world community is indeed faced with a difficult choice: to condone those forces that wish to return the Pol Pot adherents to power or to permit the Kampuchean people to continue the work it has already started, that is, the rebuilding of the nation in conditions of peace and stability.

29. As far as the Mongolian People's Republic is concerned, we are firmly behind the People's Republic of Kampuchea and its legitimate Government. The Mongolian people are bound to the Kampuchean people by genuine ties of friendship. The desire of our peoples to develop amicable relations and co-operation was again confirmed in the Treaty of Friendship and Co-operation between the two countries, which was concluded a year ago during an official and friendly visit to the Mongolian People's Republic by the State Party delegation of the People's Republic of Kampuchea, headed by President Heng Samrin.

30. In the light of what I have said, our delegation is against draft resolution A/37/L.1/Rev.1 and Add.1.

31. Mr. ZARIF (Afghanistan): This is the fourth session at which the General Assembly is considering the so-called situation in Kampuchea without any regard for the strong and legitimate objections of the Government of the People's Republic of Kampuchea. During the past four years, we have had ample opportunity to express our views on the matter. This year, we should like to underline some of the legal and political considerations on which our position of principle is based. With regard to Kampuchea, certain questions have been dealt with by delegations. Our response to those questions will clarify the position of the Democratic Republic of Afghanistan.

32. The first question is whether or not the Government of the People's Republic of Kampuchea is a legitimate and lawful Government. Our answer to that question is emphatically yes. The heroic people of Kampuchea, who had fought valiantly against colonialist and imperialist invaders and feudal oppressors of the past, found themselves trapped in the hands of a tyrannical, bloodthirsty clique which, being guided by out-of-this-world illusions, forced them into labour concentration camps and eventually mass graves. Their natural reaction to the attempts to annihilate them was to rise up and fight for their very survival. Thus, the uprising of the Kampuchean people was not only because of the strong objection to the inhuman policies pursued by the gang of Pol Pot, Ieng Sari and Khieu Samphan, but also to prevent the total extermination of their race. Their struggle,

which was guided by the Popular Front for the Salvation of Kampuchea, was a most legitimate response to the threats to which they were exposed. The collapse of the ruling gang and the establishment of the popular Government was thus the logical outcome of that struggle. Therefore, the Government of the People's Republic of Kampuchea, which came to power as a result of the long-standing popular struggle, enjoys complete legitimacy and lawfulness, is based on the wide support of the people and exercises full sovereignty over the entire territory of Kampuchea.

33. Since the resumption of power in Kampuchea by its people, life has consistently and steadily improved. Security and immunity have prevailed throughout the country, and the shattered economy of the nation has again been put on its feet. The gross national product has risen significantly. Such public services as education, health, transportation and communications have resumed their normal functions. The fear and horror of the past have started fading from the memories of the people, and the Government has boosted its national and international prestige through very effective administration of the country's affairs.

34. The second question that was discussed was whether or not the General Assembly or any other international body was authorized to discuss questions related to the internal affairs of a country. Article 2, paragraph 7, of the Charter of the United Nations states:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter”.

35. The fact that the legitimate and legal Government of the People's Republic of Kampuchea is opposed to any kind of discussion of its internal matters in the General Assembly has been brought to our attention by repeated communications from the highest authorities of that country. Since the very Charter of the United Nations forbids it to meddle in the internal affairs of a country, all attempts to drag the General Assembly into the discussion of internal Kampuchean matters are therefore a sheer and blatant violation of the Charter and some of the well-known resolutions of this very Assembly.

36. The third question is whether or not the so-called Government of Democratic Kampuchea represents the people of Kampuchea. According to the norms of international law, if a government is deposed from power through legitimate means and loses control of its territory and the support of its people, it cannot be regarded as a representative authority. That is exactly what happened in Kampuchea in early 1979. Besides, it would be ironic to impose on the people of Kampuchea a government which they themselves ousted from power because of its massive and grievous violations of their most fundamental right, the right to life. The massacre of over 3 million Kampuchean is not a weak or insufficient reason for the verdict of the Kampuchean people against the Pol Pot clique. It is obviously painful for the people of Kampuchea to note that the group which murdered their relatives

and countrymen *en masse* is being considered as their representative in imperialist, hegemonist and other reactionary quarters. Thus, our negative answer to the third question is in full conformity with the beliefs and wishes of the Kampuchean people.

37. The fourth question is whether or not the internal events in Kampuchea constitute a threat to the stability and peace of the region and that of the world. Here again, the answer is no. No danger or threat to the security of the neighbouring countries or to the peace in the region emanates from the developments in Kampuchea. On the contrary, it is precisely Kampuchea and its people that have become the targets of the intrigues of China's hegemonists and their imperialist reactionary allies. The orchestrated hue and cry over Kampuchea comes from the very same forces that cherished the illusion of dominating Kampuchea and turning it into their strategic stronghold against the independent Indo-Chinese and other countries of the region.

38. The fact is that the hegemonist and expansionist policies of those in Chinese ruling circles, in conjunction with the imperialist ambitions of the United States and its allies, constitute the real source of danger to the sovereignty, independence and territorial integrity of the countries of the region, and thus create tension and destabilization.

39. The fifth question is how the problems pertaining to the normalization of relations among the member countries of ASEAN and Indo-China can be resolved. During the past four years, there have been repeated attempts either in the General Assembly or in the so-called International Conference on Kampuchea to suggest solutions to those problems. Experience, however, has proved that no solution which does not give due consideration to the legitimate interests of all countries of the region can pave the way for a comprehensive settlement. We believe that only a negotiated settlement with the participation of all countries of the region, including the People's Republic of Kampuchea, could eliminate obstacles in the way of the normalization of relations and the creation of an atmosphere of trust, friendship and co-operation among the countries of the region.

40. The Democratic Republic of Afghanistan has warmly welcomed the repeated proposals of the Socialist Republic of Viet Nam, the Lao People's Democratic Republic and the People's Republic of Kampuchea, proposals which were reaffirmed at the sixth conference of their Foreign Ministers in July of this year. In our opinion, these proposals take into consideration the interests of all countries in the region and thus provide a realistic basis for the comprehensive settlement of all problems that exist among them.

41. An important step in this direction has already been taken by the partial withdrawal from Kampuchea of Vietnamese troops. We hope that other countries of the area will avail themselves of this gesture of goodwill on the part of the Socialist Republic of Viet Nam and the People's Republic of Kampuchea, thus contributing to the creation of mutual trust and understanding.

42. In the view of my delegation, to impose the debate on the so-called question of Kampuchea on the General Assembly is an attempt to draw the United

Nations into a vicious political conspiracy against the Kampuchean people. Afghanistan will reject any such attempt to impose the will of the imperialist, hegemonist and other reactionary circles and their henchmen on the people of Kampuchea. The Kampuchean people's right to choose their own political and economic system must be recognized and respected, no less than their right to individual and collective self-defence. Rather than meddling in the internal affairs of the Kampuchean people, we should make every effort to eliminate the remnants of an era of destruction and suppression and to alleviate the social and economic hardships they have inherited from their dark past, thus paving the way for the promotion of peace, stability and co-operation in the region of South-East Asia.

43. Mr. KIBANDA (Central African Republic) (*interpretation from French*): The policy of intervention in the internal affairs of States practised by some countries is a curious reminder of that period, so distant now, when might made right and when the triumph of the bad over the good, the strong over the weak, was the rule in international relations. That was the era of the law of the jungle which is described with colourful and varied imagery by Rudyard Kipling in his novel. That practice, which still persists, revived by a spirit of bellicosity and designs of domination, bears within it the seeds of generalized warfare with unforeseeable consequences. It even tends to set itself up as a doctrine—a theory for the settlement of disputes among States.

44. Such a policy is dangerous because it reveals latent or overt conflicts which alter international relations, worsen them and create an untenable climate of insecurity. It is dangerous because it is a source of tension, skilfully maintained and exploited by the great Powers in their struggle for influence and hegemony, the underpinning of their foreign policies, in cases where they do not directly intervene. It is dangerous, lastly, because the threat or use of force poses an outright danger to the international peace and security which the Organization is responsible for safeguarding. It violates the territorial integrity and the independence of States which are its victims. In this practice, nothing counts but the concept of force, which defies reason, conscience and ethics; moral and political values are ignored and disregarded. The only thing that counts is the desire to dominate and subjugate States and to attempt to destabilize their Governments.

45. It is against this tightly woven background of political complexity that the tragic events taking place in South-East Asia, the Middle East, Latin America and Africa must be viewed. Regardless of the geographical region involved, these events have a common denominator: the obvious tendency and declared will of the antagonists readily to resort to force to settle disputes. It is within this twisted context that we view the current situation in Democratic Kampuchea, which is now before the General Assembly.

46. Three years ago that country, a Member of the United Nations as well as of the Movement of Non-Aligned Countries, saw itself—without any declaration of war which might have justified the aggression—invaded and massively occupied by the army of another State, and not the smallest of States, also a

Member of the Organization, a signatory of the Charter, the principles and purposes of which impose upon it the obligation to resolve international disputes by peaceful means. Since that time, and every year since then, the General Assembly has considered this tragic situation. A special session, the results of which we all bear in mind, was devoted to it in July of 1981.

47. In spite of the many resolutions adopted by the General Assembly, particularly resolutions 34/22 of 14 November 1979, 35/6 of 22 October 1980 and 36/5 of 21 October 1981, which categorically demand the withdrawal of its troops, euphemistically described as "foreign forces", Viet Nam is still occupying Democratic Kampuchea. The war continues to rage, with its corollaries of poverty, famine and malnutrition, decimating men, women and children.

48. The legitimate fight for freedom waged by the Kampuchean people at the cost of untold sacrifices against the Vietnamese invader and oppressor bears witness to that people's unfailing courage and great resolve. Viet Nam, whose grim, indeed tragic, recent history strikes a resounding note in the hearts and minds of all Vietnamese, whose courage commanded admiration and who fought for their independence and their right to freedom and peace, knows better than anyone the price of that struggle, the ultimate goal of which is victory.

49. By adopting all these resolutions, the United Nations, seriously concerned at the situation in that part of the world and sensitive to the enormous tragedy of the Kampuchean people, wished to find a final solution to the conflict by an overall political settlement. Moreover, it wished to reaffirm its role as the guarantor of international peace and security by recalling the purposes and principles of the Charter, such as respect for the territorial integrity, independence and sovereignty of States.

50. And lastly, by demanding the withdrawal of foreign troops from Democratic Kampuchea, the international community, by a majority vote, implicitly and categorically condemned the use of force in the settlement of disputes among States. That decision enhances the mission of the United Nations and has repercussions on the national level for each Member State. Such a decision has great moral value and deep political significance. That value and significance take effect only when, in the harmony of community life, where it is the greater interests of all that prevail, where solidarity is conceived of and viewed as an obvious need, each component of the large international family must respect the rule of the majority and heed the decisions of the General Assembly. Any other course of action is isolationist. At the level of collective and universal responsibility for the maintenance of international peace and security, Member States must respect and apply these decisions. Thus, Viet Nam must withdraw all its troops from the territory of Democratic Kampuchea, even if those troops are described as foreign troops.

