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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE FOURTH MEETING

Held at Headquarters, New York,
on Friday, 21 September 1979, at 3 p.m.

President: Mr. SALIM (United Republic of Tanzania)
later: Mr. TOMASSON (Iceland)

- Credentials of representatives to the thirty-fourth session of the General Assembly: [3]
 - (a) First report of the Credentials Committee
 - (b) Draft resolution
 - (c) Amendment
- Organization of the thirty-fourth regular session of the General Assembly, adoption of the agenda and allocation of items: first report of the General Committee [8]

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The meeting was called to order at 3 p.m.

ITEM 3 OF THE PROVISIONAL AGENDA (continued)

CREDENTIALS OF REPRESENTATIVES TO THE THIRTY-FOURTH SESSION OF THE GENERAL ASSEMBLY:

- (a) FIRST REPORT OF THE CREDENTIALS COMMITTEE (A/34/500)
- (b) DRAFT RESOLUTION (A/34/L.2)
- (c) AMENDMENT (A/34/L.3)

The PRESIDENT: Before calling on the first speaker, I should like to announce that the following countries have decided to join in sponsoring document A/34/L.3: Benin, Congo, Guinea-Bissau, Madagascar and Sao Tome and Principe.

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

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

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

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

(Mr. Hollai, Hungary)

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

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

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

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

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

Today, I should like to express my profound satisfaction at the fact that such a well-known and experienced political figure and diplomat will be guiding the work of this session. I wish you every possible success in this endeavour. The delegation of the Soviet Union is ready to co-operate closely with you during the work of this session.

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

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

How can we evaluate the work of the Credentials Committee, which was called upon to resolve an important problem, that is, who should represent the Kampuchean people at the General Assembly? The Credentials Committee in essence did not examine that question in its entirety and, in the final analysis, confined itself, at the behest of certain delegations, to narrow technical conclusions. The Committee had two documents before it regarding

(Mr. Troyanovsky, USSR)

credentials, but in fact the Committee did not examine the credentials of the delegation which was appointed by the Government of the People's Republic of Kampuchea. It did not compare the documents which were received, on the one hand, from the legitimate State authorities and those which came, on the other hand, from that group of renegades who do not represent anyone, so as to be able to decide in full knowledge of the facts, on how far these credentials met the requirements for participants in the General Assembly.

The approach of the Committee to this question was obviously a formal, one-sided one, dictated by the tendentious position of certain States. As the Chairman of the Committee himself recognized - and this can be seen from paragraph 17 of the report - the broader political aspect of this question should be examined in the General Assembly, where we now, in fact, find ourselves. There can be no doubt at all that the question as to who should represent the interests of a State in the United Nations is an important political issue, the solution of which is fraught with serious consequences. If any delegation should vote in favour of the Committee's report as it is presented in document A/34/500, then the position adopted by that delegation would be tantamount to support for the criminal Pol Pot clique, which has been condemned by the Kampuchean people.

The whole world knows the facts of the bloody misdeeds of the clique, which has slain 3 million Kampuchean, openly carrying out a policy of genocide vis-à-vis their own people. As representatives know, the crime of genocide, according to the Convention on the Prevention and Punishment of the Crime of Genocide adopted by the United Nations, is severely condemned, and by no means can it be supposed that there is support in the United Nations for people who have committed that crime.

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

(Mr. Troyanovsky, USSR)

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

In its foreign policy, the People's Republic of Kampuchea has proclaimed that it is implementing a policy of developing friendly relations with all countries, in particular with its neighbours. It is pursuing a policy of peace and co-operation firmly guided by principles of non-alignment. The People's Republic of Kampuchea is officially recognized by many States of the world. From all this it is quite obvious who is the genuine representative of the Kampuchean people and who is entitled to speak on its behalf in international affairs and, in particular, in the United Nations. The true spokesmen are the representatives of the People's Revolutionary Council of the People's Republic of Kampuchea. In the light of this fact, it would be wrong to adopt the report of the Credentials Committee in its present form.

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

(Mr. Troyanovsky, USSR)

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

Mr. FLORIN (German Democratic Republic) (interpretation from Russian): Allow me, Sir, on behalf of the delegation of the German Democratic Republic, to extend to you our sincere congratulations on your election to the responsible post of President of the 34th session of the General Assembly. The Foreign Minister of the German Democratic Republic will have the honour of expressing his congratulations to you in person.

It is well known that in Kampuchea, a State Member of the United Nations, there have been various far-reaching changes of régimes in recent years. As a result of these changes, delegations at sessions of the General Assembly have been switched. The present situation is as follows. On 7 January this year, as the result of a peoples' revolution, the Pol Pot régime - a régime hostile to the people - was toppled, and the People's Republic of Kampuchea arose. In the light of that fact, we are faced with the question of who is entitled to represent the State and people of Kampuchea in our Organization.

There can be but one answer to that question. Only the representatives of the People's Revolutionary Council are entitled to speak on behalf of the people of Kampuchea. The People's Revolutionary Council, expressing as it does the will of the people, is exercising power throughout the whole of Kampuchea and is dealing with all internal and foreign-policy questions facing the country. Its sole concern is to normalize life in Kampuchea, to create humane conditions, to return people to their homelands, and to restore the economy and social life of Kampuchea that were totally paralysed by the Pol Pot régime.

