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President: Mr. Leopoldo BENITES (Ecuador).

In the absence of the President, Mr. Boateng (Ghana), Vice-President, took the Chair.

AGENDA ITEM 106

Restoration of the lawful rights of the Royal Government
of National Union of Cambodia in the United Nations
(continued)

1. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): Throughout this debate delegations have questioned and will continue to question the competence of the United Nations by referring to Article 2, paragraph 7, of the Charter relating to intervention in matters which are essentially—and I emphasize “essentially”—within the domestic jurisdiction of a State. Those delegations seem to ignore that their interpretation in no way excludes that which others, in the name of common principles, might advance, and forget, moreover, that the admission of a concept cannot replace its definition. In the absence of the latter, it is usual to see delegations retrench themselves behind the principle of national competence when it is in conflict with another principle that is just as important, or when those same delegations feel that their arguments are extremely tenuous since they are applied to situations which require of them a more thorough political analysis, one that is more in keeping with the defence of collective interests.

2. The Charter of the United Nations enshrines in several of its provisions the principles of independence, sovereignty and non-interference. And if a people, through the voice of its authentic representatives claims—as is precisely the case with the Cambodian people—that those three principles have been flagrantly and continuously violated, it becomes the duty of the United Nations to see to it that that people continues to enjoy the same rights as the other peoples of the world. In spite of the firm denials of the Phnom Penh authorities, no one can say that since 18 March 1970 the Cambodian people has not been arbitrarily deprived of its acquisitions of some 20 years, namely, national independence, peace, neutrality and non-alignment.

3. History has recently been showing us that the Cambodian people was forced to place itself under the protective

umbrella of a foreign Power which, not content with imposing upon it a non-representative régime of its own choice, has pushed cynicism to the point of supporting that régime, and the system to which it is naturally attached, through massive bombings out of all proportion to their goals and directed against the Cambodian people itself.

4. By virtue of this fact peace, to which the Cambodian people is quite naturally dedicated, was destroyed; its sovereignty was trampled underfoot; and the principle of non-intervention was circumvented in such a way as to make possible the interference of a Power which was more interested in strengthening its own political and military bastions than in respecting the right of the people to self-determination. Under those circumstances, is it not normal that the United Nations—an organization established, according to the Preamble of its Charter, by decision of the peoples of the world—should come to the rescue of those whom it is sought to reduce to silence and to the acceptance of a system to which they will definitely remain alien, in spite of the pressures, the intimidation and the specious arguments that are being adduced in support of an artificial and already moribund régime?

5. In the past few years we have debated the question of international security and the strengthening of the role of the United Nations in the maintenance of peace and security. On the basis of those discussions, the Organization is aware that as long as the Cambodian problem, created through foreign intervention, remains unresolved it is vain to speak of peace and security in regard to the Indo-Chinese peninsula.

6. The tottering Lon Nol régime needs a foreign Power to come to its rescue, politically, militarily and financially. In absolute terms, which do not take into account any realities, even political realities, the United Nations could have nothing to say about this. It happens, however, that that same foreign Power has undertaken to put an end to its military activities in Cambodia, to withdraw all its military advisers, military personnel, weapons, munitions and war material and to abstain from reintroducing any of these into the country. Nine months after the Paris Agreement,¹ the military disengagement still remains subordinated to political considerations, which take no notice of obligations that should have been fulfilled in good faith.

7. Can the United Nations continue to tolerate peace and security in this region being imperilled through the recognition or acceptance of a régime which has voluntarily become the accomplice of a typical political-military intervention and of an unprecedented provocation vis-à-vis the Cambo-

¹ Agreement on Ending the War and Restoring Peace in Viet-Nam, signed in Paris on 27 January 1973.

dian people? Must the United Nations become, in spite of itself, the instrument of a policy of hegemony accepted by the unconcerned and which is not able to justify itself?

8. We will be told—and it has already been stated—that it is for the Cambodian people itself to solve its political problems peacefully. We are willing to yield that point, although it would be wrong to claim that those problems are the fault of the Cambodian people. That is why we hope that peace will be restored in Cambodia through the ending of intervention and the rejection of those who are submissively carrying out that policy. That is why we hope that the international community might hear the authentic voice of the Cambodian people.