51. Faced with aggression, occupation and foreign invasion, against which it is struggling stalwartly and resolutely, the Kampuchean people have rallied in a surge of national feeling and a vast liberation movement to organize the fight, to galvanize and mobilize

energy and determination in order to increase their capacity and combat force. In the field, that force is unequal, disproportionate; before seasoned Vietnamese troops, overarmed and provided with the most modern military and strategic materials, a handful of patriots are sacrificing their lives in order to safeguard the independence and territorial integrity of their country. The price paid in the past three years in that difficult struggle for survival has been a high one, and the innumerable sacrifices made testify to the categorical refusal of that people to accept Vietnamization, which is tantamount to subjugation and domination.

52. Today, a Coalition Government, the reflection of the will of the people of Democratic Kampuchea, including all political trends, whose legitimacy we believe should be subject to no speculation, no subjective challenge—except perhaps in the sad minds of its enemies and detractors—has been created and placed under the presidency of Prince Norodom Sihanouk, a well-known patriot and important political figure, widely recognized internationally. A catalyst in establishing a national balance, a force of moderation, President Sihanouk will make a valuable and important contribution to the establishment of the genuine peace that Democratic Kampuchea most needs for its vast work of reconstruction.

53. Can there be any more representative, any more credible verdict than that handed down in all independence and sovereignty by the Kampuchean people in this choice? Is there any voice more legitimate than that which has spoken out in the creation of that Government, "a Government of the people and for the people"? Who would dare to call it into question? Who?

54. The occupation and invasion of Democratic Kampuchea by Viet Nam have no justification. Hence, Viet Nam must withdraw its troops in accordance with the resolutions of the United Nations.

55. Faithful to its policy of peace, of freedom and of independence, which constitutes the indelible seal of its diplomacy, the Central African Republic is firmly and staunchly opposed to the use or the threat of force in the settlement of disputes between States. That is why my delegation will vote in favour of the draft resolution which is before the General Assembly.

56. Mr. KOH (Singapore): I should like to begin my statement by remarking that the member countries of ASEAN do not harbour any hostility towards the Socialist Republic of Viet Nam. We hold the view that the countries of South-East Asia have a right to choose their own social and economic systems and their ideological orientation. We believe that countries can coexist peacefully and co-operate to their mutual advantage in spite of their ideological, political and economic differences.

57. The second point which I should like to make is that the ASEAN member countries do not take and have no intention of taking sides in the conflict between the Socialist Republic of Viet Nam and the People's Republic of China. The leaders of Viet Nam know in their hearts that there is not one iota of truth in the propaganda that the ASEAN member countries have acted in collusion with China. On the

other hand, the ASEAN member countries have no intention of colluding with Viet Nam against China.

58. The third point which I should like to make is that the ASEAN member countries are opposed to Viet Nam's armed intervention in and military occupation of Kampuchea for two reasons.

59. First, Viet Nam's action violates some of the most fundamental principles of the Charter of the United Nations, such as respect for the independence, sovereignty and territorial integrity of States, non-interference in the internal affairs of States, non-resort to force in the settlement of disputes between States, and the peaceful settlement of disputes. The observance of these principles is an essential condition for the maintenance of international peace and security. The violation of these principles threatens international peace and security and, in particular, threatens the security of small and militarily weak States.

60. The second reason why the ASEAN member countries must take a firm stand against Viet Nam's action in Kampuchea is that, if we do not do so, there is a very real danger that, after Viet Nam has digested its conquest of Kampuchea and its domination over the Lao People's Democratic Republic, it will begin to cast an avaricious eye upon the other States of South-East Asia.

61. The ASEAN member countries call for the total withdrawal of Vietnamese troops from Kampuchea and the restoration to the people of that country of their right to self-determination. The question has been asked: would not the withdrawal of Vietnamese troops from Kampuchea lead to the return of Pol Pot and others who were responsible for the atrocities of the past? My reply is that we do not demand the withdrawal of Vietnamese troops from Kampuchea *in vacuo*. The Declaration adopted by the International Conference on Kampuchea¹ envisages the withdrawal of Vietnamese troops from Kampuchea taking place at the same time as the introduction of United Nations peace-keeping forces which would maintain law and order and which would prevent the Khmer Rouge, as well as other armed Kampuchean factions, from seizing power. Thereafter, the Declaration envisages the holding of free and democratic elections under the supervision of the United Nations and after satisfactory arrangements have been made to prevent armed Kampuchians from coercing or intimidating the electorate.

62. Viet Nam has argued that it is necessary for its troops to remain in Kampuchea in order to prevent that country from being used by any foreign power as a base from which attacks against Viet Nam can be launched. This concern of Viet Nam has also been addressed by the Declaration. One of the essential elements of an overall political settlement would be guarantees to ensure that Kampuchea will never pose a threat to any of its neighbours, including Viet Nam. We have therefore taken due account of the legitimate national security concern of Viet Nam and would be prepared to discuss with it the modalities for the implementation of this objective.

63. The ASEAN member countries believe that the Declaration contains a just and balanced framework for negotiating a political settlement to the conflict in

Kampuchea. It is a framework which takes due account of the legitimate interests and concerns of the neighbours of Kampuchea, including Viet Nam. Viet Nam has claimed that it was compelled to intervene in Kampuchea in order to repel a threat to its national security. If that is true, then why is Viet Nam refusing to participate in the negotiating process of the Conference, which, as I have just indicated, does take Viet Nam's legitimate concern into account and provides guarantees against the possibility that any foreign Power could use Kampuchea to threaten it? If Viet Nam persists in its refusal to come to the negotiating table, then the world must conclude that Viet Nam intervened in Kampuchea not, as it claimed, in order to counter a perceived threat to Viet Nam but to fulfil a Vietnamese dream of an empire which would, in the first instance, include Laos and Kampuchea.

64. In conclusion, I wish to make the following appeal to Viet Nam: Reconsider your refusal to participate in the International Conference on Kampuchea's negotiating process. If you intervened in Kampuchea in order to prevent that country from being used as a base to attack you, you should find no difficulty in accepting the negotiating framework of the International Conference on Kampuchea, because it has taken your legitimate security concerns into account and has proposed adequate means for assuring your security. If, on the other hand, you attacked and occupied Kampuchea because you thought you could take advantage of the world's hatred for the Pol Pot régime and because you thought the world would accept the *fait accompli* which you have perpetrated by your military might, then please reconsider your course of action. For, after four years, the world has not forgotten Kampuchea, nor has it acquiesced in your *fait accompli*. Consider the cost of your misadventure in Kampuchea. Your domestic economy is in shambles and you are unable to provide your own people with their basic human needs. Your troops have been bogged down in a guerrilla war. The morale of your soldiers in Kampuchea is low because they do not believe in the cause for which they are fighting. Your reputation is sullied. Increasingly, Viet Nam is being perceived by the world, including your friends in the Movement of Non-Aligned Countries and the third world, as an aggressive and expansionist State.

65. For all these reasons, we appeal to you to reconsider your course of action in Kampuchea and to respond positively to the world community's appeal to you to come to the negotiating table and to help us find a political settlement of the conflict in Kampuchea which would restore to the Kampuchean people their right to self-determination and which at the same time would not jeopardize Viet Nam's legitimate interests.

66. The PRESIDENT: I shall now call on representatives who wish to explain their vote before the voting.

67. Mr. Van LIEROP (Vanuatu): My delegation has listened with very careful attention to the remarks made both in the general debate and during the debate on this specific item on the agenda. We have studied in great detail draft resolution A/37/L.1/Rev.1 and Add.1 and the report of the Secretary-General

[A/37/496]. We have also weighed and considered the historical circumstances and social context of the present situation in Kampuchea. We have examined the history of colonialism and the various struggles for independence waged by the peoples of that country and of the entire region. We have examined the history of the machinations, intrigues and aggressions carried out by some of those who now profess a concern for peace, stability and progress in that region.

68. We recall the disregard for Kampuchea's neutrality evidenced by those who remained silent when the then legitimate Government headed by Prince Norodom Sihanouk was overthrown by Lon Nol and his supporters. We also recall the international community's outrage at the excesses committed in the name of the Pol Pot régime. We also, most assuredly, remember the calls for us, the members of the international community, to do something in the name of humanity to save the lives of the people of that very troubled nation.

69. Finally, we also recall the shame which befell the international community when it failed to act in somewhat similar circumstances five decades ago. At that time, the internal pogroms which some labelled "the internal affairs of sovereign States" evolved into the horrors of international campaigns of genocide and another world war. Such was the world's subsequent revulsion at that failure to act that the Organization, its humanitarian values and the concept of collective security were born.

70. To us, it is truly regrettable that one of Kampuchea's neighbours felt compelled to act, and to act by itself. We still believe that the States Members of the United Nations must, in deed and in word, respect and strengthen this institution and its processes. Perhaps it would have been better to wait until all of us could agree on a single course of action to resolve what no one can deny was an extremely severe situation in Kampuchea, which had spilled across the borders of neighbouring countries. We honestly do not know the answer. However, it is safe to assume that those who were the most immediate victims of a régime which, from all available evidence, practised auto-genocide, certainly did not enjoy the luxury of waiting for an international consensus on a single course of action.

71. Are we also some day to condemn the three nations which are now seeking to help the people and Government of Lebanon to restore peace and tranquillity to their country? We would hope not, for, without such an initiative at this time, the toll in human suffering and misery could be much higher.

72. There is no doubt that what has happened in Kampuchea is one of mankind's great tragedies. Vanuatu is a country that will never be pleased with solutions that are primarily military in nature, just as it will never be pleased with Governments that are primarily military in nature, regardless of the ideological cloak in which they might appear. We do not believe that what we have seen and heard up to this point merits so strong a condemnation of a country which has itself suffered so much at the hands of outsiders and which today shares with Kampuchea similar social and economic problems.

73. Therefore, on instructions from the Government of the Republic of Vanuatu, we will abstain, owing to what we consider to be the one-sidedness and lack of clarity of the draft resolution, although we endorse its humanitarian provisions and the provisions which relate to the efforts of the Secretary-General. We abstain with the admonition that, while we are not pleased with the present situation in Kampuchea, our displeasure is far less pronounced now than it was with the situation which existed in that troubled land's most recent past.

74. In addition, our displeasure with the present situation in Kampuchea pales in comparison with our displeasure with the present situations in East Timor, Democratic Sahara, Namibia, South Africa and Palestine.

75. The outright annexation of one country by another, the forcible interruption of the decolonization process or the permanent institutionalization of racial or religious categorizations of the people of a country is an indication that the resulting denials of fundamental human rights and the right of self-determination are intended to be lasting and permanent. Such actions, by both their substance and their intended permanency, disparage, mock and assault not only the immediate victims, but also the Charter and the very concepts of plurality on the one hand, and the universality of mankind on the other.

76. Once again, we implore the sponsors and supporters of this draft resolution, all of which we count among our friends, to demonstrate a consistent level of concern for the peoples of all lands by applying the principles set forth in the text to all questions on the agenda.

77. We wish to emphasize once again that we will consistently adopt a non-aligned foreign policy in substance and not merely in words. Accordingly, we will endeavour to vote in accordance with the conscience of the people of Vanuatu and not merely to embarrass or to gain favour with the Government of any other country. Although we may not agree with our friends on every single issue, we trust that they will continue to respect not only our right to think and act for ourselves, but also the very concept of a free marketplace of ideas.

