



General Assembly

EXEMPLAIRES D'ARCHIVES

FILE COPY

A retourner / Return to Distribution C. 117

PROVISIONAL

A/40/PV.37
16 October 1985

ENGLISH

Fortieth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE THIRTY-SEVENTH MEETING

Held at Headquarters, New York,
on Wednesday, 16 October 1985, at 12 noon

President: Mr. DE PINIES (Spain)
later: Mr. MOSELEY (Vice-President) (Barbados)

Credentials of representatives to the fortieth session of the
General Assembly [3]: (continued)

(b) First report of the Credentials Committee; amendment

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the General Assembly.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Department of Conference Services, Room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

The meeting was called to order at 11.55 a.m.

AGENDA ITEM 3 (continued)

CREDENTIALS OF REPRESENTATIVES TO THE FORTIETH SESSION OF THE GENERAL ASSEMBLY:

(b) FIRST REPORT OF THE CREDENTIALS COMMITTEE (A/40/747); AMENDMENT (A/40/L.3)

The PRESIDENT (interpretation from Spanish): The draft resolution recommended by the Credentials Committee in paragraph 22 of its first report (A/40/747) reads as follows:

"The General Assembly,

"Approves the first report of the Credentials Committee."

In this connection, the Assembly has before it an amendment (A/40/L.3) to that draft resolution, submitted by 18 States.

I call on the representative of Kuwait, in his capacity as Chairman of the Group of Arab States, to introduce the amendment.

Mr. ABULHASAN (Kuwait) (interpretation from Arabic): I have pleasure in introducing an amendment to the first report of the Credentials Committee (A/40/747), of 14 October 1985, on behalf of the following Arab States: Algeria, Bahrain, Democratic Yemen, Djibouti, Iraq, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, Somalia, Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen.

The Arab States that sponsored the amendment were driven to do so by their absolute belief that various political and legal considerations compel them to do so. They do this out of respect for the United Nations Charter and its objectives and because they believe it to be the responsibility of every United Nations Member State to preserve the Organization and its dedication to maintaining world peace and security and achieving justice and human dignity for all.

(Mr. Abulhasan, Kuwait)

The United Nations accepted Israel's membership because it thought that by so doing it might force that entity born of aggression and illegitimacy to adhere to international legitimacy and responsibility. However, the hopes of the international community have been disappointed, especially since acceptance of that entity's membership was conditional on its compliance with the United Nations resolutions on the return of the Palestinian refugees to their homes and compensation for those who did not wish to return.

I do not think it necessary to reiterate to the General Assembly the numerous and well-known political considerations which justify the request of the Arab States that the credentials of the Israeli delegation be challenged. I shall therefore, focus on some of the legal aspects which we believe are sufficient justification for rejecting those credentials.

First, Article 4 of the Charter lays down the conditions for admission to membership of the United Nations - namely, that a State should be peace-loving, carry out its various obligations under the Charter and do every thing possible to comply with its spirit and content. Therefore, any State that does not abide by those conditions, or chooses to abide only by those that suit it, will be flagrantly violating the conditions of membership and thus become subject to suspension of its membership.

(Mr. Abulhasan, Kuwait)

If we examine whether Israel has complied with these terms we find nothing in its policy of aggression and expansion that will not lead us to say that it has indeed flagrantly violated those conditions. This is verified by the General Assembly's own judgement in paragraph 12 of its resolution 37/123 A, of 16 December 1982, which states:

"Determines once more that Israel's record and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;"

It is clear from that paragraph that Israel does not meet one of the primary conditions of membership. Therefore its delegation should not be allowed to take part in the deliberations and affairs of the General Assembly at its current session.

Secondly, paragraph 4 of Article 2 of the Charter states:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations."

I do not think that I need to narrate the entire Israeli record on the threat or use of force. The numerous resolutions adopted by the General Assembly at both its regular and its special sessions, as well as the relevant Security Council resolutions, are telling evidence of the aggressive nature of Israel's policy. The latest episode in this record was the atrocious attack, under false pretexts, on the sovereignty and security of our sister country, Tunisia, an attack which was strongly condemned by the Security Council in its resolution 573 (1985), and denounced by the entire international community.

(Mr. Abulhasan, Kuwait)

Thirdly, Article 25 of the Charter states:

"The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

Israel has persistently challenged, rejected and disdained the Security Council resolutions relative to the Palestinian question and the Middle East problem. This cannot but be considered a flagrant breach of the conditions of Israel's United Nations membership. Perhaps, also, the fact that Israel's credential documents were produced in Jerusalem is another reason for rejecting them.

Fourthly, Israel has violated obligations arising from treaties and other sources of international law which Members are called upon to respect in the preamble to the Charter. For example, Israel, by preventing the Palestinian people from exercising its right to self-determination and to create of its own State on its own national soil, has violated a primary principle, namely, that of the right of all peoples to self-determination. Israel has also violated the fundamental principle of the inadmissibility of the acquisition and occupation of the land of others by force, as evidenced by its occupation of the West Bank, including Holy Jerusalem, the Gaza Strip, the Syrian Golan Heights and some parts of southern Lebanon.

Israel has also violated the letter and the spirit of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, through its inhuman practices against the Arab population in the occupied Arab Palestinian territories. Furthermore, Israel has violated the Convention on the Prevention and Punishment of the Crime of Genocide, of 1948, by persistently committing crimes of genocide against the Palestinians, the most recent of which was the massacre in the refugee camps of Sabra and Shatila.