9. On 26 and 27 October 1973 Prince Sihanouk—who, need we recall, had been entrusted with the powers and prerogatives of Head of State in accordance with the expressed will of the Cambodian people under article 122 of the Constitution of the Kingdom of Cambodia—addressed two messages to the Secretary-General of this Organization. Those messages are a reflection of the conscience and the popular will of the Cambodian people who recognize that the Organization has the right and the duty to take up the question we are now debating, thus rejecting any already existing regional competence in the matter, that the foreign interference which is supporting the Phnom Penh régime is the only thing preventing the Cambodian people from peacefully resolving the political problems which have been created for it, and that that interference will come to an end when the seat of Cambodia in the United Nations is restored to the Royal Government of National Union, which is the only legitimate and legal national government.

10. Numerous arguments can be advanced for or against the legitimacy and legality of the Royal Government of National Union of Cambodia. As far as we are concerned, we have chosen to place ourselves first of all upon the international plane, which is the main concern here in this Organization, and to base our argumentation upon the situation as it appeared in 1970 and also upon a principle of international law—that of continuity.

11. Before 18 March 1970, the United Nations had recognized as a full Member a Cambodia whose policy of national independence, peace, neutrality and non-alignment was in all respects felicitously in conformity with the principles of the Charter, its purposes and its objectives. That conferred upon the Royal Government of National Union an international legitimacy which was collectively recognized.

12. The formation of the Royal Government of National Union of Cambodia in May 1970, after the legal dissolution of the Cambodian Parliament on 23 March 1970, cannot affect in any way the legitimacy and the international recognition granted to the form of government which preceded it, even less so since, in a spirit of continuity and authenticity, the Royal Government of National Union was presided over by the legal head of State of Cambodia and as far as the United Nations was concerned was basing itself upon the principles I enumerated earlier.

13. It follows, therefore, that the international legitimacy of the Royal Government of National Union has never been questioned collectively.

14. In 1973, at the time when we brought the Cambodian question before this Organization, the Organization was informed, through the communiqué of the presidency of the Council of Ministers of the Royal Government of National Union of Cambodia dated 9 November 1973, confirmed by the statement of the Head of State of the Kingdom of Cambodia, that the Government, with all its ministries duly represented, had been installed in Cambodia, where it was to exercise henceforth its full and entire authority. The continuity of the Royal Government of National Union of Cambodia was thus established both in space and in time, and the United Nations would have been remiss in not taking these realities into account.

15. Lastly, if we are to speak of international legality we might say that the establishment of the Royal Government of National Union of Cambodia was not in contravention of international law and did not result from any violation of an existing international treaty. On the other hand, the maintenance of the Phnom Penh régime against the will of the Cambodian people would be tantamount to the recognition by the United Nations of foreign interference in the affairs of a sovereign State. It would also be tantamount to accepting the implicit violation of article 20 of the Paris Agreement of 27 January 1973,² to the extent that the Phnom Penh régime, through its policy of abandonment of sovereignty, was preventing one of the parties to that Agreement from fulfilling its international obligations.

16. Thus the conditions exist and are fulfilled for the United Nations to restore to the Royal Government of National Union its lawful rights in this Organization and in organizations related to it.

17. Indeed, respect for the very principles of the Charter itself requires that this Organization should not deny its competence regarding the Cambodian question. The intervention of the Organization is hoped for and is desired by the Cambodian people. The international legitimacy of the Royal Government has never been collectively questioned. Its international legality is established. Its presence upon Cambodian soil and the effective control which it is exercising over the liberated regions—that is to say, 90 per cent of the territory—confer upon it an internal legitimacy and legality which it would be difficult now to deny to that Government.

18. It is in that context that the delegation of Madagascar, together with 32 other delegations of Africa, Asia, Europe and Latin America, has submitted the draft resolution in document A/9195 and Add.1, which is reproduced in document A/L.714.

19. The draft does not itself call for any developments which we were not acquainted with already. It applies to any situation in which the Organization might find itself when a flagrant injustice has been committed against a sovereign people whose good faith and rights have been abused. It implies that the specific policy of a State cannot prevail over the purposes and principles of the United Nations Charter, especially when these principles relate to independence, sovereignty, self-determination and non-intervention. It endorses the will of the Cambodian people to live in peace and

² See United Nations, *Treaty Series*, vol. 935 (No. 13,295), p. 15.

neutrality and not in discord and conflict as well as to continue to be represented by the government of its choice and not by a pseudo-government which has been imposed upon it by foreign interests and the intrigues of an irresponsible minority. It establishes, finally, that respect for the legitimacy and legality of a government, both internally and internationally, is the only concept likely to ensure for a people genuine participation in the international community.