The Government of the new Kampuchea, in accordance with the principles and purposes of the United Nations Charter, is pursuing a policy of peace, friendship and good-neighbourly co-operation, while ensuring its national independence. It has decisively declared its adherence to the principles of non-alignment. As stated by Erich Honecker, the General Secretary of the Central Committee of the United Socialist Party and Chairman of the State Council of the German Democratic Republic, on the occasion of the People's Republic of Kampuchea's national holiday on 17 April of this year, the people of the German Democratic Republic are following with great

(Mr. Florin, German Democratic Republic)

sympathy the efforts being made by the Kampuchean people to normalize their lives, to restore their country, and to fight for peace, democracy and social progress.

The German Democratic Republic was one of the first States to recognize the People's Republic of Kampuchea, in accordance with international law. The German Democratic Republic has an embassy in the Kampuchean capital, and on the basis of our own observations we can reconfirm the purposeful implementation of the policy of normalization and peaceful restoration that is being carried out in the country. The importance of the decision to be taken today by the General Assembly makes the following reminder appropriate. The Pol Pot régime, which no longer exists, is guilty of having slain millions of Kampuchean people; it is guilty of aggression against the heroic and long-suffering people of Viet Nam, an aggression perpetrated at the instigation of a foreign Power that consistently threatens the peace and security of the people of South East Asia. The scope of the devastating war waged against the Kampuchean people was recently revealed to the entire world by the Revolutionary Tribunal of Kampuchea during the trial of the main culprits guilty of that crime.

Even the mass media of the Western countries, who cannot in truth be called friends of progressive development in the world, were unable until recently to refrain from pointing out the Pol Pot régime's guilt for the crime of genocide. We might have expected those interests that constantly refer to themselves as defenders of human rights throughout the world to speak out against the Pol Pot régime's being represented in this world Organization. My delegation wishes to express its consternation and regret at the decision adopted by a majority of votes in the Credentials Committee. We must assume that the question before that Committee was not sufficiently studied, that it was examined in a one-sided fashion and that no consideration was given to the communiqué of the President of the People's Revolutionary Council of the People's Republic of Kampuchea, Heng Samrin, regarding the fact that a delegation of the People's Republic of Kampuchea would be sent to the 34th session of the General Assembly, even though during the meeting members of the Committee were again officially notified of this matter in a letter submitted by the President of the People's Republic of Kampuchea on 16 September 1979.

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

(Mr. Florin, German
Democratic Republic)

I would venture to point out the fact that in recent months not one dictator has been overthrown - not one dictator forced to flee his country. It would be a great mistake for there to be a decision which distorted the will of the people and gave these historically obsolete figures new hope that they could, by invoking their previous state functions, empower any representatives to take part in United Nations work.

My delegation cannot at all go along with the recommendation made by the majority of the Credentials Committee and set forth in that Committee's first report. My delegation feels that only the People's Revolutionary Council of the People's Republic of Kampuchea - which was created as a result of the exercise by the people of Kampuchea of their right to self-determination - has the necessary qualifications to discharge the functions connected with Kampuchea's United Nations membership. Only the representatives of the People's Revolutionary Council of the People's Republic of Kampuchea can claim not only the moral force but the legitimate right to represent Kampuchea in our world organization.

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

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

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

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

Today the entire world remembers that my country, the People's Republic of Benin, was the victim, on Sunday, 16 January 1977, of a barbaric act of aggression perpetrated by mercenaries - outlaws - in the pay of international imperialism. The aim of the aggressors was to overthrow the existing régimé and install exiles who were traitors to the nation. But, thanks to the resolution and vigilance of the militant people of Benin and its patriotic armed forces, the aggressors suffered a crushing defeat, as everybody knows.

(Mr. Founravou, Benin)

One may wonder why we recall that. We do so, quite simply, to show to what extent my country realizes what aggression from outside actually is, and the meaning of brutal intervention in the domestic affairs of an independent, sovereign State. We are recalling all this to show why the principle of non-interference in the internal affairs of sovereign States and the principle of sovereignty and territorial integrity are dear to us.

We are recalling all this to emphasize that the People's Republic of Benin opposes, and will always oppose, any form of aggression perpetrated against independent States, and about all against small, defenceless States.

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

But despite this position of principle, we are compelled to recognize political realities and to acknowledge that in other times some have intervened brutally in the internal affairs of other countries. Yet the régimes thus installed were promptly recognized by the very ones who today oppose recognition of the Government led by the People's Revolutionary Council of the People's Republic of Kampuchea.

Ridicule never kills, of course. But what is colonization, if not brutal intervention in the internal affairs of other countries?

(Mr. Hounouvou, Benin)

We have even heard it said here that the Comorian island of Mayotte is an integral part of France, whereas everybody knows that the Comoros are thousands of miles away from the metropolitan country.

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

There are even more recent examples still fresh in our memories. Bob Denard failed at Cotonou, the capital of the People's Republic of Benin, but he succeeded at Moroni. The delegation of the Comoros, set up by mercenaries in the pay of a well-known Power which is a past master in the art of using mercenaries of Bob Denard's type to destabilize progressive régimes, today occupies its seat among us. Here we should like to state the real problem. If the armed aggression of Sunday 16 January 1977 against the People's Republic of Benin had been victorious, all those who brandish fallacious and specious arguments in regard to the problem under debate would have been the first to recognize the new régime which would thus have been installed. It is true that they have become experts in the art of overthrowing progressive régimes, directly or indirectly. The fact is that they can teach no one a lesson concerning non-interference in the internal affairs of independent and sovereign States.