(Mr. Abulhasan, Kuwait)

In the light of this outrageous Israeli record, which shows its lack of the prerequisites for membership of the United Nations, its violation of the principles of and its commitments under the Charter and its unparalleled breach of international agreements and treaties, the Arab States signing this amendment believe that Article 6 of the Charter, on the suspension of membership, should be applied to Israel. This Article states:

"A Member of the United Nations which has persistently violated the principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council."

Notwithstanding the unequivocal applicability to Israel of this Article, the delegations sponsoring this amendment are aware of the difficulties of its application because the stipulated recommendation by the Security Council cannot be achieved, not for legal or moral reasons but rather for political reasons relating to the umbrella of protection provided to Israel by a major Power which blocks any resolution or deterrent measure against Israel.

In view of the preceding facts, we thought that the General Assembly, which represents the international community and the world conscience and which has proved its inability, as a result of the use of the veto, to pursue the course of suspending the membership should resort to a less effective method by rejecting the credentials of the delegation of Israel. This constitutes the minimum action that the members of the General Assembly should take against Israel as a punishment for its violation of the purposes and principles of the Charter. The General Assembly fulfilled its responsibilities under the Charter when it rejected the credentials of the Government of South Africa.

(Mr. Abulhasan, Kuwait)

That established a precedent that has two basic connotations. The first is non-acceptance of the argument of those who refer to the narrow interpretation of rule 27 of the rules of procedure of the General Assembly; the second is the basing of the rejection on arguments relating to the violation by the Government of South Africa of the Charter's principles and international norms. This precedent constitutes basic grounds to be followed in the case of the credentials of Israel.

The Arab States sponsoring this amendment in document A/40/L.3 hope to obtain the Assembly's support for this amendment and its rejection of any other action that may be attempted to postpone or block it.

The PRESIDENT (interpretation from Spanish): I now call on the representative of Sweden, who wishes to raise a point of order.

Mr. FERM (Sweden): I should like to raise a point of order on behalf of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden, in connection with the amendment contained in document A/40/L.3, just introduced by my colleague from Kuwait. That amendment would reject the credentials of the representatives of Israel.

On behalf of the Nordic countries I formally move that no action be taken on the amendment, and I ask you, Sir, to be good enough to put this motion to the vote immediately. Our motion is made within the terms of rule 74 of the rules of procedure of the General Assembly.

The five Nordic countries are convinced that the future of the United Nations is of overwhelming interest and concern to all Member States. Our motion is motivated by our dedication to upholding the capacity and the authority of the United Nations to act in fulfilment of its primary purpose, which is the maintenance of international peace and security.

Mr. RAJATE-KHORASSANI (Islamic Republic of Iran): I should like to speak against the motion just put forward by the representative of Sweden. Before doing so I should like to thank the representative of Kuwait for shouldering the honourable burden of putting forward the historic amendment. It is very rewarding to my delegation, and very promising indeed, that many of our Arab brothers have moved to the front in challenging the credentials of the Zionist base. There is no need to declare that my delegation wished to have its name on the list of sponsors, but I understand it has been decided that it is an amendment to be put forward only by the Arab countries.

To go to the substance in this respect, I would read out a verse from the Holy Koran:

They were a solid Cemented structure. (The Holy Koran, LXI:4)

The Charter of the United Nations does not permit the annihilation of the State of Palestine and the installation of a cancerous Zionist entity in its place. But this unconstitutional act has taken place in the name of the Charter of the United Nations, whose fortieth birthday we are celebrating. This illicit act must be undone, and the records of the international body must be cleansed of such destructive mistakes.

My delegation is quite cognizant that the Zionist entity will actually be expelled from the international body only when the site of Palestine has been purged of the filth of the Zionist occupation. The Assembly may rest assured that this will soon be done by the Moslem Umma. However, I believe that the representatives of the Moslem countries and those of the oppressed nations ought to reiterate the invalidity of the credentials of this non-entity in order to raise the powerful cry of the hundreds of millions of Moslems a part of whose territories

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

has been usurped and some of whose most revered and most sacred sanctuaries have been occupied.

This mourning ceremony of today will be annually repeated until the total liberation of Palestine is, by the grace of God, celebrated in this very same General Assembly Hall.

May no one forget that the move to refuse the credentials of the Zionist non-entity has not been based only on procedural arguments regarding the place where those credentials were issued, or on the premise that the Zionist base is not a peace-loving entity or has refused United Nations decisions or is an expansionist entity, simply put.

Even though all of those reasons are valid and strong enough to convince every honest thinker that the representative of the Zionist base must not be allowed to attend the General Assembly, none the less, those arguments, valid as they are, remain irrelevant to the fundamental issue of the illegitimacy of that terrorist base that has been installed at the bottom of Palestine in order to destroy all peace and tranquillity in our region.

My delegation is happy to see that, after the savage invasion of Tunisia, the entire Moslem world has really come to feel the unabashed Zionist savagery and to rise against its presence in our region. Nothing is more enchanting than the thundering demonstrations of the brave Moslem nation of Egypt, whose people this year celebrated the Day of Quds, who punished some of the Zionist intruders into their homeland, and who are expressing their opposition to the presence of the United States backed Zionist base in the Moslem land of Palestine. Egypt, the cradle of civilization, is again moving towards tearing up the unholy Camp David Accord and throwing it into the dustbin of history.

In the land of Al-Azhar fire has been set to the flag of the Zionist non-entity as a symbol to remind this United Nations General Assembly that to

(Mr. Rajaie-Rhorassani, Islamic
Republic of Iran)

rehoist the flag of Palestine over all the occupied territories is an imperative and will forcefully come to happen. It is this General Assembly, therefore, that must adjust itself to the realities of the world around it if it really wishes to be universal and representative of the will of all nations. It must therefore find the courage to address the substance of the present amendment, this time submitted by our colleague the representative of Kuwait.