20. The decision to restore the lawful rights of the Royal Government of National Union of Cambodia will finally put an end to three years of injustice and usurpation. It will promote the normalization of the situation in South-East Asia to the extent that, by its policy of national independence and non-alignment, the Royal Government of National Union of Cambodia will again make a positive contribution within our Organization, which will make it possible for us in turn to ensure that peace and security is strengthened and maintained in this region.

21. With regard to our draft resolution, certain procedural questions could be raised and certain Articles of the Charter could be brandished, Articles which we respect along with all the others if we wish the Organization to preserve its authority and its prestige. However, we are here not to defend the interests of an individual or group of individuals, whatever the protection they may be receiving, but to safeguard the interests of a people whose self-determination has been diverted for the benefit of a policy of hegemony, on the one hand, and blind submission, on the other.

22. Let us not forget that the Royal Government of National Union of Cambodia has never ceased to represent Cambodia not only *de facto* but especially in terms of ideals which support the aspirations of the Cambodian people. For three years the Cambodian people has been politically, militarily and ideologically subjected to aggression. Are we going to be the accomplices of this internal and external aggression? Is it not our duty to see to it that this aggression, of which the Cambodian people has been the powerless victim, should be answered, on our part, by a reaction which would lead us to take the necessary measures against those responsible for it?

23. Procedure may serve a particular policy for the benefit of a certain majority; but the true political sense that the Organization must have in the defence and the promotion of the interests of a people, together with our concern for peace and security, cannot indefinitely acquiesce in a procedure which, placed in the service of a dubious policy, loses its normative value.

24. The restoration of the lawful rights of the Royal Government of National Union of Cambodia cannot in any way simply become a procedural matter, whether it be a question of a majority or a question of postponing the decision to be adopted. This question has profound significance which derives from the role which our Organization must fulfil in this region, from which it has too long been removed, and from the awareness we must have that the Cambodian people cannot forever be either a forgotten or a sacrificed people.

25. Before concluding, I should like to state the position of my delegation with respect to certain rumours which are at

present circulating in this Assembly on the subject of a so-called compromise that may have been arrived at.

26. My delegation, as a sponsor of draft resolution A/L.714, is not aware of the alleged existence of a kind of compromise.

27. We are also told that, in order to preserve the spirit of détente and compromise which has prevailed concerning certain questions, a decision on the Cambodian item should be postponed. Again as a sponsor of draft resolution A/L.714, my delegation is also not aware that such a position has been accepted by the sponsors of this draft resolution. To postpone a decision on the question of Cambodia now would be once again to accept that the Organization, precisely through the means of a dubious procedure, should again lose its prestige and agree to be absent from the international scene in regard to questions relating to South-East Asia.

28. Mr. MOJSOV (Yugoslavia): My delegation is taking part in the debate on item 106 of the General Assembly's agenda, with a sense of awareness of the profound importance of the matter under consideration. What we are dealing with here is neither marginal nor ephemeral; it of very significant relevance to some of the basic principles of our Organization and international relations touching upon the essential rights and interests of the States Members of the United Nations.

29. The abiding and active interest of my delegation in the issue before us is well known. It was amply demonstrated by the fact that, together with 32 other delegations, we requested the inclusion of an additional item in the agenda of the twenty-eighth session, as demonstrated in document A/9195 and Add.1 of 11 October 1973; that, together with 21 other delegations, we signed the letter of transmittal of the "Statement by Norodom Sihanouk" and "the communiqué by the Office of the President of the Council of Ministers of the Royal Government of National Union of Cambodia", contained in document A/9344 of 26 November 1973; and, finally, that we sponsored draft resolution A/L.714 together with 32 other sponsors.

30. My country is one of the more than 43 countries that recognize *de jure*, and maintain diplomatic relations with, the legally constituted Royal Government of National Union of Cambodia under the leadership of its lawful and constitutionally established head of State, Norodom Sihanouk.