78. In abstaining in the vote on this draft resolution, we should like to lend our support to a full and thorough airing of the entire Kampuchean story and to an honest and frank dialogue between the parties to the dispute, so that the people of that country can once again be left in peace to choose their own destiny and plan the future for their children.

79. Mr. SOUKA (Congo) (*interpretation from French*): My delegation is somewhat disappointed that once again this year the General Assembly has had to spend some of its precious time and a number of working meetings debating an issue which, as we see it, constitutes intolerable interference in the internal affairs of the People's Republic of Kampuchea.

80. We refrained from participating in this pointless debate, but I should like to set out briefly the meaning of the vote that Congo intends to cast.

81. There is no doubt that the Kampuchean people suffered a great deal under Pol Pot and his henchmen,

who perpetrated the most horrible crimes of which any Government has ever been guilty against its own people. The flood of rhetoric, imbued with good intentions, from the representatives of a number of States at that time did nothing at all to change the sanguinary obsession of the Pol Potists. That situation in Kampuchea made it possible for us to evaluate the assistance which the Socialist Republic of Viet Nam gave to the Kampuchean people, who were threatened with genocide, so that they could rid themselves of their butchers. My delegation will therefore not allow itself to be deceived by the heterogenous clique formed quite recently with the aim of causing the United Nations to make the mistake of characterizing the Vietnamese forces as the villains in this situation.

82. We are resolved to support the efforts of the States of that area and the entire international community to put an end to this absurd situation. At the same time, we are firmly convinced that, over and above the interests of a small handful of persons, we must put the real will of the entire Kampuchean people, at present mobilized under the leadership of new authorities, to ensure the success of their work of national reconstruction.

83. Despite the qualities of this draft resolution, which groups together good intentions which are totally disconnected one from the other, it is clear that the objective of its authors is simply to form a plot against Viet Nam and the people of Kampuchea, which they seek to put under United Nations trusteeship, in complete disregard of the heroic and successful struggle of its people throughout its rich and glorious history. But these manoeuvres can deceive only their own authors. To try to bring back Pol Pot, even under the cloak of persons whose charismatic character is constantly lauded in the course of those manoeuvres, is in the long run to hand over the Kampuchean people to their torturers of yesterday. That is why my delegation finds it impossible to vote in favour of the draft resolution.

84. Mr. SAIGNAVONGS (Lao People's Democratic Republic) (*interpretation from French*): In its statement at the previous meeting, my delegation reaffirmed once again its position on the so-called situation in Kampuchea and on draft resolution A/37/L.1/Rev.1 and Add.1, which constitutes unacceptable interference in the internal affairs of other nations.

85. The Government of the People's Republic of Kampuchea, the sole and authentic representative of the Kampuchean people, has always protested against the inclusion of this item in the agenda and the discussion of it by the General Assembly without that representative's participation. In his message, dated 22 October 1982, addressed to the Secretary-General, Mr. Hun Sen, Vice-President of the Council of Ministers and Minister for Foreign Affairs of the People's Republic of Kampuchea, once again expressed the regret and disappointment of his Government at this situation. That message contains the following very significant passages which my delegation wishes to put before the Assembly for consideration:

"At a time when all progressive peoples acclaim the extraordinary achievements of our people obtained during the first three years of its rebirth,

why has the United Nations continued to accept within its Organization the representatives of an overthrown genocidal régime? ...

“Why, today, is the United Nations allowing some notorious aggressors who have sown discord among nations, threatened peace and caused tension in different parts of the world to use its tribune in a hypocritical manner, posing as defenders of the principles of non-interference in the internal affairs of others, claiming to safeguard the right to self-determination of the Kampuchean people, demanding the withdrawal of Vietnamese troops from Kampuchea, and clamouring for a solution to the so-called ‘Kampuchean question’ while at the same time the Kampuchean people, victim of the genocidal régime, are deprived of the right to make their just voice heard?”

“The Government and people of the People’s Republic of Kampuchea wish to declare that there is no Kampuchean question. The simple truth is that the fascist and genocidal régime of Pol Pot, Ieng Sari and Khieu Samphan, henchmen of Beijing, has been overthrown by the Kampuchean people. The Government of Democratic Kampuchea led by Sihanouk is only a rally of disguised criminals of genocide.

“... The Government of the People’s Republic of Kampuchea is administering the totality of the Kampuchean territory.

“... All decisions relating to Kampuchea to be adopted without the consent and the presence of the representatives of the People’s Republic of Kampuchea will be considered illegal, null and void.

“The United Nations must put an end to these illogical practices in order to redress its prestige and honour. Otherwise, it can only harm its own reputation and its international role. The People’s Republic of Kampuchea continues to strengthen and to develop in an irreversible manner. The just cause of the Kampuchean people will win...” [See A/37/575.]

86. For its part, my delegation supports the just cause of the Kampuchean people. For that reason, we shall vote against the draft resolution, which in fact is aimed wholly at restoring the genocidal régime of Kampuchea.

87. Mr. BALETA (Albania) (*interpretation from French*): When the General Assembly adopted resolutions 34/22, 35/6 and 36/5, the Albanian delegation did not participate in the voting. We clearly stated the reasons for that attitude. Now that the General Assembly is about to vote on draft resolution A/37/L.1/Rev.1 and Add.1, which refers to the aforementioned resolutions, we wish to reiterate that our attitude is exactly the same and that the explanations we gave in previous years remain valid.

88. My delegation wishes to inform the Assembly that once again on this occasion it will not participate in the voting which is about to take place. In this explanation of vote, we shall not again go over the reasons which we have adduced in the past. We simply wish to add the following reasons.

89. During the debate that has just ended, it was stated on a number of occasions that this year the

draft resolution entitled “The situation in Kampuchea” contained certain new elements which a number of delegations thought should be regarded as positive and promising. My delegation does not share that view. The present draft resolution essentially differs in no way from the resolutions adopted hitherto.

90. As we emphasized in our statement at the previous meeting, we believe that the creation of the so-called Coalition Government is simply a new façade behind which the Pol Potist forces are hiding. It does not represent any progress towards solving the problem of Kampuchea. My delegation remains convinced that, if we are to find a just and lasting solution to the problem, there must be an end to all interference from any quarter in the internal affairs of the Kampuchean people and also an end to the intrigues of the imperialistic super-Powers against that people’s interests and rights. But the draft resolution before us does not contain the necessary language that could help to bring about all the conditions that could move the problem of Kampuchea towards a just solution and prevent the imperialistic super-Powers from taking advantage of the difficulties of the Kampuchean people.

91. For the foregoing reasons, my delegation does not support the draft resolution and will not participate in the voting.

92. Mr. CHAMORRO MORA (Nicaragua) (*interpretation from Spanish*): Nicaragua will vote against the draft resolution, because it contains elements that do not correspond to the facts and, moreover, constitute clear interference in the internal affairs of the People’s Republic of Kampuchea.

93. Nicaragua’s vote signifies a rejection of any attempt to re-establish the criminal Pol Pot régime and its clique of assassins. We are and shall remain against any such attempts, because of the nature of the régime and everything it represents for us, who ourselves suffered from the effects of institutionalized genocide.

94. It is impossible to forget the horror and the pain suffered in the past by the people of Kampuchea at the hands of their executioners, in notorious contrast to the huge efforts made by the People’s Republic of Kampuchea to rebuild the nation and bind the wounds of its people.

95. We maintain that a just and comprehensive political solution to the problem must inevitably be based on non-interference in the internal affairs of a sovereign State—in this case, the People’s Republic of Kampuchea, whose representatives should occupy the seat in this Assembly that belongs to the Kampuchean people. Any other representation would be that of a non-existent entity, which we cannot recognize as valid.

96. We entirely support the genuine aspiration to transform South-East Asia into a zone of peace; indeed, all the regions of the world should be so transformed. This requires the efforts and determination of the parties concerned. We are in favour of the gradual reduction of tension that would lead to a comprehensive political solution, involving the withdrawal of all foreign forces and guaranteeing respect for the sovereignty, independence and territorial

integrity of all the States in the region, including Kampuchea, under the conditions expressed by the Movement of Non-Aligned countries at the ministerial meetings held at New Delhi, Havana and New York. Encouraging a solution of this kind is the duty of the international community. We believe that the draft resolution being considered today is not designed to clear the way for peace but, rather, places an obstacle in its way, because it prejudices and even makes decisions that belong to the Kampuchean people themselves.

97. The PRESIDENT: The Assembly will now take a decision on draft resolution A/37/L.1/Rev.1 and Add.1. The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/37/577. A recorded vote has been requested.

A recorded vote was taken.

In favour: Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Botswana, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Iceland, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lesotho, Liberia, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Afghanistan, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Hungary, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mongolia, Mozambique, Nicaragua, Poland, Seychelles, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Benin, Cape Verde, Finland, Guinea-Bissau, Guyana, India, Lebanon, Madagascar, Malawi, Mexico, Panama, Sao Tome and Principe, Sierra Leone, Suriname, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu.

The draft resolution was adopted by 105 votes to 23, with 20 abstentions (resolution 37/6).

98. The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

99. Mr. O'CONNOR (Ireland): Ireland voted in favour of the resolution on the situation in Kampu-

chea. We did so because, as in previous years, we are in agreement with the general thrust of the resolution.

100. I wish to make it clear, however, that the fact that we have voted in favour of a resolution—containing, as it does, the wording of the fourth preambular paragraph—does not imply any change in Ireland's position regarding Kampuchean representation. The records of the Assembly clearly show that on 25 October 1982 [43rd meeting], Ireland, as in previous years, abstained when that question was raised in the context of the presentation to the Assembly of the report of the Credentials Committee.

101. Mr. THUNBORG (Sweden): My Government fully supports the general thrust of the resolution which has just been adopted as a reaffirmation on the part of the international community of the principles that must form the basis for any just settlement of the Kampuchean conflict.

102. We support the request made to the Secretary-General to continue to exercise his good offices in order to contribute to a political settlement. Our support for the resolution must not, however, be construed to imply any change in Sweden's position as it was defined in my statement at the previous meeting and in my statement [45th meeting] after the adoption of the first report of the Credentials Committee.

103. Mr. BUENO (Brazil): The delegation of Brazil voted in favour of the resolution, following the same position as on previous resolutions on this item adopted by the General Assembly.

104. Nevertheless, I should like to express on behalf of my delegation some reservations regarding the fourth preambular paragraph. In our opinion, its contents prejudice the question of which is the legitimate Government of Kampuchea, although I must say that it is drafted in a more careful way than the initial text submitted.

105. In this connection, I should like to recall that when the report of the Credentials Committee was acted upon, a few days ago, the delegation of Brazil abstained in the vote on the credentials of the delegation of Democratic Kampuchea.

106. The PRESIDENT: I call on the representative of Viet Nam, who wishes to speak in exercise of his right of reply.

107. Mr. LE KIM CHUNG (Viet Nam) (*interpretation from French*): My delegation has listened very closely to the statements made regarding item 20 of the agenda. We should like to make the following comments.