My delegation believes that it is of no avail to kill the issue by procedural manoeuvres. I therefore believe that the procedural device adopted by the representative of Sweden is not constructive at all. It only prevents sincere confrontation with the issue under consideration by the General Assembly, and therefore I shall vote against it, and I expect all other delegations to do so.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

It is no good shying away from the substance of the issue. Since the substance of the credentials of the Zionist base, after all, deserves to be addressed, the sooner that is done, the better.

The PRESIDENT (interpretation from Spanish): The representative of the Syrian Arab Republic wishes to speak. I assume that his statement will be in connection with the motion by the representative of Sweden, and, on that understanding, I now call on him.

Mr. EL-FATTAL (Syrian Arab Republic) (interpretation from Arabic): The representative of Kuwait has set forth the reasons for the submission by 18 Arab countries of the amendment in General Assembly document A/40/L.3. I shall not dwell on those reasons, which are compelling, but I wish to express my delegation's opposition to the Swedish motion.

The Swedish motion involves an attempt to prevent the General Assembly from considering the crux of the question submitted to the Assembly - that is, the lack of respect by Israel for its commitments under the Charter. It must not be forgotten that Israel was only accepted as a Member of the United Nations on two conditions. Indeed, it was the only country whose membership was made conditional on certain factors. The two conditions for Israel's membership were, first, the establishment of the Palestinian State in 1948 and, secondly, the return of all the Palestinian refugees to their homes in their homeland.

Because of Israel's policy of aggression against the Arabs and its attempts to undermine the international system based on the Charter, we believe that it is incumbent upon the General Assembly to vote on the amendment in document A/40/L.3, submitted by 18 Arab countries. We energetically reject the Swedish motion.

The concept of universality has been evoked. We believe in universality. But a requirement of universality is to be peace loving. The concept of universality

(Mr. El-Fattel, Syrian Arab Republic)

does not apply to a country that perpetrates aggression after aggression, occupies great stretches of Arab land, bombs Arab capitals, violates basic principles of the Charter and flouts every decision by this Organization. Universality, as I have said, is based on the requirement to be peace loving and to abide by law.

The PRESIDENT (interpretation from Spanish): As will be recalled, the representative of Sweden has moved, within the terms of rule 74 of the rules of procedure, that no decision be taken on the amendment circulated in document A/40/L.3.

We have now heard two representatives speak in opposition to the motion presented by the representative of Sweden on the grounds that it is inappropriate.

In that connection, I would note that similar motions have been before the General Assembly during the past three years, both during the consideration of the present item and during the consideration of other items, such as the situation in Grenada and the policies of apartheid of the Government of South Africa, and such motions have been approved by the Assembly.

Against that background, and taking particularly into account the precedents established in this regard, may I take it that the Assembly is prepared to take a decision on the motion submitted by the representative of Sweden that no action be taken on the amendment circulated in document A/40/L.3?

It was so decided.

The PRESIDENT (interpretation from Spanish): I shall therefore now put to the vote the motion submitted by the representative of Sweden that no action be taken on the amendment circulated in document A/40/L.3.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Burma, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Greece, Grenada, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lesotho, Liberia, Luxembourg, Malawi, Mauritius, Mexico, Nepal, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Romania, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Singapore, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia

Against: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Comoros, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, German Democratic Republic, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mongolia, Morocco, Nicaragua, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen

Abstaining: Benin, Bhutan, Burundi, China, Ethiopia, Ghana, Guinea-Bissau, Guyana, Haiti, India, Madagascar, Niger, Nigeria, Papua New Guinea, Rwanda, Sierra Leone, Turkey, Uganda, United Republic of Tanzania, Zimbabwe

The motion was adopted by 80 votes to 41, with 20 abstentions.*

The PRESIDENT (interpretation from Spanish): I shall now call on representatives who wish to speak in explanation of vote before the voting on the recommendations of the Credentials Committee. May I remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

* Subsequently the delegation of the Gambia advised the Secretariat that it had intended to vote against.

Mr. VELAZCO SAN JOSE (Cuba) (interpretation from Spanish): My delegation wishes to make a comment on the report of the Credentials Committee now before the General Assembly.

The Credentials Committee has recommended in that report that the General Assembly accept the credentials of an aberration called "Democratic Kampuchea".

(Mr. Velazco-San Jose, Cuba)

We wish to reject the credentials of that delegation, for it is only through a great effort of imagination worthy of belief in some science-fiction that one can accept as the legitimate Government of Kampuchea any other than the People's Republic of Kampuchea. We recognize that Government as the sole legitimate representative of the Kampuchean people.

Those seated here today in this Hall in its place are representatives of the former Pol Pot régime who filled the country with bloodshed and mourning and now control as territory only the small palace where those who uphold that régime live. It is not a monarchy, it is not a republic, it is not a Government.

Mr. WONGSAY (Lao People's Democratic Republic) (interpretation from French): On behalf of the delegation of the People's Republic of Viet Nam and the People's Republic of Kampuchea, my delegation wishes to express its reservations with regard to the credentials of the representatives of the criminal Pol Pot clique who have taken on the guise of the so-called coalition Government of Democratic Kampuchea. Their presence here in this distinguished universal Organization, as well as in other international organizations, has given rise to great indignation among all peoples devoted to peace, progress and justice throughout the world.

