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President: Mr. Leopoldo BENITES (Ecuador).

AGENDA ITEM 3

Appointment of the Credentials Committee (*continued*)*

**REPORT OF THE CREDENTIALS COMMITTEE
(A/9555)**

1. The PRESIDENT (*interpretation from Spanish*): I would refer representatives to document A/9555, which contains the report of the Credentials Committee as submitted by its Chairman, Mr. Carlos Giambruno of Uruguay.

2. Mr. KELANI (Syrian Arab Republic) (*interpretation from French*): I should like to remind the General Assembly of the terms of the amendment to the report of the Credentials Committee adopted on 5 October 1973 by an overwhelming majority of the General Assembly. It reads:

"The General Assembly rejects the credentials of the representatives of South Africa."¹

3. In 1970, 1971 and 1972, at its twenty-fifth, twenty-sixth and twenty-seventh sessions, in its resolutions 2636 (XXV), 2862 (XXVI) and 2948 (XXVII), the General Assembly also refused to accept the credentials of the representative of South Africa. In adopting those resolutions, the General Assembly decided that those who claimed to represent South Africa were actually not the true representatives of the people of that country.

4. May I remind the General Assembly that it has already condemned *apartheid* as a crime against humanity, and that, at its last session, in its resolution 3068 (XXVIII), it adopted the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. In its resolution 3151 G (XXVIII), the General Assembly condemned the

South African régime for its inhuman acts, its repeated acts of aggression and its continued defiance of the resolutions of the General Assembly and the Security Council.

5. In the light of the resolutions I have mentioned, because of the persistence of the South African régime in committing the crime of *apartheid* and its defiance of the resolutions of the General Assembly and the Security Council, and bearing in mind that the Credentials Committee has made no recommendation to the General Assembly in this connexion, I have the honour to submit draft resolution A/L.726 concerning the report of the Credentials Committee [A/9555]. I request that this draft resolution be voted upon by roll call.

6. Mr. FALL (Senegal) (*interpretation from French*): At its 2141st plenary meeting, on 5 October last, the General Assembly adopted an amendment to the first report of its Credentials Committee, an amendment which rejected the credentials of the delegation of South Africa. The Assembly thus, for the third time, had taken the same decision on the same issue. The President of the Assembly, in interpreting that vote, said at the time:

"... the vote that has just taken place is tantamount to a vehement condemnation of the policy followed by the Government of South Africa. It is a new solemn warning to that Government..."²

7. Unfortunately, it is quite clear that the South African Government has taken no notice of this solemn warning issued by the representative of the international community. Indeed, the Credentials Committee which you appointed, Mr. President, in the course of the opening meeting of the current session on 9 April [2207th meeting], met on 25 April—that is to say, at a time when in South Africa elections were being held. Now, those elections were held on 24 and 25 April and they were for the white South African population only. The white population of South Africa, by an overwhelming majority, renewed the mandate that had already been given to the racist régime headed by Vorster. The press dispatches that we read in recent days have told us that in the course of the elections only some 1.7 million electors were called to the polls—these are, of course, the white electorate—whereas the 16 million persons of the black race were excluded from the election. Thus, it is the representatives of this 1.7 million white men who come before us today to claim to represent the 20 million South Africans, including 16 million of the black race.

8. The African representatives and their friends, during the meetings of the Credentials Committee, drew the attention

* Resumed from the 2207th meeting.

¹ See *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 3, document A/L.700.

² *Ibid.*, Twenty-eighth Session, Plenary Meetings, 2141st meeting.

of the members of that Committee to these facts. They also had occasion to draw the attention of the members of the Committee to the fact that at the twenty-eighth session the Assembly had taken a decision rejecting the credentials of South Africa, and that since that time no political development had occurred in that country which would authorize any change whatsoever in the decision that the Assembly took on 5 October last.

9. After a discussion that covered two meetings, the Credentials Committee, having been unable to reach a common position, or even a majority position, then agreed to refer the matter to the General Assembly for decision in its wisdom.

10. Our position, as representatives of African countries, is to abide by the decision that was taken at the twenty-eighth session. By so doing we remain consistent with the stand we have always taken, but we are also respecting the position that was taken by the great majority, if not by the unanimous decision, of the Assembly at the opening of this session to the effect that all decisions which did not concern the agenda of the session itself—that is to say, the study of the problems of raw materials and development—should be taken on the basis of decisions emanating from the twenty-eighth session.

11. During our discussions in the Credentials Committee, those who did not share our viewpoint evoked in favour of their position the provisions of rule 27 of the rules of procedure. As a matter of fact, rule 27 of the rules of procedure states:

“The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.”

This relates to the technical, formal examination of delegations' credentials. That is a matter for the Secretary-General. He had examined the credentials submitted to him on the basis of rule 27. But we also have rule 28, and that is the rule which covers the work of the Credentials Committee, which is an off-shoot of the Assembly. Rule 28 reads:

“A Credentials Committee shall be appointed at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report without delay.”

12. Hence, if the verification of credentials were confined only to looking at them and noting the validity of the signatures, there would have been no need to have the General Assembly elect a Credentials Committee. There would not have been any need to ask that Credentials Committee to meet and elect a Chairman, and it would not have been necessary to tell that Committee to look at the credentials of the representatives and report without delay to the General Assembly. That is why we asked the Credentials Committee to look at the credentials submitted

by South Africa, going beyond the mere technical, formal consideration made by the Secretary-General. As members have been able to read in the report submitted to the Assembly, that is why the representatives of Africa and their friends proposed to the Committee that we should make the following recommendation to the Assembly:

“The Credentials Committee

“Accepts the credentials of all representatives of Member States to the sixth special session of the General Assembly with the exception of the credentials of the representatives of South Africa.” [*A/9555, para. 32.*]

13. That proposal of the African group was not accepted by a majority of the Credentials Committee, but neither was it rejected by a majority. The vote was 4 in favour, 4 against and 1 abstention. That is how the work of the Credentials Committee took place, and that is why my delegation, which was represented on that Credentials Committee, comes forward to support strongly the draft resolution just submitted by the representative of the Syrian Arab Republic. In accepting his proposal the Assembly would be remaining consistent with itself.