31. My Government actively supported the decision of the Conference of Foreign Ministers of Non-Aligned Countries, held in Georgetown, Guyana, in 1972, that only the Government of Prince Sihanouk could represent Cambodia among the non-aligned nations; equally, at the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held in Algiers in September, the Royal Government of National Union of Cambodia was recognized by more than two-thirds of the Member States of the United Nations as the only legal and legitimate Government of Cambodia. In a separate resolution, that Conference reaffirmed its "solidarity with the Royal Government . . . in its struggle at the international level and its unwavering support within the

United Nations and other international organizations [A/9330, p. 48].

32. In our statement in the General Committee, at its 212th meeting on 16 October, and in the General Assembly on 17 October [2130th meeting], we clearly set out our views on the matter, and the reasons why this General Assembly session should take a positive decision and put an end to an anomaly with regard to the representation of Cambodia in the United Nations. Let me only briefly restate here those views and reasons.

33. Since 1953, after its attainment of independence on 9 November 1953, the Kingdom of Cambodia, under the leadership of Prince Sihanouk, has enjoyed a period of peace, stability and relative prosperity, thanks to its policy of independence and neutrality; it was one of the States that had very early and resolutely opted for active and peaceful coexistence and for the policy of non-alignment.

34. But then, in March of 1970, the Lon Nol group, instigated and supported from abroad, carried out a coup d'état and established an illegal régime which occupies unlawfully the seat of Cambodia in our Organization. Since that time, the legal Government of Cambodia, presided over by the head of State, Prince Sihanouk, has thus been prevented from lawfully representing its people and country in the United Nations. The injustice done thereby has to be redressed.

35. And not only that. What is involved is a brutal intervention, supported and carried out by outside factors in a well-known, typically amoral manner; for at the time of that intervention, the head of State Prince Sihanouk was abroad, together with a number of outstanding members of his Cabinet, on a visit to friendly countries. Therefore, our moral indignation at the act of violence and direct interference from outside is understandable. Such methods cannot be tolerated in the international community, all the more so as there is a tendency to imitate them. We shall never reconcile ourselves to such crude interference in the internal affairs of small countries, and those who are now endeavouring to speak of "interference in the internal affairs of Cambodia" throughout our current debate in the General Assembly should give serious thought to this very instructive example of the coup d'état in Cambodia, of the secret war and the bombing of its territory, which finally resulted in the liberation war that the people of Cambodia are waging against foreign intervention and interference in the affairs of their country—a liberation war that is evolving under the leadership of the Royal Government of National Union of Cambodia.

36. Things, however, did not rest there, as the people of Cambodia did not reconcile themselves to that state of affairs. They launched a struggle to regain their independence and mastery over their own sovereign foreign policy and their full liberation, under the leadership of Prince Sihanouk and the United National Front of Cambodia. Although confronted in that struggle with massive foreign intervention and interference of the most varied kind, including indiscriminate bombings, other forms of all-out military assistance to the Lon Nol group, and the military aggression of the Saigon régime, they succeeded in liberating the major part of their country: 90 per cent of its territory,

with 80 per cent of the population. The Lon Nol group maintains itself only in Phnom Penh and in a few other strongholds, due only to outside help and the assistance of foreign Powers. Consequently, there is no doubt that the Royal Government of National Union of Cambodia enjoys the broadest support of the population and that the policy of foreign intervention and imposition has failed.

37. All this has been recognized by growing segments of the international community, as attested by the increasing number of countries that have maintained, established, or re-established relations with the Royal Government and that have lent their support to it: at the Georgetown Conference of Foreign Ministers of Non-Aligned Countries; at the fourth non-aligned summit Conference in Algiers; and by voting in ever larger numbers, in the General Committee and the General Assembly, for the inclusion of the item in the agenda. Indeed, 69 European, African, Asian and Latin American countries defended its cause within the United Nations recently, when the vote was taken in a plenary meeting on the inclusion of the item in the agenda [2155th meeting].

38. What is more, since the inclusion of the item in October, the developments in Cambodia have moved further in the same direction, strengthening the case we are making out here. So in the liberated zone, which, as we have said, now comprises more than 90 per cent of the national territory of Cambodia, there are people's authorities established at all levels of the administration, and they exercise control over more than 5.5 million inhabitants. Very importantly, the legal Government of Cambodia is now again fully located and functioning in its own country. In his statement of 22 November 1973 [A/9344, annex I], the head of State Prince Sihanouk informed us that all the ministers of that Government, except the Minister of Foreign Affairs, have been functioning within Cambodia since 9 November 1973. Accordingly, the Royal Government of National Union of Cambodia is functioning fully on the territory of Cambodia with all duties and responsibilities derived therefrom.