That indignation is quite understandably the more keen because this year the international community is celebrating the fortieth anniversary of the creation of the United Nations. This commemoration affords all of us the opportunity not only to salute and pay appropriate tribute to the remarkable achievements of the world Organization during its 40 years of existence, but also to redress the grievances and injustices suffered by certain peoples, among them the people of Kampuchea, during that same period.

It was precisely to prevent the present session of the Assembly from taking any unfortunate action that on 18 September of this year His Excellency Hun Sen,

(Mr. Vongsay, Lao People's
Democratic Republic)

Chairman of the Council of Ministers of the People's Republic of Kampuchea and Minister of Foreign Affairs, addressed a message to the President of the General Assembly and to the Secretary-General which reads, inter alia:

"Between 1975 and 1978, the régime of Pol Pot committed a genocide unprecedented in the history of mankind, subjecting the Kampuchean people to untold sufferings and unthinkable massacres. Public opinion in the world, including in the United States, has realized that the Pol Pot régime, more barbarous than that of Hitler, represents the holocaust and the most brutal violations of the inalienable rights of man.

"Despite these realistic views, the Governments of some countries have stubbornly mobilized others to preserve the presence of Pol Pot at international organizations, particularly the organizations which are destined to ensure respect for human rights and fundamental freedoms.

"In the past six years, in strict conformity with the United Nations principles and objectives and with the resolutions of the Sixth and Seventh Summits of the Non-Alignment Movement, the People's Republic of Kampuchea has fully materialized the right to self-determination of the Kampuchean people, particularly the right to live free, safe from all threats of mass extermination by the genocidal clique of Pol Pot. The People's Republic of Kampuchea has developed with tangible all-round success, thanks to the firm support of the Kampuchean people." (A/40/723, Annex, p. 2)

That is the profound, palpable and verifiable truth, no mere legal fiction, which the international community - and this Assembly in particular - should have borne in mind. It is our deep conviction that sooner or later the People's Republic of Kampuchea, the sole legitimate representative of the martyred Kampuchean people, which incontrovertibly and effectively exercises control over

(Mr. Vongsay, Lao People's
Democratic Republic)

the whole of national territory and full and complete jurisdiction over the population of that territory, will regain its rightful place within the world Organization and in other international bodies.

It is in that spirit that I would ask that our strongest reservations with regard to the report on the representatives of Kampuchea, as submitted by the Credentials Committee be placed on record.

Mrs. EL-ALI (Syrian Arab Republic) (interpretation from Arabic): For the same reasons explained on prior occasions by the representative of the Syrian Arab Republic, my delegation would like to place on record its reservations with regard to the credentials of so-called Democratic Kampuchea.

Mr. NYAMDOO (Mongolia) (interpretation from Russian): In connection with the discussion of the report submitted by the Credentials Committee, my delegation would again like to state at this session of the General Assembly its Government's basic position with regard to the credentials of so-called Democratic Kampuchea.

My Government maintains its view that the sole legitimate representative of the Kampuchean people in the international arena, including the United Nations, is the Government of the People's Republic of Kampuchea. That Government was formed six years ago as a result of the victory of the Kampuchean people over the Pol Pot régime that had subjected the country to genocide and barbarism. The presence of the representative of that bloody clique in the United Nations is an insult to the memory of the three million Kampuchean victims of the hatchet-men of Pol Pot and flouts the norms of justice and sanity.

It is deeply regrettable that - to the detriment of its prestige - the United Nations is being used to interfere in the internal affairs of a sovereign State. We are certain, however, that the time will come when the genuine representatives of the Kampuchean people, namely, the People's Republic of Kampuchea, will occupy their rightful seat in this Assembly.

(Mr. Nyandoo, Mongolia)

The Mongolian delegation vigorously opposes recognition of the credentials of the representative of so-called Democratic Kampuchea.

Mr. KRISHNAN (India): My delegation has two observations to make in connection with the report of the Credentials Committee, document A/40/747, which is before the Assembly.

First, the Credentials Committee in its report has recommended that the General Assembly accept the formal credentials of the delegations of a certain number of Member States to its current session. This includes the credentials of the delegation of so-called Democratic Kampuchea. India recognizes the Government of the People's Republic of Kampuchea in Phnom Penh as the legal and legitimate Government representing the people of Kampuchea.

(Mr. Krishnan, India)

In our view, the People's Republic of Kampuchea should be enabled to take its rightful place in the United Nations. My delegation cannot therefore associate itself with approval by the Assembly of the credentials of the delegation of so-called Democratic Kampuchea.

My second observation relates to the reservation and objection made by a number of delegations with regard to the credentials of the delegation of Israel. This is a reflection of the sense of indignation and outrage felt by the overwhelming majority of States Members of the United Nations and the international community in general over the continued and defiant refusal of Israel, in violation of its Charter obligations, to comply with United Nations resolutions concerning the question of Palestine and the situation in the Middle East, resolutions calling for the withdrawal of Israel from the Syrian Golan Heights and Lebanon and resolutions pertaining to the status of Jerusalem.

We deplore the persistent violation by Israel of the principles of international law, including humanitarian laws. It is our deep conviction that there can be no resolution of the conflict in West Asia until the people of Palestine, represented by the Palestine Liberation Organization, are able to exercise their right to self-determination and to have a State of their own in Palestine, and until Israel vacates all Arab and Palestinian territories occupied since 1967, including Jerusalem.

I should like to place on record India's historical and consistent support for the people of Palestine and the Arab cause.