14. We would thus be abiding by our previous decisions, and we would also be respecting the spirit of the Charter and remaining faithful to the rules of morality and international justice.

15. My delegation also made two comments in the Credentials Committee. Those two comments led to no suggestions of amendment, but, in deference to the truth, I think I must recall very quickly what I said.

16. My delegation had examined the credentials of the Portuguese Government. Those credentials were in accordance with what we had asked of other delegations. We noted that in the circumstances the Government of Portugal had taken into account the warning given to it at the twenty-eighth session of the General Assembly. And among the representatives of the Portuguese delegation there was no one considered as representing what the Lisbon Government called its “overseas provinces”. That is why, while reaffirming the reservations that we had formulated during the course of the twenty-eighth session to the effect that the Portuguese Government represented only the territories of Portugal in its European dimensions, we accept the credentials of the Portuguese delegation as submitted during the course of this session.

17. My delegation also expressed its explicit reservations concerning the credentials of the so-called Khmer Republic, and it continues to think that, as do a great many members of this Assembly, the only Government representing Cambodia is the Royal Government of National Union, presided over by Prince Norodom Sihanouk, and that the representatives of the Khmer Republic who are seated here represent only themselves. Press releases have told us in recent days that the Royal Government of National Union is in the process of demonstrating its legitimacy and its representative nature on the territory of Cambodia. That is why my delegation wishes once again to reaffirm its formal reservations with regard to the credentials of the delegation of the Khmer Republic.

18. Mr. NAÇO (Albania) (*interpretation from French*): The delegation of the People's Republic of Albania would like to make the following brief statement on the report of the Credentials Committee to explain its position on the subject of the representation of Cambodia in the United Nations.

19. The delegation of the People's Republic of Albania would like once again to stress vigorously that the only legitimate Government with all the necessary attributes to represent the Cambodian people in international relations, including the United Nations and other international bodies, is the Royal Government of National Union of Cambodia, which has emerged from the National United Front of Cambodia. The present situation in Cambodia demonstrates clearly that it is precisely the Royal Government of National Union of Cambodia which enjoys the confidence and support of all the Cambodian people, is organizing and directing the whole of the nation's life, and is conducting the struggle of its people for the total liberation of Cambodia from foreign invaders and traitors. At the present time, 90 per cent of the territory, comprising 5.5 million inhabitants out of a total population of 7 million, is under the administration of the Royal Government of National Union of Cambodia. In the circumstances, the continuation of the usurpation of Cambodia's seat in this Organization by the representatives of the Lon Nol clique constitutes a flagrant violation of the sovereign rights of the Cambodian people, of the Charter and of the rules of procedure of the General Assembly.

20. This abnormal situation in the United Nations is the direct consequence of the aggressive policy of the United States of America, which fomented the treacherous coup d'état, illegally installed the Lon Nol clique in Phnom Penh, launched armed aggression against Cambodia, and now continues to support that clique by giving it all the economic and military assistance, even including support in the United Nations. The United States, alarmed about the military and political crisis in which the puppet Phnom Penh regime finds itself, makes open promises to give it the fullest possible assistance. The purpose of the United States is clear: by political ruses and aggression, it seeks to maintain its domination of the corrupt Phnom Penh clique, to bring the Cambodian people to its knees and to achieve its neo-colonialist objectives in Cambodia and throughout Indo-China. But this attempt is doomed to failure. The Cambodian people, under the leadership of the National United Front and Prince Norodom Sihanouk at the head of the Royal Government of National Union of Cambodia—now installed within the country—and are now annihilating the aggressive plans of the United States in Cambodia and are resolute in not making any compromise but in waging the just struggle to the last. The Lon Nol clique, cornered and encircled by the liberation forces, is now living through its last moments. The striking successes of the liberation struggle of the Cambodian people has also thwarted the diabolical plans of the socio-imperialists and revisionists who, in competition and collaboration with the other super-Power, the United States, are plotting against the Cambodian people and are maintaining, in a certain form, relations with the Lon Nol clique. The valiant and liberty-loving people of Cambodia is enjoying the sympathy and support of all peoples of the world, thanks to its struggle for liberty and independence. The fact that the

Royal Government of National Union of Cambodia is recognized by 60 States demonstrates the prestige and the ever-increasing international authority it enjoys at present in the world. Many countries Members of the United Nations expressed themselves resolutely at the last session in favour of the restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations and the expulsion of the representatives of the Lon Nol group from the United Nations and from all organs related to it. The peoples and peace-loving countries firmly demand that an end be put to this abnormal situation in the United Nations—which openly compromises the name of our Organization—by excluding from the United Nations the representatives of the Lon Nol clique, who are puppets on the strings dangled by the United States in the service of its policy of aggression and of war in South East Asia and inviting the representatives of the Royal Government of National Union of Cambodia, headed by its chief of State, Prince Norodom Sihanouk, to take their proper place in this Assembly.

21. On this occasion the delegation of the People's Republic of Albania would like to announce that we support the views of the delegations which have preceded me with regard to the credentials of the racist régimes of South Africa and Portugal, and which are also expressed in the report of the Credentials Committee.

22. Mr. SALIM (United Republic of Tanzania): I have asked to be allowed to speak in order to support the draft resolution submitted by the Ambassador of the Syrian Arab Republic and contained in document A/L.726. The position of the delegation of Tanzania is clearly reflected in the report of the Credentials Committee which is before the Committee. That position has been further eloquently elaborated by my brother and colleague, the Ambassador of Senegal, and I have no desire to take more of the Assembly's time in reiterating what is obvious, and particularly in reiterating what has just been explained by my colleague from Senegal.