39. Now the case is being made that we should not deal with this situation; that our consideration of it, a possible and needed decision, would constitute interference in the affairs of a Member State; that redressing the situation and restoring the lawful rights of the legal Government of Cambodia by this General Assembly would mean depriving the people of Cambodia of their right to self-determination and would mean the imposition of a Government on them; that we should leave the situation alone, etc. But, of course, precisely the opposite happens to be the case. The Cambodian people exercised their self-determination and established their legal Government in 1953. What we are trying to do here is to redress the wrongs done precisely by foreign intervention, which has truly deprived the people of Cambodia of their sovereignty, freedom, of their legally constituted Government. We are not trying at all to impose a Government and régime upon the Cambodian people but, on the contrary, we are trying to restore to them their legal Government and their lawful rights, taken away from them through interference in their domestic affairs. Our failure to do this would, indeed, constitute a dangerous precedent, as it would mean that we have accepted the method of *fait accompli* by foreign intervention, even in the case when the people them-

selves give ample proof that they do want to fight for their legal rights and for their own Government against foreign intervention, and even when they are successful in that struggle.

40. I have just stated one side of the case for the restoration of the lawful rights of the Royal Government of Cambodia. But there is, of course, still another important political dimension to it, of particular importance in view of both current trends and needs of international relations today and their progressive development. I am referring here to the fact that the war in Cambodia is a component of the over-all situation in Indo-China and that it constitutes an international problem because of foreign intervention—and war and foreign intervention in any part of the world affect the peace and security of all countries. Therefore, the United Nations has, under the Charter, the right and the duty to deal with this situation, and to take action in accordance with its principles and objectives.

41. The struggle that the people of Cambodia are currently waging is a component of the struggle against colonialism, against imperialism, against any foreign interference and against domination and hegemony over peoples, however small and weak they may be. The long history of the peoples of Indo-China, especially their modern history, is just a long, ceaseless, heroic struggle against foreign domination and against the colonial, imperialist and hegemonistic presence of foreign factors. The current liberation war waged by the Khmer people is part of the struggle of the peoples of Indo-China to free themselves from any tutelage and to become, all of them, at long last, equal members and subjects of the international community and not objects of power politics.

42. In that, the people of Cambodia are conducting a struggle of a more general importance, and their success in that struggle strengthens the cause of non-intervention in other peoples' affairs under any pretext whatsoever—be it political, ideological, economic, or a *Realpolitik* balance of power—through the establishment and imposition of any spheres of influence or the imposition of the theory and practice of limited sovereignty and so on.

43. Sometimes, in the course of our activities to help the people and the legal Government of Cambodia to become again, as they were from 1953 to 1970, masters of their own destiny, attempts are made to question, to impugn our motives and the motives of all like-minded countries, either as illegitimate, uncalled for, or frivolous. For, the supposedly realistic question is asked, Why should we be concerned with a situation so many thousands of miles removed from us? The underlying logic of that question is always that global interests and so-called global responsibilities are a monopolized reserve of the big countries only, and we, the smaller ones, should be reduced to cultivating only our small corners of the globe.

44. However, precisely because Yugoslavia does not have any strategic, military, power-prestige presence and interest there, and precisely because it does not participate in any such arrangements, this should be sufficient for anyone to understand that, at the very least, we, and any one in our position, do not have and cannot have any self-serving,

selfish interests there that would take precedence over the interests of the peoples of Cambodia and of Indo-China, themselves.

45. But, at the same time, and by the very same token, we are intensely interested because of our interest and the interest of all small and medium-sized countries that no country should be victimized by outside interests and that no country should become an object in squaring accounts and striking balances between outside forces.

46. That happens to be one of the most important motivations and messages of our own National Liberation Struggle during the Second World War. It is therefore most apposite if I quote here one passage from President Tito's solemn address a few days ago at the historic celebration of the thirtieth anniversary of the founding of the Yugoslav Federal Republic, that he delivered in Jajce, on 29 November this year:

“The strength of the National Liberation Movement and the successes we recorded on the battlefield made it possible for the new Yugoslavia, immediately after the Jajce session (in November 1943), to begin a successful struggle for the international recognition of the country while firmly standing by the view that the internal organization of the new State is strictly the affair of its peoples. We made this perfectly clear in 1944, during the first official talks with Allied statesmen and military leaders. Neither then nor later did Yugoslavia recognize any spheres of interest, nor will it ever do so. We have remained consistent in our view that no arrangements can be made about the fate of nations and that this is something which must be determined by the independent will and conviction of each individual nation.”