Mr. ASHUR (Libyan Arab Jamahiriya) (interpretation from Arabic): The delegation of the Socialist People's Libyan Arab Jamahiriya wishes to express its reservations on the credentials of the so-called Government of Democratic Kampuchea. We believe that the only party that truly represents the Kampuchean

(Mr. Ashur, Libyan Arab
Jawahiriya)

people and which should be among us here in this international organization is the Government of the People's Republic of Kampuchea. That is the Government that truly rules the affairs of the country and that has undertaken many major reforms following the horrific massacres suffered by the Kampuchean people at the hands of Pol Pot. We cannot recognize a Government that is non-existent within Kampuchean territory.

Mr. OUDOVENKO (Ukrainian Soviet Socialist Republic) (interpretation from Russian): In connection with the report (A/40/747) presented to us by the Credentials Committee, the delegations of the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Czechoslovak Socialist Republic, the German Democratic Republic, the Hungarian People's Republic, the Polish People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics vigorously oppose recognition of the credentials of the representatives of so-called Democratic Kampuchea.

Everyone knows that there is no State with that name on the world map and those who claim to have a right to a place in the United Nations on behalf of that so-called coalition Government, including the criminal Pol Pot clique, in fact represent no one. We continue to hold to the firm opinion that only the Government of the People's Republic of Kampuchea and its appointed representatives can act in the United Nations and other international organizations on behalf of Kampuchea.

The People's Republic of Kampuchea is a sovereign State. Its Government was established as the result of universal elections and it is exercising effective control over the entire country and rapidly developing the national economy in the interest of the Kampuchean people. The People's Republic of Kampuchea is carrying out a consistent policy of peace and co-operation among the nations of the world and actively working towards normalization of the situation in South-East Asia.

(Mr. Oudovenko, Ukrainian SSR)

The delegations I have mentioned call for the immediate granting to the representatives of the People's Republic of Kampuchea of their rightful place here. That would be in keeping with the spirit and letter of the United Nations Charter and would enhance the effectiveness and prestige of the United Nations.

Mr. GONCALVES (Angola) (interpretation from French): The delegation of Angola expresses its reservations regarding the credentials of so-called Democratic Kampuchea, the representative nature of which is indeed doubtful bearing in mind the crimes of genocide committed by that régime against the people of Kampuchea.

We reaffirm the illegitimacy of the credentials of the representative of Democratic Kampuchea and express the hope that the legitimate rights of the People's Republic of Kampuchea will be re-established in the United Nations, in conformity with the spirit and the letter of the United Nations Charter.

Mr. WIJewardane (Sri Lanka): The delegation of Sri Lanka has asked to speak to state that we were constrained to vote in favour of the Swedish motion on the principle of the universality of membership of the United Nations. This does not in any way reflect a change in Sri Lanka's substantive position on the Middle East and the Palestinian question.

Mr. NETANYAHU (Israel): I am glad, as is the rest of my Mission and my Government, to see this motion defeated - but not for us; the expulsion of Israel, to which this exercise is meant to be merely a prelude, would not hurt Israel, but it would destroy the United Nations. It would do that in two ways.

I do not mean only in the first way, which is a practical result that everyone here understands - that is, that if Israel were to be driven out of the United Nations there would be an automatic withdrawal of some of the key Members of this body and that would in practice cause the collapse of this Organization. It would not live a day. It might suffer death pangs that lasted two months, but it would effectively be dead.

(Mr. Netanyahu, Israel)

I mean in a second way. Without adherence to the principle of universality, this body would be totally deprived of any moral authority. It would have all the moral authority of a Warsaw Pact gathering or an Islamic Conference gathering.

In this connection, I urge representatives to pay close attention to the representative of Iran, because he said that his problem with the motion under consideration was that it did not speak clearly about what was on the minds of the Arab Group which presented it. He said, as the representative of an Islamic State and a champion of Islamic fundamentalism, that the goal should be the eradication and annihilation of the Zionist body cancer. At other times he used other terms, but the implication is clear.

(Mr. Netanyahu, Israel)

I did not notice anyone here from the Arab Group, which put forward the motion, contradicting the Iranian representative. None of them said, "No, no; we mean something else, not what he is saying". There was not a whisper, not a word.

Thus, what we have here is an attempt to take the rest of this body and drive it into a certain course of Islamic fundamentalism. I would urge everyone here who does not adhere to that philosophy to adopt a different kind of fundamentalism, a new kind of fundamentalism that suits this body; and that is a return to the fundamentals on which it was founded: the fundamentals of reason and discourse and civility and tolerance.

With the overwhelming defeat of the motion, we could let it pass: we could just rise, yawn and go and drink our coffee. But I do not think we can let it pass, because of what has just transpired in the world. Who brought this motion to this body? It was the Arab Group, and that same Arab Group has been trying for some time to persuade this body to adopt the idea of an international conference, ostensibly designed to achieve peace in the Middle East. For those who are not cognoscenti, that is supposed to be peace with Israel. What that peace consists of - the peace of the grave - has been spelled out here.

Beyond the absurd contradiction - how can one call for a peace conference with Israel within a United Nations body and at the same time deny the legitimacy, indeed the right to exist, of that very State at the United Nations? - the Arab Group did, or tried to do, one other thing. It tried recently to invite Yasser Arafat and the PLO to address the commemorative session. I visited the Klinghoffers two days ago. I remember that Mr. Arafat's spokesman, Kaddoumi, said that there was no body, that this was just a big lie. In fact, before that, Arafat had sent condolences to Mrs. Klinghoffer. That reminds me of a scene in one of those movies where the "godfather" sends flowers to the widow of one of his victims.

(Mr. Netanyahu, Israel)

There is now a body: the body of a frail, crippled old man who was savagely murdered by Arafat's minions. Mrs. Klinghoffer described them to me. She said, "They are scum, thugs. I wasn't afraid of them". But she said one other thing. She said, "These are the 'Gucci' terrorists". They were all dressed in expensive shirts, expensive shoes, expensive trousers, because they receive their sustenance, their nourishment, their support, their protection, their cover, their glory from that same Arab Group that brought this motion here today.