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

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

Well, let us see. Kampuchea remains Kampuchea, despite all the vicissitudes of politics. The People's Republic of Benin is firmly convinced that the principles which should govern relations among States are those based on equality, respect for sovereignty, non-intervention in the internal affairs of other States,

(Mr. Houngavou, Benin)

and mutual benefit. In consistency with these principles, the People's Republic of Benin maintains relations of good-neighbourliness and co-operation with all neighbouring States. But, my delegation emphasizes, it is sad to note that it is precisely those for whom relations among States are governed by naked brutal military force who are the first resolute defenders of a clique of people who, by their own account, have committed indescribable crimes against their own people. This is making an art of hypocrisy. For our part we believe that those who should today occupy the seat of Kampuchea are the representatives of the People's Revolutionary Council of the People's Republic of Kampuchea. Any other attitude on the part of the Organization would be tantamount to interference in the internal affairs of a Member State.

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

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

It was so decided.

Mr. HULINSKY (Czechoslovakia) (interpretation from Russian): My Foreign Minister will congratulate you officially, on behalf of the Czechoslovak delegation, on your election to the post of President of the thirty-fourth session of the General Assembly. You already know very well how sincere are the congratulations of my delegation as well as my own personal congratulations.

The Czechoslovak delegation fully joins with those delegations who did not agree with the recommendation of the Credentials Committee that we recognize the credentials of representatives of the régime toppled by the Kampuchean people, the Pol Pot régime. That recommendation is contained in A/34/500 and was adopted by the Committee without due verification of the credentials of the delegation which was appointed to be the legitimate representation of Kampuchea by the People's Revolutionary Council of the People's Republic of Kampuchea.

(Mr. Hulinsky, Czechoslovakia)

We support the just demand of the People's Republic of Kampuchea that the right to represent Kampuchea and its people in the United Nations should be granted to the delegation appointed by the People's Revolutionary Council of the People's Republic of Kampuchea. We think that that solution is the only just one; it respects the rights of the Kampuchean people and it is in accord with the basic principles of the United Nations and its Charter.

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

Consequently, only the People's Revolutionary Council of the People's Republic of Kampuchea is entitled to represent the people of Kampuchea within the United Nations and in other international forums. To tolerate the presence in the United Nations of the so-called "private persons" - imposters - would violate the basic principles and norms governing international relations, would discriminate against the people of Kampuchea, and would actually ridicule the memory of the victims of the Pol Pot régime.

My delegation wishes to state that it categorically refutes such practices and it re-emphasises that the Kampuchean seat in this Organization belongs only to the representatives sent by the People's Revolutionary Council of the People's Republic of Kampuchea.

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

(Mr. Kamil, Indonesia)

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

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

The Government of Indonesia recognizes the régime of Democratic Kampuchea as the legal Government of that country. In this connexion, the Government of Indonesia together with other members of the Association of South-East Asian Nations (ASEAN), has made it clear that it deplores the armed foreign intervention in Kampuchea which brought with it the administration now called the People's Republic of Kampuchea. It is clear - very clear - that this Government, the People's Republic of Kampuchea, was not established by the people of Kampuchea themselves, but emerged in Cambodia on the tail of a foreign intervention and a foreign invasion.

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

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

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

(Mr. Kamil, Indonesia)

Regarding the draft amendment submitted by India, Benin, Congo, Madagascar, Sao Tome and Principe and Cape Verde, and contained in document A/34/L.3, let me say that it does not constitute an amendment within the terms of Rule 90 of the rules of procedure. It is in fact a totally new proposal as this so-called amendment seeks to change radically and reverse the content of the report of the Credentials Committee.

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

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

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

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

The new revolutionary Government now controls the entire territory of the country. After the victory of the revolution, the new Government declared that the basis of Kampuchea's foreign policy were the principles of peaceful coexistence, non-alignment and friendship with all the countries of the world, in particular with neighbouring countries. Therefore our delegation welcomes the new revolutionary régime, whose advent we consider represents another step towards the preservation of peace and security and the bringing of calm and stability to the world, especially in the South-East Asian region.

(Mr. Sahak, Afghanistan)

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

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

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

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

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

As a number of delegations noted when considering a report of the Credentials Committee in May of this year, the Committee is entrusted with the verification of the credentials of representatives of Member States, and its powers are limited by the rules of procedure of the General Assembly to checking the facts, which have nothing to do with the policies of the Governments concerned.

My Government certainly holds no brief for the policies of the Government of Democratic Kampuchea. Since it came to power through an internal revolution, it has established a record for gross and consistent violation of human rights that is unequalled in recent history. But we consider that the record of that Government, deplorable though it has been, can provide no justification for the General Assembly's acceptance of the credentials of a puppet régime installed through external intervention in violation of the central principle of the

(Mr. Francis, New Zealand)

United Nations Charter. We further believe that, before peace and stability can be restored to Kampuchea, all foreign troops must be withdrawn from the territory and the people must be given the opportunity to decide their own future in conditions of freedom from outside interference and in the knowledge that their decision and their independence will be respected by their neighbours.