108. First, we note with satisfaction that a number of speakers made encouraging and objective comments about the real situation obtaining in Kampuchea. Many friends have confirmed with concrete evidence and convincing proof that there is a vigorous and rapid resurgence of the Kampuchean people under the well-tryed guidance of the Government of the People's Republic of Kampuchea. I need only cite, from the evidence given by one delegation, one fact which very well illustrates the improvement in the situation in Kampuchea: the excellent prospects for the rice harvest in Kampuchea this year. This is, in

fact, the best possible refutation of the gratuitous assertions which have been made here by some people about the alleged state of famine and insecurity prevailing in Kampuchea. Other friends have pertinently unmasked the real nature of this farce called the Coalition Government of Democratic Kampuchea, which was created abroad by foreigners and includes those who were the butchers of their people and who have no capital and control, no territory and no people. The Government of the People's Republic of Kampuchea unquestionably enjoys the esteem and affection of the Kampuchean people.

109. But what should seriously claim the attention of the General Assembly is that there was widespread recognition of the fact that a positive effect has already been seen—that is, the spirit of constructive dialogue, due, in particular, to the peace initiatives put forward by the three Indo-Chinese countries and reiterated on a number of occasions in the past year. In this connection, emphasis has rightly been laid on the joint decision of the Socialist Republic of Viet Nam and the People's Republic of Kampuchea to effect the unilateral withdrawal of a considerable part of the Vietnamese troops stationed in Kampuchea, a withdrawal which constitutes an obvious gesture of good will as well as an encouraging first step. This spirit of dialogue and conciliation is something which the international community should encourage, because it will undoubtedly contribute to the reduction day by day of the divergences between opposing positions and will certainly turn out to have a beneficial effect on the happiness of the Kampuchean people as well as on peace and stability in South-East Asia.

110. Some among us—and not the least important—that have been guilty of repeated acts of aggression throughout recent decades, and most recently again against the three countries of Indo-China, nevertheless have hypocritically and with impunity accused Viet Nam, a people sorely tried in its heroic struggle for independence and dignity, of being an aggressor and a violator of the principles of the Charter of the United Nations and international law.

111. I do not deign to reply to such ridiculous, shameless lies, but it is absolutely essential to reveal the manoeuvres which are aimed at making use of those lies in the hope of washing their hands of the notorious crimes of aggression and threats of aggression directed against Viet Nam and the other countries of Indo-China. It has been denied with effrontery that there is any Chinese threat against Viet Nam, and some people are still adding grist to the mill of the aggressors by reproaching Viet Nam for abusing alleged preventive security measures. Suffice it to recall to those people certain facts which have long been known to everybody.

112. Those who threaten Viet Nam are the Pol Potist aggressors, notorious agents of Peking, who, armed with Chinese weapons and surrounded by tens of thousands of Chinese advisers, from the end of 1975 to the end of 1978 waged a veritable frontier war against Viet Nam on its south-west flank, destroying hundreds of Vietnamese villages and savagely exterminating tens of thousands of defenceless villagers in the frontier zones, and cold-bloodedly carrying out dozens of massacres exceeding in horror the My Lai massacre by the American aggressors

when they were in South Viet Nam and ranking with the recent Sabra and Shatila massacres by the Israeli Zionists in west Beirut.

113. Those that threaten Viet Nam are the Peking aggressors themselves, who sent 600,000 troops to invade North Viet Nam in February 1979 and who are now once again massing troops in great numbers near the northern border of Viet Nam, while at the same time threatening to teach a second lesson to Viet Nam. Do such facts constitute an imaginary threat which can justify only preventive defence on the part of Viet Nam?

114. Finally, Viet Nam has been accused of turning a deaf ear to the appeals of the international community and stubbornly disregarding the relevant resolutions of the United Nations on Kampuchea. In this connection, my delegation would like to reiterate the position of the Socialist Republic of Viet Nam, as follows. As long as the United Nations continues to keep within its midst the representatives of the criminal, genocidal Pol Pot clique in any form whatsoever—and I should particularly like to stress this point for the benefit of the representative of Singapore, who was kind enough to make an appeal to us a few months ago—and as long as the United Nations seeks to impose on the Kampuchean people unilateral resolutions which run counter to its legitimate interests and its national and fundamental rights, thus flying in the face of the essential principles of the Charter, Viet Nam, like the other countries of Indo-China, will be unable to subscribe to such resolutions, and the United Nations will continue to be incapable of playing the peace-making role it should play at this time in establishing peace, stability and co-operation in South-East Asia.

AGENDA ITEM 21

Consideration and adoption of the revised draft World Charter for Nature: report of the Secretary-General

115. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): I should like first of all to thank the Secretary-General for the report on the revised draft World Charter for Nature [A/37/398 and Add.1] and for his efforts during the past three years in connection with this question, in accordance with the relevant resolutions of the General Assembly. The question of the World Charter for Nature was raised for the first time in 1979, at the thirty-fourth session, as a prelude to the introduction one year later, in my letter of 2 June 1980,³ of a draft charter for consideration by States.

116. In that letter, introducing the explanatory memorandum required under rule 20 of the rules of procedure of the General Assembly—at the same time as the question of the historical responsibility of States in preserving nature was introduced, and I assume this was based on similar considerations—I explained the goal and the purpose of the submission of the draft World Charter for Nature to the General Assembly and Member States for their consideration, and I stressed in particular that the entire philosophy underlying the text revolved around the idea that States, in the exercise of their permanent sovereignty over their natural resources, should conduct their

activities, especially those likely to affect our common management of nature or likely to have an impact on it, with recognition of the supreme importance of protecting natural systems and maintaining the balance and quality of nature in the interest of present and future generations; and I said that any act of man affecting nature should be motivated and judged by that criterion.

117. In resolution 35/7, adopted at the thirty-fifth session, the General Assembly, among other things, invited Member States to communicate to the Secretary-General their views and observations on the draft World Charter for Nature and requested the Secretary-General to transmit the views and observations of Member States to the General Assembly and to formulate, on the basis of the replies received, in co-operation with UNEP and the International Union for Conservation of Nature and Natural Resources, appropriate recommendations with a view to the adoption of a world charter for nature.

118. On the eve of the thirty-sixth session, 50 Member States had transmitted their comments on the draft World Charter for Nature, in accordance with the report of the Secretary-General.⁴ Moreover, during the thirty-seventh regular session of the Council of Ministers of the Organization of African Unity [OAU], the 50 States members of the pan-African organization, on the basis of the relevant provisions of the Lagos Plan of Action⁵ on the protection of nature and the environment, adopted resolution CM/Res/852 (XXXVII), concerning the draft World Charter for Nature, which was subsequently endorsed at the eighteenth regular session of the OAU Assembly of Heads of State and Government.

119. In that resolution, the African States asked the Group of African States in the United Nations to follow the question closely, and recommended the adoption of the draft World Charter for Nature by the General Assembly, aware, on the one hand, that life on earth forms part of nature and that it depends on the uninterrupted functioning of natural systems and, on the other, convinced that the benefits which can be derived from nature depend on conservation and maintenance of natural processes and on the diversity of life forms, and that those benefits are jeopardized by the abusive exploitation and the destruction of natural habitats.

120. The Extraordinary Meeting of Ministers for Foreign Affairs and Heads of Delegation of Non-Aligned Countries to the General Assembly at its thirty-fifth session, which was held in New York from 2 to 3 October 1980, chose the question of the World Charter for Nature as one of the priority questions that should be considered by the General Assembly.

121. If we think of the number of delegations that expressed concern about the protection of natural systems and the balance of nature during the thirty-fifth and thirty-sixth sessions of the General Assembly, those who communicated their observations to the thirty-sixth session, those who have just done so at the thirty-seventh session [*ibid.*] and those who took a stand on this question in the OAU and the Movement of Non-Aligned Countries, we will quickly see that more than 100 States Members of the United

Nations have expressed their views on a problem of particular concern to them, because it closely affects life on our planet. This explains the importance which the international community and the General Assembly must attach to this vital problem.

122. With a view to considering the comments made by various States and the formulation of recommendations to the General Assembly concerning the draft World Charter, an *Ad Hoc* Group of Experts, including specialists from the International Union for Conservation of Nature and Natural Resources and UNEP, as well as from various States, was established and met from 24 to 27 August 1981, and again in mid-September 1981, in Nairobi, in order to revise the initial draft World Charter for Nature where necessary.

123. The text of the revised draft World Charter for Nature was submitted to the thirty-sixth session as an annex to the report of the Secretary-General.⁴ In resolution 36/6, the General Assembly invited States Members which had not yet done so to transmit their views and comments to the Secretary-General and again asked the latter, in co-operation with the International Union for Conservation of Nature and Natural Resources and UNEP, to complete if necessary, on the basis of observations received from Member States the revision of the draft World Charter for Nature and to transmit to States Members the revised draft text and the report of the *Ad Hoc* Group of Experts so that they could be considered and so that the draft World Charter could be adopted at the thirty-seventh session. That is why agenda item 21 is entitled "Consideration and adoption of the revised draft World Charter for Nature".

124. In the observations that we transmitted to the Secretary-General pursuant to General Assembly resolution 35/7, we stressed that our objective was not to put an end to progress nor to prevent anyone from taking necessary development measures. Nor does the World Charter ask that we focus our action on any particular project or any particular activity in a given country. What it does is emphasize the balance of the ecosystems which must be maintained and protected if we are to safeguard the life and quality of our species. This opinion has been expressed by many people throughout the world, north and south, east and west, and the large amount of correspondence that we have received since 1979 in this connection attests to this.

125. Like other developing countries, the Republic of Zaire is making every effort to ensure the progress of its people and to acquire the skills and capacities that will better allow us to master the environment and transform it to meet the country's essential needs—in other words, its development—but with a complete awareness of the need to refrain from anything that will cause irreversible damage to the balance and quality of our natural systems.

126. The United Nations Water Conference, held at Mar del Plata in March 1977, clearly underscored the duty of each of us towards our fellow man in the management and protection of nature in each country. The fact of living up-river does not exonerate one from responsibility in water management or from the duty of solidarity with those who live down-river. This example illustrates the principle of international

solidarity which should underlie our policies wherever action may harm the quality of nature and the balance of our ecosystems—in other words, nature management.

127. This does not in any way mean that countries do not have sovereignty over their resources and, because of this, we reaffirm clearly in the draft World Charter for Nature the principle of the permanent sovereignty of States over their natural resources. What we are saying is that, from the scientific standpoint, operations to manage nature and natural resources should be based on prior knowledge of the dynamics of ecosystems, in order to avoid disorderly management that might lead to their disappearance. That is why it is stressed in the draft World Charter that: "Activities which might have an impact on nature shall be controlled, and the best available technologies that minimize significant risks to nature or other adverse effects shall be used" [see A/37/L.4 and Add.1, annex, para. 11], and that development activities will be conducted and implemented so as to reduce to a minimum the harmful effects that might result.

128. I have already had many opportunities to state and demonstrate that the principle of full and permanent sovereignty of States over their natural resources cannot contradict, and does not contradict, the joint or agreed steps or initiatives designed to correct the mistakes of the past and of the present, steps and initiatives which promote international co-operation, especially in order to safeguard the balance of ecosystems and the quality of nature, because this is precisely the philosophy underlying that principle.