23. I should simply like to say that by adopting the draft resolution presented by the Syrian Ambassador the Assembly would simply be acting in a manner consistent with the position that it took last year, the year before last and the year before that. In rejecting the credentials of South Africa the Assembly would be expressing its position in unequivocal terms as to the lack of representativity of the *apartheid* régime in South Africa. Furthermore, I think it is the responsibility of this Organization to appear serious before international public opinion. We cannot change our position from one Assembly to another. Having taken the decision that we took at last year's Assembly, I think we should maintain that position. It is in that spirit that my delegation worked very hard and painstakingly with my brother from Senegal and with other like-minded delegations in trying to have the Credentials Committee submit to the Assembly a report that would reflect the decisions previously taken by the Assembly. It is regrettable that we were not able to do so, and it is because of that that the Syrian Ambassador was compelled to propose the draft resolution that is now before the Assembly.

24. Having said that, I should like to echo the remarks made by the representative of Senegal with respect to the

credentials of Portugal. If we do not introduce any amendment at this time and if we do not present any specific draft resolution with respect to the credentials of Portugal, it is because we are convinced that, pursuant to the clear decision of the General Assembly last year, the credentials of that delegation relate only to Portugal as it exists in Europe. With that understanding we have no difficulty in accepting the credentials of Portugal. Any other interpretation or any other pretences would, of course, compel us, as representatives of the African States, to come before this Assembly and ask it to take the proper decision.

25. Finally, my delegation echoes the views that have been expressed by the Ambassador of Albania with respect to the credentials of the representatives of the Lon Nol régime. The Government and people of Tanzania support and will continue to support the position that the Government of Prince Sihanouk is the sole and legal authority of Cambodia.

26. Mr. CHUANG Yen (China) (*translation from Chinese*): At the twenty-eighth session of the United Nations General Assembly, both in plenary meetings and in the Credentials Committee, the Chinese delegation stated its position on the question of the credentials of the Lon Nol clique³ and the representatives of South Africa⁴ and Portugal.⁵ Now when the report of the Credentials Committee of the sixth special session of the General Assembly is under discussion, we deem it necessary to reiterate our solemn stand on the above questions.

27. The Royal Government of National Union of Cambodia headed by Prince Norodom Sihanouk is the sole legal Government of the Cambodian people. It is now exercising effective administrative jurisdiction over more than 90 per cent of the national territory with a population of 5.5 million and more. It has the firm backing of the broad masses of the Cambodian people and enjoys wide international recognition and support. It has established diplomatic relations with an increasing number of countries.

28. The traitorous Lon Nol clique is a product of United States aggression and intervention in Cambodia, and has been imposed on the Cambodian people by foreign forces. From the very inception, it has met with the strong opposition of the Cambodian people. It is now besieged in Phnom Penh, eking out a precarious existence. Although the United States is stepping up its military and economic assistance to the traitorous Lon Nol clique, it cannot save the latter from its inevitable doom.

29. The Chinese delegation maintains that it is entirely illegal for the traitorous Lon Nol clique to usurp the seat of Cambodia in the United Nations and that the credentials issued by it are completely null and void. As the sixth special session of the General Assembly is devoted to the study of the problems of raw materials and development, we shall take further action on the illegal usurpation of the

Cambodian seat in the United Nations by the Lon Nol clique at the twenty-ninth session of the General Assembly.

30. Furthermore, the Chinese delegation considers that the white colonialist ruling authorities of South Africa are a racist régime of the minority, which has been imposed on the broad sections of the people of South Africa. It is not at all qualified to represent the South African people. A decision to reject the credentials of the South African representatives was adopted at the twenty-eighth session of the General Assembly. The Chinese delegation holds that the current special session should reject the credentials of the South African representatives, as was done at the twenty-eighth session of the General Assembly, and take note of the reservations made by the delegations concerned on the credentials of the illegal representatives of the Lon Nol clique.

31. Based on the above position, the Chinese delegation supports the draft resolution submitted by the representatives of the Syrian Arab Republic.

32. With regard to the credentials of the Portuguese representatives, the Chinese delegation already stated its position at the Credentials Committee meeting. We fully support the opinion of the representatives of the United Republic of Tanzania and Senegal that Portugal has no right at all to represent the people of Guinea-Bissau, Angola and Mozambique.

33. Ms. WHITE (United States of America): The United States opposes the proposal by the representative of the Syrian Arab Republic by which the General Assembly would reject the credentials of the delegation of South Africa. We share the strong feelings of many other countries against the doctrine and practice of *apartheid*, but we do not believe that revulsion against *apartheid* should take the form of denying the validity of South Africa's credentials.

34. Until such time as the General Assembly changes its rules of procedure, rule 27 stands. And rule 27 treats questions concerning credentials as formal and procedural matters only; it requires merely that credentials be issued by the Head of State, Head of Government, or Minister for Foreign Affairs.

35. The Secretary-General has informed us, through the Credentials Committee, that the credentials are in order. No one has suggested that they fail in some way to comply with rule 27.

36. The Assembly has repeatedly denounced *apartheid*, not least by means of resolutions adopted on reports of the Special Political Committee, the Special Committee on *Apartheid* and a number of other Assembly bodies. These, not the credentials process, are the appropriate forums for expressing such judgments.

37. We cannot share the view that the South African delegation's credentials, having been issued by a Government elected by a minority of the inhabitants of South Africa, are invalid. There are a number of Governments around the world whose representatives cannot fairly be said to represent the majority of the peoples living in their national territories, yet no one seriously suggests that their

³ *Ibid.*, Plenary Meetings, 2137th meeting, para. 22.

⁴ *Ibid.*, Twenty-eighth Session, Annexes, agenda item 3, document A/9179, para. 9.