It might be remembered that the Achille Lauro fiasco is not the only farce, not the only lie that Arafat and the PLO have been trying to push onto the Western media. There is another one: Larnaka. It will be remembered that a few weeks ago the PLO denied that it had anything to do with the Larnaka affair. On 9 October, in the Saudi Arabian magazine Al-Majalla, Abu al-Taeb, who is the commander of "Force 17", a Fatah organ, said that

"The purpose of the Larnaka incident was not to kill the three Israelis, but to kidnap them and hold them for bargaining", and that the purpose of the action was to force Israel, by the threat of their murder, by killing them, to release members of Force 17 who had been previously captured.

They had better get their story right the first time.

This is a pattern that we have seen over and over and over again: Arafat sends his killers, then disavows responsibility. He did it in Turkey in 1979, right after the Camp David accords. A mysterious, shadowy, always inevitably uncontrollable group emerges; it seizes the Egyptian embassy; and Arafat steps in to negotiate the release, is rewarded by Turkey for a PLO office; and then it is revealed that the terrorists who took over that embassy are Arafat's own men. That is a technique that dates back to Black September, the litany of whose outrages I am not going to recite here.

(Mr. Netanyahu, Israel)

Now the cover has been blown. There is no excuse left for anyone. No one in this body can pretend otherwise. No one can pretend not to know what the PLO does or what it stands for. We see it in all its ugliness. We see its leader, Arafat, exposed, naked, bare to the world. This is the man and the organization that ordered the killings of diplomats in Khartoum, in Beirut and elsewhere. This is the man who ordered the killing of children at Maalot, the slaughter of athletes at Munich, the massacre of Christian pilgrims at Lod airport -

The PRESIDENT (interpretation from Spanish): I would inform the representative of Israel that his 10 minutes have expired and I must therefore ask him to conclude his statement immediately; a long list of speakers remains to be heard.

Mr. NETANYAHU (Israel): There is really no need to give the whole list of outrages, because the conclusion is inescapable and clear: What the body -

The PRESIDENT (interpretation from Spanish): The representative of Israel is speaking on matters having nothing to do with an explanation of vote. I have been patient enough, but he has come to the end of his 10 minutes and I must ask him to conclude.

Mr. NETANYAHU (Israel): I would close by inviting representatives to summon Mr. Arafat to a tribunal for its crimes against humanity.

Mr. LI Luye (China) (interpretation from Chinese): On the question of the credentials of the delegation of Democratic Kampuchea, the Chinese delegation supports the report of the Credentials Committee to the General Assembly. I wish here to reiterate China's position.

(Mr. Li Luye, China)

Democratic Kampuchea is an independent, peaceful, neutral and non-aligned sovereign country. It is a Member of the United Nations. The coalition Government headed by Prince Sihanouk is effectively leading the Kampuchean people's struggle against foreign aggression and its struggle to defend its sovereignty and freedom. It is the legal Government of Kampuchea; it is the true representative of the Kampuchean people.

(Mr. Li Luye, China)

The foreign aggressors created the so-called People's Republic of Kampuchea, and it is completely their representative. It has no right to represent the Kampuchean people, and it has always been condemned by the world community. The General Assembly has adopted numerous resolutions refusing to acknowledge that puppet régime and calling for the withdrawal of foreign troops so that the Kampuchean people may regain its right to self-determination. It is only because of the foreign aggressors' recalcitrant position, their expansionist policies and their refusal to withdraw their troops that it has so far not been possible to implement the resolutions of the General Assembly.

The Chinese delegation believes that the General Assembly at its current session should abide by its correct decision and accept the credentials of the delegation of Democratic Kampuchea.

At the same time, the Chinese delegation reiterates that the fact that the delegation of Afghanistan has been allowed to participate at the current session does not mean connivance in the foreign occupation of Afghanistan, with all its consequences.

Mr. AL-ALFI (Democratic Yemen) (interpretation from Arabic): My country recognizes the People's Republic of Kampuchea and its Government as the legitimate representative of the Kampuchean people in its legitimate struggle to achieve peace, stability and progress and to rebuild its country after massacres in which millions were killed. Therefore, my delegation wishes to express its reservations about the credentials of so-called Democratic Kampuchea. We call for an end to the illegitimate occupation of the seat of Kampuchea at the United Nations by those who do not represent Kampuchea in any way whatsoever, so that the Kampuchean people and the Government of the People's Republic of Kampuchea may play their constructive and effective role in this international Organization.

Mr. KHAN (Pakistan): The delegation of Pakistan would like to place on record its reservation about the credentials of the representative of Afghanistan, recommended in the report of the Credentials Committee (A/40/747). Our reservation is based on our well-known position of principle on the foreign military intervention in Afghanistan, which continues unabated, in flagrant violation of the principles of the Charter and the universally recognized norms of inter-State conduct.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on the recommendation of the Credentials Committee in paragraph 22 of its first report (A/40/747).

The Committee adopted the draft resolution without a vote. May I take it that the Assembly, bearing in mind the views expressed by various delegations, wishes to do the same?

The draft resolution was adopted (resolution 40/2).

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who wish to explain their position.

Miss DEVER (Belgium) (interpretation from French): I should like to make it clear that the fact that my delegation did not object to the credentials of the delegation of Afghanistan can in no way be interpreted as recognition of the present Afghan régime, which was imposed from outside upon the Afghan people.