129. During the past three years, all of those who felt that they should make comments on this draft World Charter for Nature have done so. They had ample time for that, and we requested and took enough time to enable everyone to make comments. The revised draft World Charter for Nature, which includes the latest improvements suggested by the Secretary-General in paragraph 4 of his report, is the result of many exchanges of view and of intense work done by the most highly qualified experts in the field on the basis of observations received and of consultations. This work, need we recall, began in 1975. Full account was taken of all existing documents and instruments in this field, dealing with the problem of nature and natural resources management. From the technical standpoint, the draft cannot be considered controversial.

130. I would stress here that the draft text which is now before us is a United Nations draft, an international draft that takes into account various parameters of the problem. There can be no shadow of a doubt that paragraph 5 of the report of the Secretary-General, in which he recommends that the revised draft text be given favourable consideration, is also based on this fact.

131. For all those reasons, I have the honour to introduce draft resolution A/37/L.4 and Add.1, on behalf of the following countries, which are co-sponsors: Belgium, Benin, Burundi, Cape Verde, the Central African Republic, Chad, Comoros, Costa Rica, Djibouti, Egypt, Equatorial Guinea, Gabon, Gambia, Guinea, Guinea-Bissau, Haiti, the Ivory

Coast, Kenya, Mali, Malta, Mauritania, Morocco, Mozambique, Niger, Pakistan, Rwanda, Senegal, Singapore, Somalia, Swaziland, Thailand, Togo, the United Republic of Cameroon, Upper Volta, Yugoslavia and Zaire.

132. We hope that this draft resolution will be adopted by consensus, in order to stress both our shared responsibility towards life on our planet and our duty to our fellow man in respect of that life. We invite all Member States to support the revised draft World Charter for Nature. It is a flexible text which proposes conservation measures with a view to serving as a moral code of conduct.

133. It is our fervent hope that the implementation of the principles contained in this draft World Charter will lead to a useful exchange of experiences and information among countries and that the determination expressed by the United Nations on the management of those resources shared by two or more countries will have an ideal field of application.

134. Lastly, I should like to take this opportunity to thank all those whose contribution made it possible to draft this World Charter, in particular the Secretary-General, the *Ad Hoc* Group of Experts, the International Union for Conservation of Nature and Natural Resources and UNEP.

135. Mr. BHANDARA (Pakistan): It is a pleasure to follow the representative of Zaire and to have listened to his thought-provoking speech.

136. I begin by conveying the deep gratitude of the delegation of Pakistan to the Secretary-General who, in co-operation with UNEP and the International Union for Conservation of Nature and Natural Resources, and on the basis of observations received from Member States, has provided us with a revised text of the draft World Charter for Nature. The revised World Charter now appears as the annex to the draft resolution which is before us. It is a matter of great pleasure for me to express my delegation's full support for the text.

137. In our view, the adoption by the United Nations of the World Charter for Nature will be an event of considerable significance and will open up an important area of responsibility for the Organization, in which co-operation among Member States needs to be strengthened.

138. The purpose of the revised draft World Charter for Nature is to restore the balance between man and nature. In earlier epochs, man considered himself to be a child of nature and lived in harmony with it. The industrial revolution, however, seems to have brought with it an obsessive desire in man to be the master of nature. The consequences of altering nature and exploiting it recklessly, heedless of the forces that constitute nature, have brought irreparable damage to the earth's environment. I need only mention the erosion of the top soil in our arable lands as an example. The revised draft World Charter for Nature seeks an equilibrium between the uses of nature and its conservation.

139. Pakistan's conservation strategies are now being modelled on the principles set forth in the revised draft World Charter for Nature. The flora and fauna, soil conservation, afforestation and the arresting

of desertification, water-logging and flooding are receiving more emphasis than ever before. The various agencies in Pakistan responsible for wildlife and nature conservation remain in close touch with international agencies and have benefited from this experience. Within the country we have taken several steps particularly aimed at creating greater public awareness of the need for conservation of nature. For example, the subject is being introduced in the curricula of text books of schools and colleges, and films, including foreign films, on nature and wildlife are screened regularly. A series on wildlife has been started on television and in commemorative postage stamps.

140. In the field of fauna, I am happy to inform the Assembly that a measure of success has been achieved in protecting the populations of some highly endangered species. Pakistan has achieved some success in enlarging the populations of Marco Polo sheep, the Astor markhor and the Punjab urial. In this regard, I would like to acknowledge the valuable contributions made by the World Wildlife Fund. Pakistan is also attempting the reintroduction of lost species in their original habitat. I may mention here the attempts to reintroduce in Pakistan the Cheer pheasant, which is no longer found in its habitat. Our experiences show that the results of our efforts in protecting the flora and fauna in our country have been encouraging, relative to the size of the resources committed.

141. Before concluding, permit me to pay a special tribute to the Government of Zaire for having taken the important initiative for the adoption of a world charter for nature—which Pakistan has fully endorsed and supported since its enunciation last year. Conservation of nature, which is the central theme of the draft Charter, is a noble cause in whose advancement every State, indeed every individual, has a vital stake.

142. As a follow-up of the adoption of this draft Charter, my delegation proposes that the Secretary-General be requested to review the progress made in its implementation on an annual basis.

143. Mr. PLECHKO (Union of Soviet Socialist Republics) (*interpretation from Russian*): The problem of protection of the environment, like other world-wide problems, can be tackled only if concerted and serious efforts are made by all States in an atmosphere of very close and equitable co-operation. At the same time, it is possible to give full effect to such co-operation, to arrive at global programmes and to find the funds required to put them into practice only in conditions of détente by halting the arms race. The protection of the environment and of nature in the broadest sense of the term is closely related to finding a solution to the most important problem of the day—that of halting the arms race and averting a world-wide military conflict.

144. At the present time, nature is being tremendously, possibly irreparably, damaged by military preparations and the arms race, which is taking on ever greater dimensions. Therefore, as the General Secretary of the Central Committee of the Communist Party of the USSR, President of the Presidium of the Supreme Soviet of the USSR, Leonid Ilyich Brezhnev, has said:

“To save our earth and to hand it on to the next generation, in all its richness and beauty, not disfigured by the flames of a nuclear holocaust, should, we are convinced, be the focus of man’s mind.”

145. The Soviet Union has frequently stated that it supports the adoption of international documents containing fundamental principles relating to the protection, preservation and improvement of the environment and the rational utilization of natural resources. In this context, the draft Charter is clearly not something which appeared out of the blue. It is, in fact, a continuation and a further development of the ideas already contained in resolutions adopted by the General Assembly and other international forums on this issue. Of these, we refer especially to General Assembly resolutions 35/8 and 36/7 on the historical responsibility of States for the preservation of nature for present and future generations, the relevant resolutions of the Governing Council of UNEP, the Nairobi Declaration of 1982,⁶ and others. The theme of all these documents is concern about the need to protect the environment effectively and to prevent those forms of human activity which could have a negative impact on the ecological balance of the earth and could have extremely deleterious consequences either now or in the future.

146. As a result of increased activity in the United Nations, and primarily in UNEP, in recent years, there has been growing recognition of the importance of the problems relating to the protection of the environment and the need for close international co-operation in this field. The Soviet delegation is gratified to note that, in many of the documents adopted in international forums, stress is laid on the idea of the close interrelationship of the struggle for peace, international security and disarmament on the one hand, and the problems of the environment on the other.

147. Great emphasis is placed on the urgent need to curb the arms race in the world and to spare mankind from the risk of war, particularly nuclear war, in principle 26 of the Declaration of the United Nations Conference on the Human Environment, held at Stockholm in 1972;⁷ in paragraph 5 of the Nairobi Declaration; in the resolutions adopted by the General Assembly on the historical responsibility of States concerning the preservation of nature for present and future generations; in the decision on the environment and the arms race, adopted by the Governing Council of UNEP at its ninth session;⁸ in the resolution adopted at the special session of the Governing Council of UNEP⁹ on the initiative of the delegation of Mexico; and in many other documents. We are pleased to see that these ideas and their spirit have been at least partially reflected in the revised draft World Charter for Nature, which we are now considering. I refer to the sixth preambular paragraph, for example, as well as operative paragraphs 5, 11, 20 and 22. We are also pleased that in the revised version many of the comments and proposals made by the Soviet Union have been taken into account.

148. Unfortunately, the text of the draft World Charter does not contain other equally important proposals, such as correcting the inequality and discrimination in international economic relations, the prohibition of neo-colonialist methods of using natural

resources, the export of products dangerous to man and nature and the transfer to the developing countries of industrialized goods that contaminate the environment. The inclusion of those ideas would considerably strengthen the Charter.

149. In conclusion, the Soviet delegation declares its support for the adoption by the General Assembly of the revised draft World Charter for Nature. Although the World Charter is recommendatory, we hope that Governments will take into account the ideas that it contains when they are planning economic and other State activities that might have an effect on the natural environment.

150. Mr. ULRICHSEN (Denmark): Today, our work on a world charter for nature, which has been prepared and considered at the past two sessions of the General Assembly, comes to a conclusion.

151. Speaking on behalf of the 10 member States of the European Community, I should like to express our sincere appreciation to the President of the Republic of Zaire, who in 1975 took the initiative for work towards a world charter for nature at the twelfth annual meeting of the International Union for Conservation of Nature and Natural Resources. From the beginning, the 10 member States of the European Community have given their full support to the initiative.

152. The Community has always encouraged studies aimed at promoting the preservation of nature, particularly in the context of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, concluded in Washington in 1973, the African Convention on the Conservation of Nature and Natural Resources, concluded at Algiers in 1968¹⁰ and the Convention on the Conservation of Migratory Species of Wild Animals, concluded at Bonn in 1979. In a European context, the Conference on Security and Co-operation in Europe has also given attention to the questions on the environment which are covered in the Final Act signed at Helsinki in 1975.

153. In 1973, the European Community adopted its first programme of action for the protection of the environment, followed in 1977 by the second programme of action. These action programmes contain, *inter alia*, measures for the avoidance of water and air pollution, as well as a directive for the protection of birds within the European Community. In January 1982, a regulation prohibiting the import of cetacean products for commercial purposes took effect within the Community.

154. Nature is the common heritage of mankind, and we all share the responsibility for its preservation. Economic development over the past 200 years has nourished the hope that mankind can overcome the narrow limitations which nature had set for the conditions of physical life of earlier generations. The aspirations of economic and technical development to master the forces of nature have, however, in certain periods of time, been accompanied by a neglect of the side effects of economic development on the natural environment. Today, with the knowledge and experience of the past, we are all aware that the long-term aspirations to economic and social development, both in developed and developing countries, can be realized only if human endeavours respect the interrelationship between man and nature.

155. We are fully aware that the objectives of the World Charter for Nature, as proposed by the delegation of Zaire, should be complementary to those of the World Conservation Strategy.¹¹ In this regard, I should like to stress the importance that we attach to the close relationship between the World Charter for Nature and the existing programmes of UNEP.

156. In accepting draft resolution A/37/L.4 and Add.1, the annex of which contains the draft World Charter for Nature, we conclude our intervention by expressing the hope that the Charter will effectively support the World Conservation Strategy. The member States of the European Community will continue to play their part in these efforts.

157. Mr. ZACHMANN (German Democratic Republic): The efforts towards the adoption of a world charter for nature have been inspired by concern for the preservation of mankind's natural living conditions, which today are exposed to a variety of risks. It is therefore necessary to exert all efforts in order to live up to the historical responsibility of States for the preservation of nature for present and future generations.