⁵ *Ibid.*, Twenty-eighth Session, Plenary Meetings, 2200th meeting.

credentials should likewise be rejected. Doing so in the case of South Africa is a dangerous precedent which tomorrow could be turned against not a few in this Assembly.

38. The specified procedure has nothing to do with approval or disapproval of the South African Government. The credentials was never meant to deal with attitudes towards Governments; hence acceptance of credentials expresses no view whatever with regard to a credentials-issuing Government.

39. For these reasons, the United States will vote against the proposal to reject the credentials of the South African delegation.

40. Certain other matters have been raised this afternoon on which I shall state the views of the United States following the vote.

41. Mr. VON HIRSCHBERG (South Africa): The legal and constitutional position relating to the examination of credentials by the Credentials Committee and the General Assembly has been stated and restated so often in recent years that it should hardly be necessary to recite it again. If I do so this afternoon it is only to ensure that the legal position appears in the same Assembly record as the statements we have so far heard in the course of this debate so that those statements can be seen in proper perspective.

42. There is no better exposition of the legal and constitutional position relating to the examination of credentials than that provided by the highest legal authority of this Organization, namely the Legal Counsel, in document A/8160 of 11 November 1970. The Legal Counsel, in this document, deals extensively with rule 27 of the rules of procedure. "From this rule"—he states—"one may derive three essential elements with respect to credentials to the General Assembly". These are the following, and I am now quoting from document A/8160:

"(a) 'Credentials' designate the representatives of the Member State to the General Assembly;

"(b) They are to be submitted to the Secretary General;

"(c) They are to be issued by the Head of the State or Government or by the Minister for Foreign Affairs.

"Thus credentials for the General Assembly"—the Legal Counsel continued—"may be defined as a document issued by the Head of State or Government or by the Minister for Foreign Affairs of a State Member of the United Nations submitted to the Secretary-General designating the persons entitled to represent that Member at a given session of the General Assembly. Unlike the acceptance of credentials in bilateral relations"—the Legal Counsel argues further; and this is the most important from the point of view of the statements made here today—"the question of recognition of a Government of a Member State is not involved, and substantive issues concerning the status of Governments do not arise . . ."⁶—except in certain instances which he then examines but which he indicates do not apply to South Africa.

43. This statement by the Legal Counsel has been endorsed over the years by a large number of representatives both in the Credentials Committee and in the General Assembly, and it has never been convincingly refuted on legal or constitutional grounds by those who have challenged South Africa's credentials. These challenges have been based on political considerations. This is clear also from the statements we have heard today, which have been of a political nature almost exclusively.

44. We must decide what we want in this Organization. Do we want the rule of law to apply or do we want political expediency to apply? If the rule of law is to apply, then the proposal with regard to South Africa's credentials should be rejected, for it is patently illegal. If political expediency is to apply, let it be in full recognition of the fact that the credentials of other representatives will be challenged tomorrow and when that happens there will be no rule of law to protect their rights either.

45. Mr. ALARCON (Cuba) (*interpretation from Spanish*): My delegation would like to state for the record its full support of draft resolution A/L.726 submitted at this meeting by the representative of the Syrian Arab Republic and supported by various other delegations.

46. We think that, indeed, this General Assembly, if it is to be consistent with countless resolutions adopted year after year on *apartheid* and the policy of the Government of South Africa, should reject the credentials of the representatives of this régime, for if we did not do this it would imply that we were departing from the consistent course of action of the Assembly and thus becoming accomplices in the policy of a régime which in itself is a negation of the representation of the vast majority of the population of that territory.

47. We believe that while there is in the question of the review of credentials a series of purely technical or administrative aspects which must be considered by the Secretary-General and later reviewed in the Credentials Committee, no one can strictly deny the fact that this General Assembly is primarily a political body made up of sovereign States which has not only the power but also the duty to go beyond the formal aspect of the issue of credentials and take a position on what those documents represent; for if they are signed by the Minister for Foreign Affairs of the *apartheid* régime, our receipt and acceptance of them as such would be tantamount to our being accomplices of a régime and of a policy which explicitly deny the rights of the population of that territory and flout the majority will of this Assembly.

48. I should also like to reaffirm my delegation's position on the representation of Cambodia. Our position on the report of the Credentials Committee could in no way be interpreted as affecting or modifying our position of principle on the point that the only legitimate representative of Cambodia in this Organization or anywhere else is the Royal Government of National Union of Cambodia.

49. Lastly, once again we should like to draw this Assembly's attention to a paradox which has persisted year after year and which apparently gives us a picture of a Credentials Committee constituted in such a way that it

⁶ *Ibid.*, Twenty-fifth Session, Annexes, agenda item 3, document A/8160, paras. 2 and 3.

does not reflect the majority opinion of the members of this Assembly. A reading of the report submitted by the Credentials Committee and the results we evaluate every year tell us that in the composition of that Committee there is usually a distorted reflection of the picture constantly displayed in plenary meetings of the General Assembly.

50. My delegation would like to register this concern and express the hope that by the forthcoming session the Credentials Committee will be made up of members more sensitive to the problems of colonialism and racism in the world—members more in accord with the majority opinion of this General Assembly.

51. Mrs. NHOUNG PENG (Khmer Republic) (*interpretation from French*): My delegation did not intend to make a statement on this item of the agenda, in the belief that at this session, which is devoted to the harmonious development of the whole of mankind, it would be untimely to raise once again, for purely political reasons, the question of the legitimacy of our representation, which has already been dealt with by the General Assembly at its twenty-eighth session.

52. In deciding on the convening of this special session, care was taken to make clear its objective: the "Study of the problems of raw materials and development," which suggests clearly that questions of another nature would simply be disregarded.