Prince NORODOM SIHANOUK (Democratic Kampuchea) (interpretation from French): The General Assembly has just adopted without a vote the report of the Credentials Committee (A/40/747), confirming once again Democratic Kampuchea's status as a Member of the United Nations, with its Coalition Government the sole legitimate representative of the people of Kampuchea.

I should like once again to express the great satisfaction of our people and our Coalition Government over that noble decision and our infinite gratitude for that further expression by the General Assembly of invaluable support for and

(Prince Norodom Sihanouk,
Democratic Kampuchea)

solidarity with the just struggle we have been waging for nearly seven years to recover our independence and freedom and to ensure the survival of our nation. All the peoples of the world devoted to peace and justice will welcome this and will rejoice when they see our Assembly standing resolutely by a small Member State of the United Nations - Democratic Kampuchea, whose independence, sovereignty and national dignity have been impudently trampled underfoot by a powerful neighbour, the Socialist Republic of Viet Nam, scorning the sacred principles of the Charter.

This new, memorable decision by the General Assembly during this year of the fortieth anniversary of the United Nations and the Charter is the finest tribute that can be paid by the world Organization, which represents the conscience of the civilized world, and symbolizes the collective wisdom of the peoples of the world devoted to peace and justice and determined to remain united within the United Nations, defending the rights and principles that underlie the United Nations, the foremost of which are those set forth in Article 2, concerning the non-use of force or the threat of force in international relations and the peaceful settlement of disputes between States.

During the year of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which we have just celebrated, this decision by the General Assembly expresses, moreover, its determination not to allow a new form of oppression and foreign domination, such as expansionism or hegemonism, on a world-wide or regional scale, to replace with impunity colonialism, which is now disappearing.*

Our country, which this year is celebrating the thirtieth anniversary of its admission to the United Nations as a full Member and our people, whose last hope is

* Mr. Moseley (Barbados), Vice-President, took the Chair.

(Prince Norodom Sihanouk,
Democratic Kampuchea)

this Organization, find comfort in this decision and encouragement to persevere in our heroic just struggle to remain independent and free and to make our modest contribution to the defence of the fundamental principles of the Charter and of international peace and security - which are seriously threatened today by the policy of aggression and expansionism and faits accomplis, to which a number of Members of the United Nations have fallen victim.

Finally, our people see this decision by the General Assembly as having great moral and political significance, as an expression of the will of the international community not to yield to the manoeuvres of the Vietnamese authorities, which wish to impose their settlement of the problem of Kampuchea by force, as in the scale-offensive during the seventh dry season, or by stealth, as in the successive attempts to sow confusion among the peoples of the world devoted to peace and justice, who support our just cause. The Hanoi authorities must now realize that their actions will only isolate them further in the international arena.

Prince Norodom Sihanouk,
Democratic Kampuchea)

During this anniversary, therefore, we sincerely hope that our adversary the Socialist Republic of Viet Nam will change its attitude, heed the repeated appeals of the international community and the General Assembly, and abandon its pernicious policy of aggression and expansionism in Kampuchea and South-East Asia, so that our two peoples and our countries can finally live in peace in a spirit of good-neighbourliness and that the threat posed to peace and the security of our region today can be removed once and for all.

This Assembly's strong support of our just struggle strengthens our conviction that this year once again the draft resolution on the situation in Kampuchea, by which the General Assembly calls for the total and unconditional withdrawal of foreign forces, that is, Vietnamese forces, from my country, so that it can become independent, peaceful, neutral and non-aligned, will be supported by an even more impressive majority.

In conclusion, I should like to express once again to the General Assembly and to all countries devoted to peace and justice our profound gratitude for the noble support and solidarity which they have given our people and our coalition Government of Democratic Kampuchea in our struggle for our independence and survival.

Mr. EWANS (United Kingdom): The fact that my delegation has raised no formal challenge to the credentials of the delegation from Afghanistan should, of course, in no way be taken to imply that the Government of the United Kingdom regards the present régime in Kabul as being a government.

Count YORK (Federal Republic of Germany): I should like to put on record our position on the credentials of the delegation of Afghanistan. Our vote for the Credentials Committee's report does not imply that we recognize the legitimacy of the régime in Kabul.

Mr. KHALIL (Egypt) (interpretation from Arabic): Now that the General Assembly has approved the report of the Credentials Committee, the delegation of Egypt wishes to place on record that our delegation voted the way it did on the Swedish motion because it related to a discussion, a debate on that procedure, which, unfortunately, does not in any way change the deteriorating situation in the Middle East.

Egypt condemns the Israeli policies and practices in the occupied territories as well as its acts of aggression against the Arab States, particularly the latest treacherous act against the capital of Tunisia and the PLO headquarters.

My delegation believes that the fact that the credentials of the Israeli delegation have been issued in Jerusalem does not detract from the totally illegal character of the annexation of Jerusalem. This position is in keeping with that of the United Nations on this issue.

Mr. HOSSEINI (Iran): Allow me to request that the reservation of the Islamic Republic of Iran regarding the credentials of the Zionist base, included in the report of the Credentials Committee contained in document A/40/747, be recorded in the documents of the General Assembly.

Mr. ZARIF (Afghanistan): I wish to put on record the reservation of the Government of the Democratic Republic of Afghanistan on those points of the report of the Credentials Committee that refer to the so-called Government of Democratic Kampuchea. We believe that this Government is an entity that exists only in the mind of some people who have locked themselves out of reality. The only authority that can speak on behalf of the people of Kampuchea is their sole legitimate Government, the People's Republic of Kampuchea.