158. No one giving serious thought to the matter can ignore the fact that today mankind possesses the means not only to destroy itself through an atomic war, but also to extinguish all life on earth. But it should also be noted that the possibilities exist for preventing a nuclear catastrophe. In particular, the Soviet Union's solemn undertaking not to be the first to use nuclear weapons and its new proposals aimed at eliminating the dangers of nuclear war—such as those relating to the immediate cessation of all nuclear-weapon tests and to the safe development of nuclear energy, as well as the nuclear disarmament programme which was put forward by that country at the second special session devoted to disarmament—open up to the people living on our planet the prospect of a peaceful future and of seeing their natural environment preserved.

159. The German Democratic Republic shares the anxiety of millions of people in the world who are wondering how much longer valuable natural resources are to be wasted on armaments, and how much longer wars, exploitation and oppression will continue to upset the life and development of entire peoples and rob them of their life-sustaining foundations.

160. My delegation holds the view that the prevention of a nuclear catastrophe, as the main problem of the present time, must also be the main concern of the General Assembly at its current session. The draft World Charter for Nature therefore cannot be separated from the fundamental tasks of the United Nations: the preservation of world peace, the strengthening of international security, the ending of the arms race and the achievement of effective disarmament measures. Fulfilment of these tasks will bring about the necessary conditions for the successful protection and conservation of nature. We would have liked these important ideas to have found a clearer reflection in the draft World Charter for Nature, since they are indispensable to the practical application of the principles embodied in the Charter.

161. The process of political détente has shown that it is possible to achieve positive results in all fields, including that of the conservation of nature. This fact was demonstrated in Europe, one of the most densely populated and highly industrialized regions of the world, when an all-European high-level meeting on the protection of the environment was held within the framework of the Economic Commission for Europe. The results of the meeting have had a favourable impact on regional co-operation in that field.

162. My delegation has carefully studied the revised draft World Charter for Nature and, on the whole, supports its general principles and aims.

163. The Constitution and pertinent laws of the German Democratic Republic guarantee for all its citizens the right to participate in the decision-making process on environment protection methods. This right is exercised, above all, through the people's elected representative bodies at the local and national levels. The people and the Government of the German Democratic Republic are aware that any effort in this field will be futile unless the arms race can be stopped and the funds thus released used to meet the needs of the peoples.

164. Both the past and the present show that the relationship between man and nature cannot be optimal as long as an increasing portion of natural resources is being wasted on armaments, or as long as, through neo-colonial exploitation, the natural riches of many countries are being consumed excessively, especially by transnational corporations.

165. The German Democratic Republic has outlined its position on these and other questions in its comments on the revised text of the draft World Charter for Nature [see A/37/398/Add.1]. My delegation supports draft resolution A/37/L.4 and Add.1, in the hope that this will lead to the strengthening of the peaceful co-operation of peoples and help States meet their historical responsibility for the preservation of nature for present and future generations.

166. Mr. GARVALOV (Bulgaria): The activities of the United Nations in the field of the environment and the protection of nature, in our view, deserve wide support and appreciation.

167. Over the past several years, a number of documents and decisions have been adopted by the United Nations and its specialized organs concerning the protection of the human environment. United Nations documents such as the Stockholm Declaration,⁷ the Nairobi Declaration,⁶ and General Assembly resolutions 35/8 and 36/7 on the historical responsibility of States, which were submitted by the Soviet Union, contain, in particular, a number of useful and important recommendations for enhancing the responsibility of individual countries and Governments in the protection and improvement of the natural environment that, in our opinion, would not only serve mankind but would also avert the serious threat of a nuclear war.

168. The revised and amended draft World Charter for Nature submitted at the current session represents, in our view, a new and significant step forward in United Nations activities in this field.

169. At the thirty-fifth session [49th meeting], the People's Republic of Bulgaria supported resolution 35/7, which solemnly invited Member States, in the exercise of their permanent sovereignty over their natural resources, to conduct their activities in recognition of the supreme importance of protecting natural systems, maintaining the balance and quality of nature and conserving natural resources, in the interests of present and future generations.

170. We supported that resolution, as well as the idea of drawing up a world charter for nature, because this is fully in accord with the policy of the People's Republic of Bulgaria in this field. In my country, the protection of nature embraces all State and social measures designed to ensure the rational use, preservation and extended reproduction of natural wealth for the benefit of the people. An extensive legislative system has been developed in my country to define and regulate the protection and utilization of the earth and its subsoil, water and forestry resources, flora, fauna, and so on.

171. Coming now to the draft World Charter for Nature, we are of the opinion that it can become a unique United Nations instrument, thanks to both its universal character and the fact that it represents a code of conduct for individual States and persons in the field of the utilization and preservation of natural resources and of nature as a whole.

172. It is a positive fact that a number of important provisions have been duly reflected in the draft World Charter relating to the adverse impact of military operations and the arms race on the preservation of the environment. In this respect, we view the draft World Charter as a follow-up on the other United Nations instruments in this field that are now being implemented.

173. The elaboration of the draft World Charter for Nature has once again demonstrated—and its adoption would reinforce this—the need to enhance the role and effectiveness of the United Nations in the strengthening of international peace and security, which, in our opinion, are directly linked with the preservation and improvement of the environment. It can be preserved only in conditions of international détente, disarmament and international co-operation.

174. Proceeding from this premise, the Bulgarian delegation can support the draft World Charter for Nature although in our view the problems of the struggle against colonialism, *apartheid* and racial discrimination, which are major factors detrimental to the human environment, are not sufficiently reflected in the draft text. In our opinion, the draft World Charter could also contribute to remedying the deleterious consequences of the activities of transnational corporations and to consolidating the sovereignty of developing countries in the utilization and conservation of their natural resources.

175. It is also my delegation's view that, in this respect, the draft World Charter for Nature should be viewed as being intricately linked and interdependent with the relevant United Nations decisions and instruments regarding the restructuring of international economic relations and the establishment of a new international economic order.

176. In conclusion, I should like on behalf of the Bulgarian delegation to express our satisfaction with the work of UNEP in the elaboration and drafting of the World Charter for Nature. The People's Republic of Bulgaria, as a member of UNEP, has also contributed to the formulation and perfection of this outstanding instrument of the United Nations.

177. Mr. ZIMMERMAN (United States of America): Mr. Kamanda wa Kamanda made an eloquent statement in introducing the draft World Charter for Nature. My Government wants very much to be able to support the draft World Charter. We appreciated the initiative of President Mobutu of Zaire and others among the sponsors of this draft World Charter. All of us believe that the fundamental problems posed by man for the fragile ecology of our earth should be addressed by the Assembly. The United States has been historically among the world leaders in calling attention to the objectives and needs addressed in the draft World Charter and in supporting international efforts to achieve these objectives. We intend to maintain such leadership. Nevertheless, we still have some problems with the text. In informal consultations with several other States, including six of the sponsors, it has become apparent that others, too, see the need for further clarifications and adjustments, all of which will improve its clarity and precision and thereby its meaning. Some of the problems may be caused only by mistakes in translation from the original French text into English. Others may be more substantive in nature.

178. We propose that this item be delayed so that a small working group of concerned States can meet with Mr. Kamanda wa Kamanda and other sponsors to work out our differences, in the interest of a consensus text, at this session.

179. If we have to act on this draft World Charter today, my Government will reluctantly have to vote against it. This is not a pleasant position for us, particularly because the United States has consistently championed the goals sought in the draft resolution. Indeed, we were among the original sponsors two years ago. We are prepared to work very hard for a consensus text, and we believe such a text can without doubt be reached before the end of this session. We urge members of the Assembly and the sponsors to agree to a short delay in the interest of developing a draft charter for nature that will have more respect and meaning than would be the case if it were acted on as it now stands.

180. Mr. MI Guojun (China) (*interpretation from Chinese*): The Chinese delegation wishes to state its views on the revised draft World Charter for Nature and draft resolution A/37/L.4 and Add.1.

181. This draft World Charter was originally an initiative taken by President Mobutu, of Zaire. It was later revised on the basis of our discussions at the two previous sessions of the General Assembly and on the basis of the views received from Member States, and it is now basically taking shape. The Chinese delegation is pleased with the progress achieved and hopes that consideration at the present session will lead to the adoption of the revised draft Charter.

182. The protection of the natural environment and resources is an important question closely related

to the economic development of countries and to human life and endeavours. Over a long period of time, over-consumption and abuse of natural resources on the part of certain industrialized countries have seriously damaged the ecological balance, with serious economic, social and political consequences. Because insufficient attention has been paid to the question of the protection of nature in exploring and using their resources for the development of their national economies, quite a number of developing countries are now being threatened in varying degrees by desertification, drought, flood, soil erosion and environmental pollution. Therefore, the natural environment and resources have now become a matter of increasing and general concern to the international community.

183. It is now recognized that, for developing and developed countries alike, in order to achieve sound economic and social development, it is necessary to adopt, in accordance with the respective domestic conditions, effective policies and measures to protect nature and natural resources. In order to achieve this, efforts by one or two countries or regions only are insufficient; we must rely on the joint actions of all countries, in the interest of all mankind.

184. The initiative taken by President Mobutu of Zaire for the formulation of a world charter for nature is an excellent reflection of such a need. Therefore, the Chinese delegation has supported it from the very beginning. In our view, a world charter for nature should be a set of legal norms and a code of conduct for mankind in its treatment of nature. It should be possible for all countries to abide by it. At the same time, we believe that this Charter should be in conformity with the principle of respect for the permanent sovereignty of countries over their natural resources.

185. The Chinese Government, for many years now, and particularly since 1978, has been devoting increasing attention to the protection of the natural environment and resources. We have taken various measures, including the following.

186. First, we have improved and strengthened the leadership and management machinery for the protection of the environment. We have established urban and rural departments for the protection of the environment in construction work, so as to co-ordinate construction with protection of the environment. And we have established corresponding subsidiary organs at the provincial, municipal, district and county levels.

187. Secondly, we have established national laws and rules and regulations for protection of the environment as a legal code for the protection and the use of nature. This calls for the exploration and use of nature to be linked with the preservation and protection of the environment.

188. Thirdly, we feel that the rate of population growth has a great impact on the protection of nature and natural resources. In view of the situation that now exists in our country, we have been pursuing a policy of planned population control. This is conducive to the rational exploration, use and protection of nature and natural resources.

189. Fourthly, we have also strengthened our social programmes of publicity and education in order to enhance public awareness and to arouse the concern and attention of the entire society for the protection of the environment. Aside from the programmes of publicity and education undertaken on a regular basis through various channels, we have also launched, both this year and last year, an environment protection month of nationwide activities, in order to promote a new social attitude that it is an honour to protect the environment and a source of shame to pollute it, as an integral part of our efforts to build a spiritual civilization. At the same time, we have called upon national cadres from the central to the local levels to play a leading role, requiring them to plant at least five trees per person per year.

190. These policies and measures have gone a long way towards strengthening the protection of nature and the environment and changing attitudes and customs. My Government and people are determined to persevere in these efforts.

191. The PRESIDENT: I call on the representative of Zaire, who wishes to speak on a point of order.

192. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): On behalf of the sponsors of draft resolution A/37/L.4 and Add.1, I wish to oppose the adjournment of the debate on this question.