53. However, discordant voices have been raised—always the same ones, the ones who have disturbed the harmonious atmosphere of the last session—to discuss a problem which has nothing to do with raw materials or development. In their gratuitous insults they have not shown much originality or imagination, confining themselves to repeating eternally the same worn-out charges and the same crude exaggerations, such as "the traitorous clique in the service of the imperialists", or the allegation that Sihanouk's so-called Royal Government of National Union of Kampuchea controls 90 per cent of the territory and 80 per cent of the population of the country.

54. The Khmer delegation to the twenty-eighth session repeatedly had occasion to deny categorically those false assertions citing precise and easily verifiable facts. But that has not prevented our adversaries at this session—which is not, I repeat, supposed to deal with any political matter—from making desperate verbal attacks against the Khmer Republic.

55. Nevertheless, ever since the beginning of this year, our troops have succeeded in inflicting staggering defeats on the foreign aggressors and their local acolytes. Whether in such provincial headquarters as Kompong Cham, Takéo or Kampot, or in the capital of the country, Phnom Penh, they have everywhere suffered humiliating defeats.

56. Driven back everywhere, in spite of their major dry-season offensives, and unable to achieve any spectacular successes, the foreign aggressors and their local acolytes have now resorted to terrorist activities or are striking individual blows to mask their defeats. Thus they launched rocket bombardments against populous areas of Phnom

Penh, wounding several hundred people and leaving hundreds homeless and more than another hundred dead. Those bombardments, executed blindly and in hit-and-run attacks, moreover, claimed only civilian victims.

57. After Phnom Penh, the foreign aggressors and their local acolytes bombarded what was the peaceful farming village of Oudong. If I speak in the past tense, it is because they razed houses and massacred hundreds, including women, children, old people and Buddhist monks—people whose only crime was not to have welcomed them with open arms as victors.

58. Contrary to what is alleged by certain propagandists, I should like to declare solemnly here that the Khmer troops are fighting only against the foreign aggressors, which, of course, have been supported by Khmer Communists. However that may be, our army has succeeded in gradually expanding the security zones.

59. However, these Khmer elements, who are tired of the crimes committed by foreign aggressors against their own countrymen, have risen up in various places and rallied to the support of the national Government. Thus in recent months thousands of those Khmers have swelled the Republicans ranks to fight against the foreign aggressors. Among them have been military chiefs carefully trained in Hanoi and North Viet-Nam.

60. Politically and socially speaking, the reaction of the people is even more significant. The number of people who have fled regions where insecurity reigned has in the last few months alone reached 100,000. Kompong Thom, the provincial capital which has been besieged since 1970, itself has more than a 100,000 persons who have brought with them everything they could—ploughs, cattle and harvests—in order to take refuge in the Government-controlled areas.

61. Seen from the air, these columns of refugees stretching over several kilometres were really an impressive sight. This is a stinging refutation of enemy propaganda, because this massive exodus reduces to nothing the allegation of the aggressors that they control 90 per cent of the area of the country. If that control really existed, we could not explain why these men, women and children have been able to leave calmly these regions under their administration.

62. These movements of people who are fleeing terror constitute, too, a "dramatic referendum"—as a distinguished member of a foreign Parliament has said—a referendum showing that the Khmers reject both the ideology and the régime which the foreign aggressors and the local acolytes are attempting to impose on them by force.

63. There is another fact which shows that the so-called control of 90 per cent of the territory by these aggressors exists only in their imagination. In many parts of the country, people can move around quite freely by day and by night in boats and cars over hundreds of kilometres. Recently members of our Government, diplomats and international observers had some very conclusive experience in this regard. The Government had no hesitation in holding calmly a cabinet meeting in a remote province which is supposed to be besieged by the enemy.

64. The days of the Government of Khmer are not numbered, as is claimed by certain representatives who are ill-informed. On the contrary, the situation is gradually improving. However, the Khmer Republic does not want to prolong the horrors of war. All we want is that the foreign aggressors withdraw in accordance with the provisions of article 20 of the Paris Agreement of January 1973.⁷ We want to rebuild our nation with all our children, including those who have allowed themselves momentarily to be misled by the foreign aggressors, who are seeking to maintain our territory within their orbit in order to facilitate their aggressive expansionism southwards.

65. What I am saying here is not meant for propaganda purposes. It is just the truth. If any of the representatives here would like to check what I am saying, my Government will be very pleased to offer travel facilities and facilities for staying in our country.

66. Come, and you will be treated as honoured guests and you will see clearly whose side the Khmer people is on, that is to say, whether it is the Government in exile of Sihanouk or the legal Government which is installed in Phnom Penh.

67. Come, and you will see which of the two Governments is the one which is struggling for the defence of the independence and sovereignty of the nation and its inalienable rights, fighting alone against foreign aggression.

68. Lastly, you will see that the aggressors—unable to crush the resistance of a people determined to oppose by every possible means an ideology and an administration contrary to its traditions and its Buddhism—are now manoeuvring to see to it that our Organization gives it a victory it is unable to win on the battlefield. It wants the United Nations to intervene in the internal affairs of one of its Members in order to restore the so-called lawful rights of a so-called Government which has been established illegally and unconstitutionally in foreign territory.

69. However, my delegation, confident of the wisdom and the spirit of justice of the Member States, is convinced that our Organization will be able to thwart this crude manoeuvre, because to impose on a nation an illegal Government without any popular foundation would be to violate all moral and juridical principles and would only serve to prolong the horrors of a war which foreign expansionism has every interest in perpetuating.

70. Mr. INOZEMTSEV (Union of Soviet Socialist Republics) (*translation from Russian*): The position of the Soviet delegation with regard to the non-recognition of the credentials of representatives of the racist régime in South Africa at sessions of the General Assembly is well known. This position has repeatedly been set forth by the Soviet delegation at previous sessions of the Assembly, and it remains unchanged. The Soviet delegation has also stated this at a meeting of the Credentials Committee for this special session of the Assembly.