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

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

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

The credentials of the delegation of Democratic Kampuchea to the current session of the General Assembly have been submitted in full conformity with the relevant rules of the United Nations and are entirely legal and valid. Only as a result of the unwarranted challenge made on the very first day of the current session by the representative of the Vietnamese authorities, which have subjected Democratic Kampuchea to armed aggression and military occupation, the Credentials Committee had to meet in accordance with the decision of the General Assembly for immediate and exclusive consideration of the matter and finally decided by an overwhelming majority to accept the credentials of the delegation of Democratic Kampuchea. This fair decision reflects the just position of the great majority of United Nations Member States. It defended the fundamental principles and provisions of the United Nations Charter. The Credentials Committee has submitted a report to the General Assembly and recommended that the General Assembly approve the report of the Committee. The exclusive task under the first agenda item at this plenary meeting is to consider and approve the report of the Credentials Committee. This question before us is simple and clear cut, and it should have been resolved smoothly. However, by creating side issues, the Soviet Union and Viet Nam have introduced matters irrelevant to the item on the agenda and imposed unnecessary controversies upon the General Assembly, thus bringing serious obstacles to the normal proceeding of the Assembly from the very outset. Their trouble-making precisely shows that truth and justice are not on their side and that, therefore, they have to resort to all kinds of tricks to confuse the whole matter. This can only arouse the strong resentment of all fair-minded and justice-upholding countries.

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

(Mr. Chen Chu, China)

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

Moreover, the Vietnamese authorities have created large numbers of refugees in Indochina and expelled them to South-East Asia, other parts of Asia and the world, resulting in the displacement of some one million people and the death of innumerable people on the seas and causing heavy economic burdens and serious political and social problems for the international community, particularly those States and areas neighbouring Viet Nam.

At present the Government of Democratic Kampuchea is waging valiant and tenacious struggles to defend its sovereignty, independence and territorial integrity against Vietnamese aggression. Its just struggle has made an

(Mr. Chen Chu, China)

important contribution to safeguarding peace in South-East Asia and international security and won the sympathy and support of all justice-upholding countries and peoples.

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

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

(Mr. Chen Chu, China)

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

Mr. GURINOVICH (Byelorussian Soviet Socialist Republic) (interpretation from Russian): Mr. President, please accept the congratulations of my delegation on your election to the post of President for this current session of the General Assembly. We wish you every success in your work in this responsible post.

The delegation of the Byelorussian SSR, along with many other delegations, staunchly advocates the adoption of a fair decision on the question of Kampuchea's credentials at this session of the General Assembly - a decision which would be fully in keeping with the United Nations Charter and other international instruments. As Members know, on 7 January 1979, the people of Kampuchea under the guidance of the United Front for the National Salvation of Kampuchea, as a result of a victorious uprising, overthrew the fascist régime of Pol Pot-Ieng Sary, which at the bidding of its protectors in Peking was pursuing a policy of genocide against the Kampuchean people.

(Mr. Gurinovich, Byelorussian SSR)

The Pol Pot butchers used monstrous methods to slay more than 3 million absolutely innocent Kampuchean for the purpose of implementing the hegemonistic plans of China in and beyond South-East Asia. In Kampuchea more than eight months ago, a legitimate Government was formed which enjoys the full support of the people. It is the People's Revolutionary Council of the People's Republic of Kampuchea. No one other than the representatives appointed by the People's Revolutionary Council is entitled to speak on behalf of the Kampuchean people in international organizations, including the United Nations.

Most regrettably, some members of the Credentials Committee did not face the reality of the existing situation, and disregarded the fact that the People's Revolutionary Council of Kampuchea, which is exercising the functions of the Government of the People's Republic of Kampuchea, is the sole authentic and legitimate representative of the people of Kampuchea. One might venture to ask those members of the Credentials Committee who favoured the acceptance of the credentials of the Pol Pot followers whether they know where the bogus credentials were signed; where the so-called Government of the already non-existent Democratic Kampuchea was quartered; where in Kampuchea are the embassies of those countries that in their inexplicable obstinacy allege that they recognize the overthrown regime of the Pol Pot-Ieng Sary clique? Have those members of the Credentials Committee duly studied all the relevant documents? Have they taken into consideration all aspects of the issue? I think they would have no answers to such simple questions.

My delegation would like to draw the attention of States to the Convention on the Prevention and Punishment of the Crime of Genocide, and point out that they have an obligation under international law. I would recall the basic provisions of that Convention. Article I states:

(Mr. Gurinovich, Byelorussian SSR)

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

Article VI of the Convention provides that persons accused of committing genocide should be tried by a competent court of law of the State in whose territory the deed was committed.

In accordance with Article VII, the Contracting Parties undertake to grant extradition in the case of persons who have committed crimes of genocide. We all know that Pol Pot and Ieng Sary were sentenced to death by the People's Revolutionary Tribunal of Kampuchea for their crimes of genocide. It is completely inexplicable that in these conditions the credentials of the delegation can be accepted when its head has been sentenced to death. Under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide, he should be extradited to the Government of the People's Republic of Kampuchea. We will not enumerate the countries who are parties to that Convention. There are more than 80 of them and they know the facts. I should just like to remind them that one should abide by the obligations one has assumed.

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

The People's Republic of Kampuchea, as is mentioned in the letter of the Foreign Minister Comrade Hun Sen, is pursuing a policy of peace, friendship non-alignment and faithfulness to the United Nations Charter. Now the borders of Kampuchea have become borders of peace and co-operation with neighbouring States, and the people of the People's Republic of Kampuchea are persistently accomplishing tasks of rehabilitation and development of their country. They are placing their trust in and supporting the People's Revolutionary Council of Kampuchea.