193. In the course of the past three years, sufficient time has been given to all delegations that might wish to make observations to do so and to submit their views to the *Ad Hoc* Group of Experts.

194. I should also say that, at the meetings of the experts in Nairobi and elsewhere, a number of countries present here were represented, in particular—and this is by no means a complete list—the United States, France, the United Kingdom, the Federal Republic of Germany, India, Australia, Kenya and Zaire, as well as organizations of the United Nations system, such as FAO and UNEP. I would add that the chairmanship of the drafting committee for this revised draft World Charter was entrusted to Mr. Kenton Miller of the United States. So the request for a postponement just before a decision is to be taken on the draft World Charter seems to us to be a deliberate attempt to relegate this text to the Greek Calends or to deny its importance. I should like to say in particular that that attitude seems to me to be contrary to the spirit of General Assembly resolution 36/6, which expressly calls for a decision at this session. And since both the letter and the spirit of the draft charter are fully in accordance with the purposes and principles of the Charter of the United Nations, we see no reason for any further delay in taking a decision.

195. I therefore ask all Member States not to agree to the proposed postponement, but to ask that a decision be taken at the present session on this matter. It is because we, too, want a consensus on this text that we have waited for three years so that everybody should have a chance to study the draft and comment on it. But if our desire to achieve a consensus is, regrettably, not shared by all, we cannot sacrifice the essence of our draft on a procedural point. Moreover, this is not the first time in the last few years that we have been in such a situation. In conclusion, there-

fore, we hope that a decision can be taken on this matter today, at this meeting, and we are not in favour of any postponement whatsoever.

196. The PRESIDENT: My understanding is that the representative of the United States has not asked for a formal vote on the postponement, but he has asked for a vote if a decision is taken on the draft World Charter itself, that is, on draft resolution A/37/L.4 and Add.1. I call on the representative of the United States on a point of order.

197. Mr. ZIMMERMAN (United States of America): We believe that a consensus is possible if there is a short delay. We want a consensus, and we believe it is possible to achieve one at this session. We have no intention of delaying this beyond this session. The earlier resolution calls for action on the draft World Charter at this session. That is certainly possible and that is our objective. If it is necessary to have a vote on whether there should be a delay so that a small working group can get together with Mr. Kamanda wa Kamanda and secure a consensus, we propose that that vote be taken. We can then see what the situation is after the vote on a delay before taking a decision concerning the draft World Charter itself. We would have to call for a vote on the draft World Charter if a decision were taken now. If we can have a delay, we fully expect to be able to get a consensus text of the draft World Charter at this session.

198. The PRESIDENT: I call again on the representative of Zaire on a point of order.

199. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): I do not wish to give the impression of engaging in polemics with my colleague from the United States, but we have been waiting three years for a consensus and it is not our fault if the United States delegation has not been in a position for the past three years to submit its comments, which could have been taken into consideration by the *Ad Hoc* Group of Experts.

200. Furthermore, it is not a question of talking to Mr. Kamanda wa Kamanda. What has this got to do with me? This text, as I have said, is a United Nations text. It is an international text, which has been worked out by the experts from various countries who revised the initial text. So how can Mr. Kamanda wa Kamanda undertake the responsibility of reviewing what United Nations experts have adopted and recommended to the General Assembly pursuant to the relevant resolutions of the Assembly?

201. I repeat what I have already said: we want a decision on this matter at this session, here and now, in order to settle this matter once and for all.

202. The PRESIDENT: I call on the representative of the Central African Republic on a point of order.

203. Mr. KIBANDA (Central African Republic) (*interpretation from French*): It was not on a point of order that I asked to be allowed to speak. I wished to say that in introducing the draft resolution now before us, the representative of Zaire, with characteristic eloquence, gave us the entire genesis of the World Charter for Nature that we are now considering.

204. As he stated, this question was raised for the first time at the thirty-fourth session. At the thirty-fifth session, the General Assembly adopted its first

resolution on the item. Since then, other resolutions have been adopted attesting to the crucial importance of this subject for the preservation and conservation of mankind. In accordance with those resolutions, some Member States communicated to the Secretary-General their views and observations on the matter.

205. As my delegation sees it, the question before us has gone too far to be reopened. The General Assembly must shoulder its responsibilities and deal with a problem that is crucial to the balance and the survival of mankind. The arguments put forward by some delegations for postponing action on this item, which was included in the agenda of the present session by the General Committee, seems to us to be unjustified and groundless; they do not stand up to any careful and serious analysis.

206. For those reasons, my delegation believes that the General Assembly must shoulder its responsibilities and adopt the draft resolution that has been submitted. Any argument advanced in an attempt to justify a postponement of the decision on the question before us can only be termed a delaying tactic. That is why the General Assembly must now decide on this question.

207. The PRESIDENT: What is before the Assembly now is the procedural point of whether or not we should take a vote today on the draft resolution. The sponsors have asked that the vote be taken today.

208. On that procedural point, I call on the representative of Denmark.

209. Mr. CHRISTENSEN (Denmark): As my delegation has just had the opportunity to recommend the World Charter for Nature for adoption, I should like to express our concern over the turn which the consideration of this agenda item seems to be taking.

210. Speaking on behalf of the member States of the European Community, I should like to reiterate the readiness of the member States of the Community to see the text of the World Charter adopted as it now stands. On the other hand, we also hold the opinion that the influence that we think the adoption of the World Charter will have on the preservation of nature will be severely diminished if it is not adopted by consensus.

211. Against that background, we recommend that the sponsors of draft resolution A/37/L.4 and Add.1 give positive thought to the postponement of the consideration of the draft resolution with a view to initiating consultations which should make it possible to ensure that later in the session, this important document will be adopted by consensus.

212. The PRESIDENT: The sponsors of the draft resolution wish a decision to be taken on it today. But a motion has been formally moved by the representative of the United States that the decision should be postponed. We must vote first on that motion.

213. I therefore now put to the vote the motion by the United States that a decision on draft resolution A/37/L.4 and Add.1 be postponed. A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Bolivia, Brazil, Canada, Chile, Colombia, Comoros, Denmark, Ecuador, Finland, France, Germany, Federal Republic of, Greece, Guyana, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Luxembourg, Netherlands, New Zealand, Norway, Peru, Philippines, Portugal, Spain, Suriname, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Albania, Angola, Bahrain, Bangladesh, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Honduras, Hungary, Indonesia, Iraq, Ivory Coast, Kenya, Kuwait, Lao People's Democratic Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Papua New Guinea, Paraguay, Poland, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, Sudan, Swaziland, Thailand, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire, Zambia.

Abstaining: Algeria, Austria, Barbados, Belgium, Costa Rica, Ghana, India, Lebanon, Libyan Arab Jamahiriya, Nepal, Tunisia, Yemen.

The motion was rejected by 73 votes to 36, with 12 abstentions.

214. The PRESIDENT: We shall now proceed to take a decision on draft resolution A/37/L.4 and Add.1.

215. I call on the representative of Brazil for an explanation of vote before the voting. I would remind him that, in accordance with decision 34/401, statements in exercise of the right of reply are limited to 10 minutes.

216. Mr. CORRÊA DA COSTA (Brazil): I have the honour to speak on behalf of the delegations of Bolivia, Colombia, Ecuador, Guyana, Peru, Suriname, Venezuela and Brazil, States parties to the Treaty for Amazonian Co-operation.

217. Two years ago, when the General Assembly, at its thirty-fifth session, took up for the first time the subject of a world charter for nature, I had the privilege of addressing the issue also on behalf of the Amazonian countries. Our joint statements on that occasion [48th and 49th meetings] are as valid today as they were then, and we therefore remind the Assembly of them.

218. Since the General Assembly is about to act on the draft resolution, there are several points which the Amazonian countries want to put on record so that their vote on the draft resolution and its annex not only is placed in the proper context, but also is not misunderstood now and will not be misunderstood in the future. The Amazonian countries will abstain.

219. Generally speaking, the eight countries on whose behalf I am speaking still find it difficult to under-

stand why the drafting of the World Charter for Nature was carried out entirely outside any inter-governmental process if its proponents wanted it to be adopted by the highest intergovernmental political body, namely, the General Assembly. Governments were consulted on an individual basis, but the text was primarily the result of the work, worthy though it may be, of a non-governmental body; it was then reviewed by an *Ad Hoc* Group of Experts, acting in an individual capacity, and finally amended, if that is the correct word, by the secretariat of a United Nations body, as recorded in document A/37/398. Such a procedure does not lend itself to a true consensus among States. This type of procedure should therefore be avoided if States are expected even to take hold of the documents, texts or charters that result therefrom.

220. On the other hand, there are several international instruments dealing with the type of concern that we understand is reflected in the ideas contained in this World Charter. All of them recognize both the permanent sovereignty of States over their natural resources and the inalienable responsibility of States to ensure development for their own peoples. Development of their own countries is an obligation of the Governments of Bolivia, Colombia, Ecuador, Guyana, Peru, Suriname, Venezuela and Brazil to their own people, which they will not relinquish in any circumstances.

221. The developing countries as a whole, the Amazonian countries among them, are committed to the eradication of poverty and to the process of economic and social development. In this context, it is imperative to recall that throughout history the developed countries have been not only the main polluters of our world but also the main contributors to the damage done to nature. This is a fact that the Amazonian countries feel has not been taken into account at all in the text of the draft World Charter for Nature.

222. On the other hand, the Amazonian countries are of the opinion that the draft World Charter for Nature fails to address adequately the paramount issue of the damage caused to nature by the destruction resulting from war and warfare, which of necessity is one of the main concerns of mankind.

223. The draft World Charter for Nature is therefore yet another link in a chain of documents which, because they contain only principles, lead to a dispersion of efforts, and, because of their complete lack of objective conditions for the achievement of results, might lead to being relegated to the archives.

224. For the record, then, the Amazonian countries want to state unequivocally that they consider the draft World Charter for Nature non-mandatory, whatever language it may contain. They will therefore treat its contents merely as a general indication of intentions, which, individually or jointly, they might take into account, but only if such guidelines are in conformity with their national legislation, their practice and their accepted international obligations. The only obligations, therefore, that they recognize are those deriving from their own domestic laws and from the treaties to which they are party. In their activities in matters related directly or indirectly to the

subjects addressed in the draft World Charter for Nature, the Amazonian countries will continue to be guided at the national, sub-regional, regional or international levels only by the commitments which they have formally entered into, among which is the Treaty for Amazonian Co-operation.

225. In somewhat more specific terms, in relation to the text of the draft Charter, let me now say that the preamble contains philosophical and doctrinal principles which do not enjoy unanimous support, since they are from different points of view and will be considered heterodox, unfounded or simply irrelevant. They are therefore not likely to contribute to the protection of nature, which can only be founded on pragmatism if it is to have any real or practical effect.

226. The last paragraph of the preamble to the draft Charter is totally vague. The principles of conservation which the draft Charter purports to embody have no perennial character and certainly cannot justify the statement that "all human conduct affecting nature is to be guided and judged" by them. The text does not—as it obviously could not—define the instruments and instances for the judgement of this conduct. In other words, who is to guide and judge all human conduct? The draft Charter would have been better without that paragraph.