71. The Soviet delegation supports the proposal by the Syrian Arab Republic to reject the credentials of the delegation of the Republic of South Africa. Our premise is

that neither the delegation nor the Government of the Republic of South Africa represents the indigenous African population, which is the true master of that country.

72. As it did last year, the Soviet delegation supports the reservation expressed by the African countries with regard to the credentials of the delegation of Portugal. Like the African countries, we believe that these credentials extend only to the delegation of Portugal proper and can in no way be said to extend to the African Territories, which at the present time are under the occupation and colonial administration of Portugal.

73. The Soviet delegation would also like to recall that at the twenty-eighth session of the General Assembly it supported the restoration of the lawful rights in the United Nations of the Royal Government of National Union of Cambodia, and in this regard the position of the Soviet Union remains unchanged.

74. Mr. BAROODY (Saudi Arabia): The question of credentials not only has become a perennial matter; it has even been raised, and rightly so, at this special session of the General Assembly. I believe my colleague from Syria was fully justified in expressing, not the high emotions, but the sentiments related to the dignity of the human person which we Asians, Africans, Latin Americans, and I am sure, the free people of Europe, and, I would say, of any continent deeply feel about the exclusion of the native population in a country that belongs to them, who are being treated shabbily, or rather excluded from the international community, when representatives of the other colonial peoples sit here among us as brothers enjoying the inalienable rights that belong to us all.

75. I have been involved in this question ever since one of your predecessors, Sir, none other than our beloved Mr. Hambro, played a laudable part in trying to find a solution. However, he made it clear to South Africa—and the phraseology was unequivocal—that matters could not go on as they had done in the past. That happened during the twenty-fifth session of the General Assembly. We are now on the threshold of the twenty-ninth session—leaving aside this special session on raw materials.

76. We were disheartened to learn of the recent so-called elections in the Republic of South Africa, which seems to be a republic for the whites, excluding anyone who does not have a white skin. It is a travesty of justice; it is unfair. Of course, we know that the whites there are filled with the fear that one day they may be overwhelmed if they open the political and other gates to the indigenous people who own the whole land. But who told them in the first place to emigrate to Africa? Why did they not stay where they were in Europe? But they did emigrate. A couple of millions or so—I do not know how many—are there. But, at the same time, they should realize that they are visitors if they act like this, and only full-fledged citizens if they stand for the dignity of the indigenous people.

77. What shall we do? Shall we turn this special session into a political debate with every one of us trying to see how the wind blows and stand on solidarity? This is not a question of solidarity. This is a question of fairness and justice.

⁷ Agreement on Ending the War and Restoring Peace in Viet-Nam, signed in Paris on 27 January 1973.

78. I was moved when my brother and colleague from Senegal spoke with deep emotion which he could not suppress. I felt moved for, after all, those black and other Coloured South Africans are not his brothers alone, but the brothers of each one of us, for we are all brothers in humanity. If one of us is reviled, the whole body of the United Nations is treated with indignity.

79. I am going to make a suggestion—take it or leave it. But I will acquit my conscience so that perhaps something can be done to treat the situation in the best manner as it obtains today. If some members of the Assembly evince interest in a kind of draft resolution which I will read orally to you, I shall say, "Put it to the vote". If others, because of political considerations, want matters to go 100 per cent their way, then I will wash my hands of the matter and consider myself as having done my duty, as one who has served in this Organization since its inception.

80. I do not think my text is perfect—far be it from me to consider that any text can meet the desires and aspirations of every one of us. I will read the text. I wrote it while I was listening to the various speakers, taking into account the points of view that were presented here. This would be the text, Sir, or the basis for a solution, if in your wisdom as our President, you wished to use it as a basis:

"The General Assembly,

"Considering that the Government of the Republic of South Africa has so far consistently refused to allow the indigenous black and other Coloured peoples of South Africa to participate in the Government of their country,

"1. Takes note of the fact that the credentials submitted by the Republic of South Africa apply only to the relatively small minority of the South African régime and are invalid in so far as the large majority of the indigenous and other Coloured peoples are concerned;

"2. Urges the white Government of South Africa"—Remember, now, I call them "South Africa". I used to call them "the Republic of South Africa" to keep the form. But now I call them "South Africa", because of the second paragraph—"to take the necessary steps to rectify this anomalous situation in conformity with the basic principles and purposes of the Charter of the United Nations and article 1, as spelt out in the two International Covenants on Human Rights."

Article 1—I worked on that. It is identical in the international Covenants. I worked on it for eight years. It is the article on self-determination. And now for the third operative paragraph. Why is there a third? Because otherwise it would be *status quo*, *laissez-faire*. South Africa would say, "Let them talk from the podium of the United Nations. My caravan is marching on. Let those people bark." In my view, this is a very important operative paragraph:

"3. Requests those States which have close political and economic ties with the white régime of South Africa to prevail on its leaders to take prompt action to put an end to apartheid so that all the citizens may enjoy equal rights and personal dignity".

That is not enough. There should be another paragraph, and this is the last one:

*"4. Warns the South African régime that the present situation may not be allowed to continue and that the United Nations would be fully justified to take drastic measures vis-à-vis South Africa in the near future."*⁸

81. The phraseology could have been refined and improved, but that forms the core of a suggested solution so that we may not divide ourselves on the grounds of solidarity, create acrimony and, worse than that, find ourselves still confronted with this *laissez-faire* situation.

82. With regard to Portugal, I am heartened by what has taken place in that land. Let us all entertain the hope that it will not be long before Portugal will follow the example of France and no longer speak of the so-called overseas provinces of Portugal. We urge it to put an end to the domination which in various parts of Africa under Portuguese rule is still the order of the day.

83. But I cannot keep silent about poor Cambodia, the cheque-board of the major Powers, in which, as in another region, they are playing their chess game, not with wooden pieces, but with the destiny of the people. It is high time perhaps that both parties—one of which has one part of the Cambodian people or its leaders for a client, the other of which has the other part for a client—used the United Nations to bring them together. Perhaps the Secretary-General and you, Mr. President, will stop that rampage, that carnage.