We sincerely wish the people of Kampuchea every success in building their new life, and we state that we will be actively co-operating with the delegation of the People's Republic of Kampuchea in implementing the purposes and principles of the Charter of the United Nations.

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

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

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

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

Pakistan's consistent and resolute support for the epic struggle of the peoples of Indo-China for national liberation is a matter of record.

(Mr. Naik, Pakistan)

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

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

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

be to seek to have it evade the mandate enjoined upon it under the rules of procedure.

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

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

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

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

(Mr. Anderson, Australia)

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

(Mr. Anderson, Australia)

What is required in the present situation is the withdrawal of foreign military forces and the restoration of conditions in which the Kampuchean people are able to determine their own future free from outside interference.

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

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

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

(Mr. Lobo, Mozambique)

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

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

We think that the amendment proposed by India offers the most appropriate solution of the problem of Kampuchea's representation in this thirty-fourth session of the General Assembly.

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

I had not actually prepared a statement for the simple reason that the problem that concerns us today consists, in our opinion, of taking a decision on the report submitted by the Credentials Committee. We had not prepared a written statement since the question of Kampuchea is inscribed in the General Assembly's provisional agenda as item 125, and we believed that this would give us an opportunity to restate the position of our Government.

(Mr. Djigo, Senegal)

As the representative of Viet Nam emphasized in his statement this morning, the report before us is the result of a request made by his delegation at the second meeting of this session of the General Assembly in which it challenged the presence of the delegation of Democratic Kampuchea. At that time, Mr. President, you said, "I would request the Credentials Committee to meet expeditiously ..." (A/34/PV.2, p. 6) to decide on the credentials submitted by the delegation of Democratic Kampuchea. At least, this was how your ruling was understood by the Legal Counsel in the course of the meeting of the Credentials Committee.

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

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

The representative of Belgium, when presenting document A/34/500 this morning introduced the recommendation of the Credentials Committee inviting the General Assembly to approve its first report. The delegations of certain countries - logical, certainly in their mistaken position - saw fit to submit a draft resolution (A/34/L.2) which continues to preoccupy us and calls on the General Assembly to invite instead the representatives of the so-called People's Revolutionary Council of Kampuchea. But what surprises us is to find among those delegations the delegation of a country which instigated the meeting of the Credentials Committee, and in particular to see it associating itself with an appeal to the General Assembly not to take into account a report which it itself requested because the conclusions of that report are not acceptable to it.

(Mr. Djigo, Senegal)

That is the problem. We, for our part, can only reject such tactics. We reject them because we do not consider them to be consonant with the principles of our Organization, and that would have been sufficient reason, without taking into account the second document - A/34/L.3 - that was submitted, were it not for the fact that that document is dangerous. It is dangerous in form, because it invites the General Assembly, for the first time, to disregard the report of the Credentials Committee; it is dangerous in substance because it calls upon the General Assembly to deprive a delegation of its seat within this institution. This, we consider to be a matter many delegations should ponder very seriously, and for a very simple reason. If the credentials of a delegation accredited to this Organization can be suspended at the request of another delegation, whereas we are fully aware of the motives that frequently impel delegations to request such suspension, I must state and reiterate that many States should ponder this. For if some country, acting on behalf of a dissident minority group, were to challenge the presence of another State, and make its challenge a political rallying point, we must state that such an action would be a dangerous precedent for the future.

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

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

Mr. ROA KOURI (Cuba)(interpretation from Spanish): Mr. President, I should first like to express to you our very warm congratulations on your unanimous election as President of the General Assembly, a distinction that deservedly honours both you and your great and friendly country.

(Mr. Roa Kouri, Cuba)

At a more appropriate time, the head of the Cuban delegation will express my Government's feelings more fully in this regard.

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

We are being asked to accept as the representative of the State of Kampuchea a purported, imaginary and non-existent Democratic Republic of Kampuchea, a government whose only known capital is in the Chinese gardens of Tien An Menh Peking and in the Beeckman Hotel in New York, two blocks away from this Organization.

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

It may be argued that the result of the Credential Committee's consideration of this problem is purely formal, and this may well be so. However, my delegation cannot accept that verdict, even if it is a mere matter of form. My delegation cannot accept the notion that the Chinese Mafia can interfere in this Assembly's affairs and act as it chooses with regard to such a grave matter.

We are obviously faced not with merely a formal problem, but with a problem that is of vital political importance. Not so long ago, this Assembly, impelled by the mechanical majority then commanded by the Government of the United States of America, accepted the credentials of the Taiwan puppets as the legitimate representatives of the People's Republic of China year after year. Today, as it did then, Cuba opposes the establishment of compliance with gross political fictions as a rule of conduct, whether it is fomented by the American imperialists or by their newly won allies, the new mandarins of Peking.

(Mr. Roa Kouri, Cuba)

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

In an attempt to counter the fiction being foisted upon us, let us recall the true facts of the heroic history of the people of Indo-China who, during the greater part of the last decades, resisted and repelled in an exemplary fashion both foreign intervention and internal oppression by puppets in the service of imperialism or other reactionary forces.

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

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

(Mr. Roa Kouri, Cuba)

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

We have been told here that Viet Nam had the right to defend its territory from enemy attacks but that its defence should be commensurate with the magnitude of the aggression: a new theory, indeed, which runs counter to history. What was the measure of the Nazi aggression against the territory of the United States of America which led the armies of that country to disembark in Europe, occupy Germany and install a Government there? Or was the genocidal Pol Pot régime different in nature or ferocity from the Hitlerite régime? Were its aggressions in Viet Nam pure: or was the blood of millions of dead Kampuchians simply a painting by Chi Pai Chi?