227. The so-called general principles, which, again, are not and could not be mandatory, would have been more appropriate if they had been drafted in a non-mandatory and non-imperative way.

228. In paragraph 6, the last phrase, "and by respecting the principles set forth in the present Charter", should have been deleted. I feel that all of us in this Hall would be of one mind in not agreeing that "man's needs can be met only . . . by respecting the principles set forth in the present Charter".

229. The text of paragraph 10, for its part, ignores the practical limitations and economic difficulties that prevent the attainment of ideal standards for the utilization of natural resources. This paragraph should have been drafted in a conditional form so as to give the draft World Charter at least a minimum of credibility.

230. The same applies to paragraph 11. Incidentally, although it was not satisfactory, the initial version of this paragraph, presented to the thirty-sixth session,⁴ should have been retained as a basis and should not have been tampered with by the secretariat of UNEP. In any event...

231. The PRESIDENT: I am sorry to interrupt you, but your time is up. Please finish as soon as you can.

232. Mr. CORRÊA da COSTA (Brazil): Mr. President, I beg you to bear in mind that I am not using the time of one delegation, but of eight delegations. Simple multiplication should absolve me.

233. The PRESIDENT: Please continue.

234. Mr. CORRÊA DA COSTA (Brazil): In any event, the Amazonian countries have strong reservations on such undefined concepts as "the best available technologies that minimize significant risks to nature or other adverse effects, shall be used, for this would amount to making them indefinitely dependent upon the technologies of developed countries, which,

as I said, have been the main polluters of the world and the main causers of damage to nature.

235. The same goes for subparagraph (c) of paragraph 11, which expresses an intention—and the Amazonian countries cannot accept it—of subjecting any activity to costly and often unnecessary environmental impact studies. For that reason, therefore, we oppose the phrase “and environmental impact studies of development projects shall be conducted sufficiently in advance”.

236. Paragraph 14 goes directly against the fundamental juridical principle of the autonomy of States in the formulation of their own domestic legislation. It will therefore have no practical consequence. And, moreover, most States already have appropriate legislation to this end, usually inspired by conservation theses that have general acceptance.

237. Paragraph 17 omits the indispensable relationship between the effective possibilities of States and the provision of means and resources for activities that deal with conservation. In other words, “Funds... shall be provided”—by whom?

238. The last phrase of paragraph 18, “unimpeded by restrictions of any kind”, is again one of those aspirations which should not have found expression in a document of this kind.

239. The last phrase of subparagraph (a) of article 21, “including information exchange and consultation”, is unacceptable to the Amazonian countries. It will therefore be treated as non-existent by them. They regret very much the inclusion of such a concept, and I want to emphasize this point very clearly.

240. Paragraphs 23 and 24 fail to take account of the distinction between international law and domestic legislation, and confuse individual and collective rights and duties. It is a piece of useless rhetoric to ascribe responsibility to each person in the fulfilment of disputable conservationist objectives instead of recommending to States that they guide their peoples towards commonly acceptable goals.

241. These are only some of the general and specific reservations which Bolivia, Colombia, Ecuador, Guyana, Peru, Suriname, Venezuela and Brazil have on the draft World Charter for Nature. The countries on whose behalf I am speaking want them fully recorded and constantly borne in mind in connection with this document. We feel that had the World Charter been properly negotiated between States, the General Assembly would be adopting not only a much better document, but also one which would have commanded a true consensus, not the type of resolution which the Amazonian countries cannot accept.

242. The PRESIDENT: I must repeat that it is the obligation of the President to call the attention of representatives to the rules of procedure of the General Assembly.

243. We shall now vote on draft resolution A/37/L.4 and Add.1. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Angola, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African

Republic, Chad, China, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Denmark, Djibouti, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Togo, 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, Uruguay, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Algeria, Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Ghana, Guyana, Lebanon, Mexico,¹² Paraguay, Peru, Philippines, Suriname, Trinidad and Tobago, Venezuela.

The draft resolution was adopted by 111 votes to 1, with 18 abstentions (resolution 37/7).¹²

244. The PRESIDENT: I shall now call on those representatives who wish to explain their vote.

245. Mr. WAKASUGI (Japan): My delegation voted in favour of the draft resolution because my country supports the general principles, functions and implementation of the World Charter for Nature. In this connection, my delegation wishes to express its deep appreciation to the President of Zaire for broaching in 1975 the idea of drawing up a charter to serve as a code of conduct for managing nature and natural resources. However, my delegation is obliged to make clear its position on certain parts of the preamble to the World Charter.

246. First, subparagraph (b) of the fourth preambular paragraph states that: “... failure to establish an appropriate economic order among peoples and among States, leads to the breakdown of the economic, social, and political framework of civilization”. My country basically supports the existing international economic order. Although we recognize the necessity of working steadily to improve that order, we are unable to accept the notion that failure to change the present economic order will result in the breakdown of civilization. Moreover, since the aforementioned passage has no direct bearing on the protection of nature, my delegation fails to see any reason why it should be included.

247. Secondly, subparagraph (c) of the same preambular paragraph states that: “the conservation of nature and natural resources . . . cannot be achieved until mankind learns to live at peace with itself and forsake war and armaments”. According to this

argument, the existence of armaments is in itself detrimental to the protection of nature. This seems to us illogical: it is not arms *per se* but their use in warfare which affects nature adversely. In the view of my delegation, it would suffice to say here that mankind should forsake war.

248. Miss GUEVARA ACHÁVAL (Argentina) (*interpretation from Spanish*): The World Charter for Nature, on which we have just voted, is in keeping, generally speaking, with the desire of my country to draw the attention of the world community to the question of the environment.

249. My Government considered the initiative on the drafting of this Charter most laudable and it supports the basic principles embodied in it. That is why the Argentine delegation joined in the consensus, at previous sessions, that led to the drafting of this World Charter. However, my delegation abstained in the vote because, as the Argentine Government noted at the thirty-fifth session [49th meeting] in its comments on the draft text, we feel that certain of the operative portions of the Charter are not entirely satisfactory, since, in some cases, they touch on subjects which are dealt with more specifically in existing instruments and conventions. Furthermore, in other cases, such as that of the precautions to prevent the discharge of nuclear waste, they touch on questions that fall within the purview of other United Nations organs.

250. Finally, the text on which we voted does not distinguish between the environmental problems of the developed and those of the developing countries, which we understand call for different treatment.

251. Miss FORD (Canada): Canada voted in favour of the resolution and the adoption of the World Charter for Nature because we support the general principles it contains on the preservation and enhancement of the global environment. Indeed, my Government's continuing and firm support for the protection of nature was earlier demonstrated in our co-sponsorship of resolution 35/7, which introduced the initial text of the draft World Charter for Nature in 1980.

252. That said, however, we believe the World Charter would have benefited from further refinements, and we would have welcomed informal consultations on it prior to its adoption by the Assembly. In particular, as the purpose of the World Charter is to set out general principles to guide citizens and Governments in conserving nature, we would have preferred a number of stylistic changes to the text so that it would have better reflected its aspirational character.

253. Thus, we believe that the verb "shall", which appears in almost every paragraph, could appropriately have been replaced by "shall endeavour to", or "should". This drafting comment applies in particular to paragraph 14 of the World Charter, which, in its current form, is not fully in keeping with the principle of State sovereignty.

254. Mr. PURUSHOTTAM (India): My delegation has gone along with the resolution which has just been adopted, although we would have preferred more consultations in respect of the World Charter for Nature in order to resolve the few difficulties that

some delegations have had with this text, and so that the resolution and the World Charter could have been adopted by consensus.

255. We commend and share the objectives of the World Charter for Nature and would like to congratulate the authors of the proposal, above all, the representative of Zaire, on this initiative. We would also like to take note of the work of the *Ad Hoc* Group of Experts in finalizing the text of the World Charter for Nature. However, my delegation does not think that the stipulation made in paragraph 11 of the World Charter prescribing the use of "the best available technologies" is at all realistic or possible, and my delegation would have liked to see it worded differently had there been an opportunity to consult.

256. We have a similar reservation on subparagraph (c) of paragraph 11, which places an unrealistic responsibility on Member States, particularly developing countries, in the process of their developmental activities. The precise phrase that my delegation considers very unsatisfactory in this paragraph reads: "environmental impact studies of development projects shall be conducted sufficiently in advance".

257. I would like to recall that two years ago, at the time of the adoption of the International Development Strategy for the Third United Nations Development Decade [resolution 35/56, annex], the developing countries vehemently opposed the insertion of a similar provision in the relevant section of the Strategy.

258. Paragraph 14 places Member States in a somewhat invidious position by asking them in a direct manner to reflect the principles of the World Charter for Nature in their national legislation. My delegation would have preferred some different formulation of this paragraph.

259. My delegation would also like to place on record its understanding of subparagraph (a) of paragraph 21, which it takes to mean that countries shall endeavour to co-operate in their common objective to preserve nature, that there is no automatic obligation to engage in joint projects and that there is no limitation on the undertaking of development projects by Member States according to their national priorities.

260. Mr. ZIMMERMAN (United States of America): We share many of the reservations of other delegations that have already been expressed here, so I am not going to repeat those. Two other examples, however, which I think explain our reluctance to go along with the World Charter, could bear some scrutiny. For example, paragraph 13 speaks of measures intended to prevent, control and mitigate natural disasters. We submit that neither the United Nations nor man can prevent natural disasters. We think that the intent may well have been "the effects of natural disasters", and we would have hoped for a little more precision in language. That was the kind of thing that we were after.

261. Regarding paragraph 24, which begins "Each person has a duty to act in accordance with the provisions of this Charter", we wonder how this World Charter purports to create obligations for individuals. Our courts have held that even the Charter of the United Nations, an international agreement, does not create self-executing individual rights, let alone obligations. These are just two areas of concern.

262. We think that if all the "shalls" that are in the document could have been changed to "shoulds" we would have been much more likely to have gone along with it very quickly. We regret that we lost this opportunity to obtain a consensus in the present by focusing so much on opportunities lost in the past. Having waited three years, we believe that three or four more days, in the interests of a consensus, would not have been asking too much.

The meeting rose at 7 p.m.

NOTES

¹ See *Report of the International Conference on Kampuchea* (United Nations publication, Sales No. E.81.I.20).

² A/CONF.109/6.

³ *Official Records of the General Assembly, Thirty-fifth Session, Annexes*, agenda item 113, document A/35/141.

⁴ A/36/539.

⁵ A/S-11/14, annex I.

⁶ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 25*, part I, annex II.

⁷ *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A.14 and corrigendum), chap. I.

⁸ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 25* and corrigendum, annex I, decision 9/4.

⁹ *Ibid.*, *Thirty-seventh Session, Supplement No. 25*, part I, annex I, resolution III.

¹⁰ United Nations, *Treaty Series*, vol. 1001, No. 14689, p. 3.

¹¹ *World Conservation Strategy: Living Resource Conservation for Suitable Development*, prepared by the International Union for Conservation of Nature and Natural Resources, with the advice, co-operation and financial assistance of the United Nations Environment Programme and the World Wildlife Fund and in collaboration with the Food and Agriculture Organization of the United Nations and the United Nations Educational, Scientific and Cultural Organization, 1980.

¹² The delegations of Liberia, Mexico and Viet Nam subsequently informed the Secretariat that they had intended to vote in favour of the draft resolution.