84. Who is suffering? The leaders? The leaders are secure. It is the Cambodian people that is suffering. It is high time the United Nations played a role and brought the two factions together, as I mentioned during the last session.

85. I beg your pardon, Mr. President, for having taken so much time, and I thank my colleagues for having been indulgent and having listened patiently to what I think might be the basis for some solution.

86. The PRESIDENT (*interpretation from Spanish*): Before we proceed to the vote under rule 88 of the rules of procedure, I shall call upon those representatives who wish to explain their votes before the vote.

87. Mr. CAICEDO (Colombia) (*interpretation from Spanish*): Despite its deep sympathy but adhering to the criterion that the consideration of credentials calls only for consideration of the external formalities of a document, Colombia will abstain in the vote on draft resolution A/L.726, submitted by the Syrian Arab Republic.

88. In addition, my delegation considers that, in accordance with Article 2, paragraph 7, of the Charter, the Assembly is specifically prohibited from intervening in matters which are essentially within the domestic jurisdiction of any State. That does not by any stretch of the imagination mean that Colombia is abandoning its anti-colonialist, anti-racist policy or its continuing condemnation of *apartheid* as a hateful régime contrary to the most

⁸ Subsequently circulated as document A/L.727.

elementary human rights and the self-determination of peoples. But Colombia considers that the United Nations has and can use other machinery to cope with the situation, as provided in Article 5 of the Charter.

89. Actually, the time has come to seek the precise legal means to prevent the repeated flouting of the many resolutions that have been ignored by South Africa.

90. Mr. MEGALOKONOMOS (Greece) (*interpretation from French*): The Greek delegation will not participate in the vote on the proposal to reject the credentials of South Africa. This position is in keeping with the one adopted by our delegation at the two meetings of the Credentials Committee. The objective was to establish a consensus, if possible, among the members of that Committee and thus to avoid any waste of valuable time at the special session of the General Assembly, and also to promote the noble objectives of this session. Since the Members of the United Nations are the same as those at the twenty-eighth regular session, and since the General Committee has been re-elected, as well as the Credentials Committee, our delegation felt that it was not appropriate to draft a new resolution on credentials during the course of this special session.

91. Mr. CAMPBELL (Australia): It had been our hope, and indeed we tried to ensure, that the draft resolution would be presented in a form which could have made this intervention superfluous. As it is, the Australian delegation will cast its vote on the constitutional basis of rule 27 of the rules of procedure: namely, that we are at this time concerned only with the evident and documentary validity of credentials *per se*.

92. That having been said, I am sure it will be accepted as superfluous for the Australian delegation to need to proclaim again from this rostrum anything more specific than its categoric rejection of the racist and colonialist practices of South Africa and others. Our attitude to those deplorable policies is not in any sense an issue in the vote which is about to take place.

93. The PRESIDENT (*interpretation from Spanish*): Before we proceed to the vote, I should like to explain that the Assembly will be voting on draft resolution A/L.726 submitted by the delegation of the Syrian Arab Republic. An oral proposal was also made by the representative of Saudi Arabia, but we cannot vote on it now because the text has not been distributed and normally such texts should be voted on the next day. Therefore, since there is no conflict between the two draft resolutions, we shall now proceed to vote on draft resolution A/L.726. A roll-call vote has been requested.

A vote was taken by roll call.

Kenya, having been drawn by lot by the President, was called upon to vote first.

In favour: Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Panama, Philippines, Poland, Qatar, Romania, Rwanda, Saudi

Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Bahrain, Bhutan, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Congo, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan.

Against: Luxembourg, Malawi, Mexico, Netherlands, Nicaragua, Norway, Portugal, South Africa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Austria, Belgium, Brazil, Canada, Costa Rica, Denmark, France, Germany (Federal Republic of), Iceland, Ireland, Israel, Italy.

Abstaining: Nepal, New Zealand, Paraguay, Peru, Argentina, Bahamas, Bolivia, Botswana, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Japan.

The draft resolution was adopted by 86 votes to 26, with 15 abstentions (resolution 3200 (S-VI)).

94. The PRESIDENT (*interpretation from Spanish*): I call now on the representative of Senegal.

95. Mr. FALL (Senegal) (*interpretation from French*): Mr. President, thank you for calling upon me so promptly, but I should like to speak after you have set forth any conclusions you may draw from the vote which has just taken place.

96. Normally, after a vote such as the one just taken, the President draws conclusions from the Assembly's decision, and I should like to speak on behalf of the African group of States on the conclusions you draw from this vote. Once you have drawn those conclusions I should like to return to the rostrum.

97. The PRESIDENT (*interpretation from Spanish*): I should like to explain that the vote is a whole including explanations of vote before the vote, the vote itself and then explanations of vote after the vote. Only when that process is completed is it possible for the President to make an interpretation if he wishes to do so. Accordingly, in due course I shall be very pleased to call on the representative of Senegal. Meanwhile I shall call in turn on those representatives who have indicated a desire to explain their votes after the vote, beginning with the representative of the United States.

98. Ms. WHITE (United States of America): In view of what has been said by certain other delegations, the United States delegation wishes to put on record its views with regard to the credentials of the delegation of the Khmer Republic. I begin by noting that the Secretary-General has

found the credentials submitted by the Khmer delegation to be in order under rule 27, as is the case with the credentials submitted by delegations representing other Member States. Consequently, there is no basis whatever for the polemical attack on the propriety of those credentials that has been heard from this platform.

99. My delegation had hoped that all delegations would avoid diverting this session from its urgent business, but others have done so by injecting extraneous political matters. I therefore now am compelled to stress that my Government considers the Government of the Khmer Republic to be the only legitimate governmental authority of Cambodia.