Similarly, we should like to express our reservation on paragraphs 10, 13 and 15 of the report of the Credentials Committee which make impertinent references to the credentials of the delegation of the Democratic Republic of Afghanistan.

(Mr. Zarif, Afghanistan)

We should also like to reject totally the comments made by the representatives of China, Pakistan, Belgium, the United Kingdom and the Federal Republic of Germany pertaining to Afghanistan.

The PRESIDENT: We have heard the last speaker in explanation of vote after the vote. The Observer of the Palestine Liberation Organization has asked to make a statement and in accordance with General Assembly resolution 3237 (XXIX) of 22 November 1974, I now call on him.

Mr. TERZI (Palestine Liberation Organization (PLO)): Mr. President, thank you for allowing me to participate in the discussion of agenda item 3, which is an integral part of the work of the General Assembly. I wish to recall, as you have just mentioned, that resolution 3237 (XXIX) extended a standing invitation to the Palestine Liberation Organization to participate in its sessions and work in the capacity of Observer.

Recently, however, an attempt was made to deny the Palestine Liberation Organization participation in one or another integral part of the work of the General Assembly. In this respect, we appreciate very highly the statement made by the President on Monday affirming that the Assembly at one stage acted without prejudice to the provisions of resolution 3237 (XXIX), and did not intend to derogate in any way from the said resolution which continues to remain valid and applicable in every respect.

Thus, in our opinion, and in accordance with established practice in plenary, it is our right to participate in the debate on any item on the agenda when we choose to do so.

(Mr. Terzi, PLO)

On this particular item 3, namely, credentials of representatives to the fortieth session, I wish to state the following. What the General Assembly has witnessed this morning was in fact a matter of substance related to membership in this Organization. Almost one-third of Member States expressed their position as shown in the report, more than one-third of Member States cast a negative vote on the motion proposed by Sweden, and about 52 Member States put on record their reservations concerning the credentials of Israel. However, the result of the exercise this morning carries a message: the message is that the accreditation of the representative of the neo-fascist junta in Tel Aviv is not totally and unconditionally welcome here.

Israel is called upon to abide by the principles and provisions of the Charter. Israel cannot and should not be permitted to be the obstacle to peace efforts diplomatically and through its continued and escalated aggression against neighbouring Arab States, as well as against distant States, as in the case of its aggression against Tunisia, and also through its racist and repressive policies and practices against our people in the occupied Palestinian territory and against Arab brothers in other occupied Arab territories in Syria and Lebanon. In all its acts of aggression Israel counts on the unconditional support of the United States Administration.

The General Assembly itself recommended that our country, Palestine, should be partitioned and our people fragmented. That was done against our will and the will of the Palestinian people, of course. Yet that same recommendation called for the safeguarding of the fundamental rights of all Palestinians and the establishment of a Palestinian Arab State and a Palestinian Jewish State.

(Mr. Terzi, PLO)

In our opinion the accreditation and the legitimacy of the two States should be considered jointly here, for one is contingent upon the other. Consequently, we have a problem, or rather the General Assembly has a problem, namely, that it has acted in a selective way in implementing one part of its resolution and hampering the implementation of the other part of that same resolution.

(Mr. Terzi, PLO)

We are appalled that on this the fortieth anniversary of the victory over fascism and nazism the General Assembly has accepted the credentials of the Judeo-Nazi junta and régime in Tel Aviv, a régime composed of a coalition that shares power with the Herut party, which was a political organ of the so-called Irgun Svai Leumi - the national military organization, or whatever it was called. That organization espoused and continues to espouse the proposals, concepts and plans concerning what was called the solution of the Jewish question of Europe and the active participation of the Irgun Svai Leumi on Germany's side in the war of 1939-1945. That is very well documented, and I shall quote part of that documentation about the collaboration between the Herut party and the Nazis as follows:

"On numerous occasions prominent statesmen of the national socialist Germany underlined in their remarks that the new order of Europe required a radical solution to the Jewish question through evacuation, a Judenrein Europe. The evacuation of the Jewish masses from Europe is their pre-condition for the solution of the Jewish question, which, however, solely and finally becomes possible through resettling those masses in the homeland of the Jewish people in Palestine and through establishing a Jewish State within its historic frontiers.

"The establishment of a historical Jewish State on a national and totalitarian basis with contractual relations with the German Reich would be in the interest of maintaining and strengthening the future German position in the Middle East. And the co-operation of the Israeli liberation movement would be along the lines of one of the last speeches made by the German Reich's Chancellor, Herr Hitler, in which he stressed that he would use each combination and coalition in order to isolate and defeat England."

(Mr. Terzi, PLO)

Thus, again, while this Assembly has not as yet taken any measures to implement its own resolution by admitting the representative of the Palestinian Arab State as a full member, it welcomes among its members a régime which collaborated with Hitler and his Nazi hordes and continues to espouse and practise Hitler's racist ideologies and brutal methods.

The representative of Israel, in all his arrogance, this morning sounded as if he were manipulating the policies and actions of a number of States.

I should like to ask this Assembly whether it has forgotten for a moment the thousands of innocent children and women murdered in cold blood as a result of the dropping of the most sophisticated explosive - which was, of course, supplied freely by the United States to Tel Aviv. Has the Assembly forgotten the blood of those children?

In its proceedings next week this Assembly will be welcoming a neo-Nazi whose hands are still dripping with the blood of innocent Palestinian and other children.

The collaborators with the Nazis should be summoned to appear before a resumed Nuremberg trial, and there should be no room for them in this Assembly.

The PRESIDENT: We have now concluded our consideration of the first report of the Credentials Committee.

The meeting was adjourned at 1.25 p.m.