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

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

obliterate, its debt of blood to the heroic people of Viet Nam, who, in defending their national dignity, were thus defending human dignity and international peace and security.

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

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

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

(Mr. Roa Kouri, Cuba)

In the "jungle" of international salons and first-class restaurants - of course, in return for all kinds of tid-bits and drinks paid for by the Peking puppets, the followers of Pol Pot and Ieng Sary are waging their savage struggle.

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

If there is any remaining bandit, the people of Kampuchea will see to it that he gets what he deserves. Meanwhile, nobody can sell us this phoney bill of goods as representatives of anything but the new gentlemen of Peking.

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

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

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

The Democratic Republic of Madagascar has always advocated that when there was a dispute among two countries whose conduct is somewhat similar and would normally have led them to maintain brotherly relations, everything must be done so that this dispute and anything which might ensue from it be settled directly between the parties concerned by negotiations, or, failing that, by mediation and conciliation.

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

We have proposed the amendment contained in document A/34/L.3 for three essential reasons: first, for us to be consistent with the decision which our Heads of State took in Havana about 10 days ago; secondly, as the representative of India has said, to avoid inviting the General Assembly at the beginning of its work in an acrimonious debate which might lead nowhere, but which would profoundly disturb the atmosphere in this Assembly and the normal

(Mr. Rabetafika, Madagascar)

progress of our work and finally to indicate our formal reservations concerning the interpretation which some of our colleagues might give to the adoption of the report contained in document A/34/L.00.

The question before us goes far beyond the routine consideration of a report of the Credentials Committee and everybody will agree in saying that the question is eminently and fundamentally political. It might be concluded, mistakenly of course, that if we were to adopt the report of the Credentials Committee, this would be tantamount to an international recognition of Democratic Kampuchea. Now, whatever paragraph 6 of document A/34/500 says, what we have before us are credentials presented by two delegations that both claim to represent a Member State. It would have been right in our view to show more circumspection and to go beyond the pure formal considerations to demonstrate the political common sense which the Kmer people expect from us. Be that as it may, the decision on and choice of the government which is to represent them are primarily incumbent on the sovereign Kmer people and not on our Organization, even less through the use of a procedure which can easily be challenged in view of the possibly distorted interpretation given to paragraph 23 of document A/34/500 regarding the acceptance by the Committee of the credentials of Democratic Kampuchea and also because the Committee did not consider, I repeat, did not consider the credentials submitted by the People's Revolutionary Council of Kampuchea.

I should now like to go into the arguments put forward by the representatives of Singapore, Malaysia and other delegations regarding the non-admissibility of the amendment in document A/34/L.3 introduced this morning by the representative of India. In theory and in practice when the General Assembly has before it a report from a subsidiary organ or a committee, the Assembly can approve it, reject it, decide to consider it later or suspend consideration of it. Therefore it is incorrect to say that the General Assembly can only accept or reject a report; this would be an excessively selective restriction of the sovereign rights of the General Assembly.

Furthermore, rule 90 has been mentioned and its last part says: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal." My delegation maintains that the amendment in

(Mr. Rabetafika, Madagascar)

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

(Mr. Rabetafika, Madagascar)

The amendment in document A/34/L.3 is not a separate point but a new proposal. It relates to the report of the Credentials Committee, which it takes into account. It relates to the recommendation of that Committee, seeking of course to modify it for the reasons explained by the representative of India when he introduced the document.

Accordingly, document A/34/L.3 is actually an amendment and as such must be put to the vote with priority in accordance with rule 90 of the rules of procedure which provides that

"When an amendment is moved to a proposal, the amendment shall be voted on first."

Finally, it has been claimed that the amendment proposed in document A/34/L.3 has only one purpose: to deprive Democratic Kampuchea of the seat which it should legally and legitimately occupy. I do not wish at this stage to enter into a consideration of the legitimacy or legality of the Pol Pot régime. The Democratic Republic of Madagascar has a very definite position on the subject which is in accord with our political orientation. I should like simply to refer the General Assembly to what the representative of India said this morning.

Our concern, as we have already said, is to ensure that the Assembly should be able to continue to fulfil its responsibilities under the best possible conditions and in an atmosphere of greater serenity, which would make possible a more objective consideration of the question. That the logical consequence of the proposal should be to leave the seat of Kampuchea unoccupied cannot be helped, for we must have the courage to follow a position taken to its natural and rational end.

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

I shall try to confine myself to what I consider to be the real context of the problem under consideration. My delegation considers that, from both

(Mr. Komatina, Yugoslavia)

the legal and political points of view, the delegation of the Government of Democratic Kampuchea is the only legitimate representative of that country in the United Nations. We therefore support the recommendation of the Credentials Committee.

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

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

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

(Mr. Komatina, Yugoslavia)

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

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

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

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

(Mr. Komatina, Yugoslavia)

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

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

The PRESIDENT: Before I call on the next speaker I should like to draw the attention of the Assembly to the following.

There are still several representatives inscribed to take part in this discussion. It is my intention, subject to the concurrence of the Assembly, to extend this meeting with a view to our being able to conclude consideration of the item now before us. This means, depending on the length of the statements to be made, that we may extend this meeting for two hours or a maximum of three. It is my hope that if we do that we may complete our consideration of the present item and, if possible, of the recommendations of the General Committee also. Otherwise, we shall be compelled to hold a meeting either tonight or tomorrow, because, as members know, the Assembly is due to begin its general debate on Monday.