100. My delegation also categorically rejects the distortions of historic fact, purveyed today from this podium, regarding the activities of my Government. Such distortions do not enhance or justify the pretensions of the nominal leader of the so-called Royal Government of National Union, nor do they contribute to the work of this session.

101. The PRESIDENT (*interpretation from Spanish*): I call on the representative of Senegal on a point of order.

102. Mr. FALL (Senegal) (*interpretation from French*): I should like to remind the Assembly—as the President did a few minutes ago—that the vote that has just been cast concerns the draft resolution introduced by the delegation of the Syrian Arab Republic and any explanations of vote outside of matters involved in the resolution that has just been adopted are out of order. I would therefore like to ask the President to stop anyone who speaks on matters other than the question of South Africa.

103. The PRESIDENT (*interpretation from Spanish*): Since this is a point of order, under the rules of procedure I must rule immediately.

104. I should like to explain that a point of order is an appeal to the President for a decision, not for an endorsement of a decision taken previously. Therefore, I think that the suggestion made by the representative of Senegal is correct. Representatives should speak essentially on the resolution that has just been adopted, but it is not possible to prevent others from making tangential references to any other subjects without dealing with them in depth, because others have done this both before and after the vote.

105. Mr. PATRÍCIO (Portugal): Reference has been made at today's meeting to the credentials of the Portuguese delegation to this session of the General Assembly. I should like to point out that my delegation has no doubt about our credentials and is in no way bound by the interpretations presented in this forum.

106. Mr. BREITENSTEIN (Finland): The position of my delegation on the policy of *apartheid* of the Government of South Africa has been consistent and is therefore well known.

107. Our position on the approval of duly issued credentials of Member States of the United Nations has also been consistent and is, I trust, likewise well known. In supporting the approval of the credentials of all the Member States

here, my delegation would consequently also have voted against retention of the last eight words of the draft resolution had there been a separate vote on those words.

108. The PRESIDENT (*interpretation from Spanish*): We have heard the last explanation of vote after the vote.

109. As President I have not offered any interpretation of the suggestions or motions that were made, but I should like now to put forward a few ideas.

110. With respect to the significance of the vote that we have just taken, I should like to repeat in essence what I said at the twenty-eighth session when the Assembly took a similar decision at its 2141st plenary meeting.

111. After listening to the arguments in the debate, and now that the Assembly has taken a decision on draft resolution A/L.726, I would remind members of the conclusion reached by my predecessors in the presidency, that is to say, the President of the twenty-fifth session of the General Assembly, Mr. Edvard Hambro, and the President of the twenty-sixth session of the General Assembly, Mr. Adam Malik. The interpretations that they gave on this point are on record.

112. In the light of those precedents, I consider that the vote that has just been cast is tantamount to a vehement condemnation of the policy followed by the Government of South Africa. It is a new solemn warning to that Government, but it does not affect its rights as a Member of the Organization or the rights of South Africa under the Charter.

113. I call now on the representative of Senegal.

114. Mr. FALL (Senegal) (*interpretation from French*): I should like first to express the appreciation of the African delegations to the delegations that supported us in this hour of truth. This is particularly heartfelt because the condemnation of *apartheid* cannot be confined to a mere profession of anti-racist faith. It must be manifested in facts, and we consider that there was no better opportunity than the one that just presented itself. With respect to those who came to this rostrum to tell us that they are against racism and that they condemn the policy of *apartheid* of South Africa but subsequently voted for the credentials of that delegation, we consider that their words are not in keeping with their feelings.

115. For our part, I shall not talk about your interpretation, Mr. President, because you said that you gave no interpretation. But with regard to the conclusion that you drew from our debate, we in the African group believe that at the least it is curious. We reserve our right to revert to this conclusion at a more timely moment.

116. Mr. KELANI (Syrian Arab Republic) (*interpretation from French*): My delegation has certain reservations to express on the report of the Credentials Committee. These reservations relate to the credentials of three members. At this session, as at previous sessions, our first objection concerns the representatives of Israel. We wish to raise serious objections to the credentials of the representatives of the Zionist authorities who represent nothing other than

expansionist authorities and usurpers of territories and of the national and legitimate rights of the Palestine people.

117. My second point concerns the credentials of the Khmer delegation. My delegation is convinced that the Lon Nol régime is only an illegal clique of usurpers, set up by imperialism which is in power contrary to the will of the Cambodian people.

118. My third point concerns the Portuguese delegation, which has no right to represent the peoples of Mozambique, Angola or Guinea-Bissau.

119. The PRESIDENT (*interpretation from Spanish*): The representative of Saudi Arabia submitted an important draft resolution. Under rule 78 of the rules of procedure it will have to be distributed so that it can be studied and examined by all representatives present. It will be considered and voted on at a subsequent point in the plenary meetings of the sixth special session.

120. The representative of Israel has asked to be allowed to speak, and I now call on him.

121. Mr. DORON (Israel): I should like to exercise my right of reply in respect of the diatribe against Israel just delivered by the representative of Syria. Even in these days it is characteristic of the Government of Syria that it once

again has decided to demonstrate its blind, all-pervading animosity towards my country and its stubborn refusal to recognize our rights.

AGENDA ITEM 7

Study of the problems of raw materials and development (continued)

122. The PRESIDENT (*interpretation from Spanish*): I should like to make the following announcement. The Chairman of the *Ad Hoc* Committee of the Sixth Special Session has informed me that he expects that the Committee will conclude its work tomorrow morning. In view of the circumstances, and taking into account the time necessary to prepare and publish the report of the *Ad Hoc* Committee, it is practically impossible to examine the question before tomorrow afternoon. Consequently, the Assembly may wish to meet tomorrow afternoon, on the understanding that if it is necessary the examination of the item could continue until Thursday, 2 May. If there is no objection, I shall take it that the General Assembly agrees to that procedure.

It was so decided.

The meeting rose at 5.45 p.m.