Unless I hear any objection, I shall take it that my intentions meet with the concurrence of the General Assembly.

It was so decided.

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

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

(Mr. Gye, Burma)

The delegation of Burma has followed attentively the present debate on the question of Kampuchean representation at this session of the General Assembly.

Democratic Kampuchea was founded in April 1975, and the credentials of its delegation have been accepted by the General Assembly ever since. To our mind, there should be no questioning of the credentials of the delegation of Democratic Kampuchea. There has been no significant change that would justify preventing Democratic Kampuchea from continuing its membership in the United Nations.

Therefore the delegation of Burma is unable to recognize any representation other than that of Democratic Kampuchea. Nor can we subscribe to the view that Kampuchea's seat should be left vacant for the time being.

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

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

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

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

On the substantive question of representation, Bangladesh's position has been

(Mr. Kaiser, Bangladesh)

consistent, and it was clearly enunciated at the sixth Non-Aligned Summit Conference in Havana. I shall briefly reiterate that position.

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

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

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

(Mr. Bouayad-Arha, Algeria)

Our Assembly cannot take a decision without carefully analysing all the facts of the problem. At any rate, that was the conclusion reached by the summit Conference of non-aligned countries, which was held recently at Havana; and, as was so rightly stated this morning by the representative of India, most countries present here are not in a position to pronounce themselves equitably. In their wisdom, the non-aligned countries, since the fact that not all the elements of the case were available to them might have been detrimental to the principles and ideals governing the non-aligned movement, avoided taking a hasty decision. The amendment proposed by India offers in our opinion, the only choice we have if we are to preserve the serenity of our work. Need I explain here that, contrary to what has been affirmed by certain delegations, this amendment proposed by India and co-sponsored by Benin and Madagascar is in no sense a new proposal, since it merely seeks to amend a single paragraph of the report of the Credentials Committee, which, I should like to point out, consists of five pages. Specifically, it would amend only paragraph 26, the last paragraph of the report. Thus, this amendment in itself cannot be considered to be a new proposal. It might have been described as a new proposal if it had sought to change the report altogether. Hence we feel that the Indian amendment constitutes the only possible approach which could authorize our General Assembly to pronounce itself in all wisdom without repudiating the Charter, its rules of procedure or even our practice in seeking solutions to similar problems which might yet arise before the United Nations.

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

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

(Mr. Kravets, Ukrainian SSR)

In common with the majority of the delegations that have spoken before us, the Ukrainian SSR cannot accept the first report of the Credentials Committee on the question of the representation of Kampuchea at the thirty-fourth session of the United Nations General Assembly. The Committee did not examine all the communications submitted to it, nor did it take into account all aspects of the question being discussed. Therefore, its recommendation is incomplete and one-sided.

The position of principle of the Ukrainian SSR is that the conscience of the United Nations and its international authority and prestige would be seriously impugned and subverted if the General Assembly were to allow pathological sadists and murderers such as the notorious Pol Pot-Ieng Sary clique have proved themselves to be to occupy a seat in our Organization. In cold blood, and trying to carry out a callous social experiment borrowed from the Maoists, these monsters went so far as to kill 3 million people - children, women and old people - and destroy the flower of the nation, condemning it to inescapable death. That truth is irrefutable. It is recognized by all, including the delegations that have spoken here and invoked exclusively juridical aspects of the problem in trying to prove the legality of Pol Pot's followers being represented in the United Nations.

It is of course possible to find legal grounds to justify the position of one's country. But how can one who recognizes the fact of mass murder of people running into the millions at the same time agree that a Government which has been overthrown and ousted by its people, and which is guilty of genocide, should represent that people in an international organization? That we cannot understand.

I should like to illustrate the scant cogency of the juridical arguments by referring to international relations and the practice of them. Approximately one year ago a genuine people's revolution took place in Kampuchea and a new Government came to power - the People's Revolutionary Council. That Government controls the entire territory of its country and is resolving its internal and external problems. The priority task is the rehabilitation of the

(Mr. Kravets, Ukrainian SSR)

country, which was destroyed as a result of criminal experiments. The People's Republic of Kampuchea is contributing to the development of international relations, advocating the strengthening of peace and security and the development of international co-operation and staunchly abiding by the principles of non-alignment.

Consequently, the People's Revolutionary Council of the People's Republic of Kampuchea is the sole legitimate Government of that country. The People's Revolutionary Council alone is authorized to speak on behalf of the Kampuchean people in the United Nations and in other international forums. For that reason the delegation of the Ukrainian SSR has co-sponsored the draft resolution which demands that Kampuchea be represented in the United Nations by a delegation appointed by the People's Revolutionary Council, whose communication was not examined by the Credentials Committee.

In my delegation's opinion, the amendment submitted by the representative of India on behalf of the non-aligned countries is only a temporary measure. We do not agree with those who consider that amendment to be a new proposal. Invoking rule 90 of the rules of procedure of the General Assembly is not a cogent position. That rule states that

"A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal."

All those points are covered by the Indian amendment. In substance, the amendment only postpones the examination of the report on credentials. It gives time for further study of the question of how Kampuchea should be represented in the United Nations and in the non-aligned movement.

(Mr. Kravets, Ukrainian SSR)

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

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

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

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

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

The established Government of Democratic Kampuchea was overthrown neither by the people of Kampuchea nor by any due constitutional process, but by external armed intervention. We have taken note of the charges against the Pol Pot régime. Whatever the magnitude of the atrocities of that régime, this does not warrant outside interference or external invasion in an attempt to overthrow the Government of that régime and impose a Government subservient to the will of an alien Power.

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

Mr. MOHAMUD (Somalia) (interpretation from Arabic): I should like first of all to congratulate Ambassador Salim on his election to the high office of President of the 34th session of the United Nations General Assembly. There is no doubt that this choice reflects the respect he enjoys from his colleagues, the members of the various delegations, and that it is an acknowledgement of his experience and the ability he has shown in carrying out the various missions entrusted to him and assuming the different responsibilities as representative of his friendly country and as Chairman, for example, of the Committee on Decolonization. We are confident that under his enlightened leadership this session of the General Assembly will be highly successful.

Today, we are confronting a complicated problem involving international relations. The matter concerns an extremely important and serious question, because should this problem remain unresolved, it might have unexpected consequences which would endanger the very purposes and principles of the United Nations. Several members of delegations have mentioned the nature of the Pol Pot Government, describing it in various ways. But the real issue is this: has any country the right to perpetrate an aggression against a neighbour country, using force to bring down its Government, and to impose a military presence on that country? That is the core of the problem.

We are facing a new principle which could jeopardize all our known concepts of international law and international relations. The respect for the principle of territorial integrity and sovereignty and of national independence and the right of every people to select the system of government best suited to its particular conditions are in danger. What then has become of the right to change the national government system, should it fall short of reflecting national aspirations and the desire of the people? This is an absolute right of each people separately, and no country, whichever it be, may exercise this right for the people concerned.

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

We cannot approve aggression, foreign invasion, or the overthrowing of a national régime by foreign forces and its replacement by an imposed one, followed by an attempt to legitimize such a régime. For this reason we consider that the recommendation made by the Credentials Committee is well grounded as concerns the

(Mr. Mohamud, Somalia)

legal and political aspects, and should therefore be taken into consideration, since it is in conformity with the principle of international legitimacy. Consequently we support that recommendation.

Mr. PETREE (United States of America): The matter before us is the report of the Credentials Committee. We can either accept or reject that report. The proposal of India, contained in document A/34/L.3, is not an amendment to that report. It does not merely add to or delete a part of the recommendation of the Committee, as required by rule 9^o of the rules of procedure. It in fact amounts to producing the opposite result, and, consequently, constitutes a new and separate proposal.

(Mr. Petree, United States)

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

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

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

Moreover, in the case of the Vietnamese invasion, Members of the United Nations confront an important principle of the Charter, the sovereign

(Mr. Petree, United States)

independence of Member States. The United Nations cannot condone the action of one nation in invading, occupying and controlling the internal political life of another. At this very moment in fact, these Vietnamese occupation forces have embarked on a new offensive which can only bring further suffering to the Kampuchean people.

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

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

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

The first report of the Credentials Committee, document A/34/500 dated 20 September 1979, as introduced by the Ambassador of Belgium, Chairman of the Credentials Committee, is before us for consideration. It is thus, in the opinion of my delegation, the first task of the General Assembly immediately to consider that report in toto, and to decide forthwith whether the Assembly will accept or reject it. The members of the Credentials

Committee have voted overwhelmingly to recommend that the credentials of Democratic Kampuchea be accepted. In the view of my delegation, that is right and proper and should be acted upon promptly.

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

In the opinion of my delegation, neither the proposal contained in document A/34/L.2 nor the one contained in document A/34/L.3 is a move in the right direction. Nor do these proposals constitute constructive solutions to the existing problem. On the contrary, to replace Democratic Kampuchea with the present alternative, or to seek to keep the Kampuchean seat vacant, would be tantamount to condoning - indeed, to endorsing - international conduct which violates the letter and the spirit of the Charter of this Organization and would banish the victim of aggression from the world community. For it is an undeniable fact that the alternative to Democratic Kampuchea is a Government which was put in its place through direct intervention by the force of arms of a foreign country. Furthermore, this Government is maintained with the help of the same foreign forces whose continued occupation of the territory of Kampuchea is being strongly resisted by various patriotic elements inside that country. The situation in Kampuchea currently remains fluid and, in the opinion of my delegation, because of that fluidity and uncertainty, the status quo regarding the Kampuchean seat in all the organs of the United Nations should be maintained.*

* The President returned to the chair.

(Mr. Guna-Kasem, Thailand)

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

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

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

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

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

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

(Mr. Koh, Singapore)

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

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

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

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

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

A recorded vote was taken.

- In favour: Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Burma, Canada, Chad, Chile, China, Colombia, Comoros, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Greece, Haiti, Honduras, Iceland, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Lesotho, Liberia, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Romania, Samoa, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yugoslavia, Zaire
- Against: Afghanistan, Algeria, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Poland, Sao Tome and Principe, Seychelles, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam
- Abstaining: Argentina, Bahrain, Burundi, Cyprus, Dominican Republic, Equatorial Guinea, Finland, Ghana, Guatemala, Iran, Iraq, Ivory Coast, Jamaica, Kuwait, Mexico, Nigeria, Qatar, Rwanda, Saudi Arabia, Sierra Leone, Tunisia, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Yemen, Zambia

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

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