47. It does not surprise us at all that those who disagree with us and, in particular, that those who have different interests in the situation, or do not understand it, should try sometimes to misinterpret this position, to intimidate us in various ways, while presenting transitory, extraneous interests in the Cambodian situation as the only realistic and lastingly practical ones.

48. Yet, we, as well as many others, have grown accustomed to being criticized and even, occasionally, to being adversely affected, whenever we dared to take a correct stand and a far-sighted view of a situation, especially if we did so before it was sanctioned by the big Powers. Equally, we have learned not to expect any recognition or compliments from them, when it so happens that our original stand is vindicated, when the very people who criticized us at the outset, finally come around to share the same position. A few examples would suffice.

49. We were victimized when we recognized the realities of Europe and Germany, by recognizing the German Democratic Republic as early as 1957—and later all those who criticized us did the same.

50. We could recall the aspersions that were cast upon us when we severed diplomatic relations with Israel after its aggression in 1967 and when we firmly maintained from the very outset that a temporarily successful conquest must not be rewarded by the acquisition of other people's territories.

That attitude was considered too unrealistic and naive by some, but there is no need now to particularize what and whose positions have changed here and in what direction.

51. We all remember the battle for the restoration of the lawful rights of the People's Republic of China in the United Nations and the heavy criticism that was expressed until the very last moment, while at the same time, everybody had already been engaged in establishing relations with that great country.

52. We were criticized from various sides whenever we stood up against foreign intervention in different countries under various pretexts, although it usually developed that the changes that these interventions were meant to prevent occurred later on anyway, after much more trouble and cost.

53. In a word, while all those who want to judge matters fairly should be convinced that our position on matters like Cambodia is motivated fairly, it should be quite clear, at the same time, that we are formulating our own policies together with our non-aligned partners and together with the great majority in the United Nations. No one should reasonably expect that we would allow ourselves to be placed in a position of following a line insisted upon by the big Powers as the only possible one, only to wake up one morning to find that, without any previous notice, the line had been changed and we were left stuck with a position that they themselves had unceremoniously abandoned.

54. But I should like here to underscore, at the same time, our sincere conviction that, when small and medium-sized nations in particular feel and advocate respect for the independence, territorial integrity and sovereignty of all countries, without outside interference under any pretext and without their being subordinated to the interests of spheres of influence and the like, we are not dividing the world into two opposing camps with opposing interests. It is indeed our deep conviction—and we think this has been abundantly borne out by our collective experience—that the big Powers have, or should have, an equal stake and an equal interest in relations between States being firmly rooted in the principles of the Charter. The Indo-China war and the current Middle East war, to name only two examples, have several times brought everyone to the brink of a general holocaust. Are we not all the safer since the realities of post-war Europe have been better recognized? Are we not all of us going to be safer if and when Israel returns to the boundaries of 1967, thereby promoting the establishment of peace in the Middle East, with enhanced security for all? Is there any doubt that all of us would be safer when war and foreign intervention in Indo-China finally end and the strife-torn countries and peoples of that area are permitted to chart their own course in international affairs?

55. It is for all these reasons that we very much hope that the General Assembly will adopt the draft resolution sponsored by 33 members. But whatever the outcome now, we know that, again, we are justified in taking the position we have taken. As the events that have been taking place since 1970 indicate, the cause of the Government of National Union of Cambodia is the right one, its strength is growing and its international support is increasing. Sooner or later

the truth and the realism of that assessment will be better perceived. Then we, together with all the others that have done the same, will be glad that the right thing was done when it was needed, when it was not so easy to do so.

56. Mr. KELANI (Syrian Arab Republic) (*interpretation from French*): The item under discussion is of extreme importance. At stake is the question of restoring the legality of an abnormal situation. Many representatives have brought out the various aspects of the problem of Cambodia, particularly the political aspect. I should like to dwell at some length on the legal aspect of the case of Cambodia.

57. In 1965 the first Conference of the peoples of Indo-China was convened at Phnom Penh and recorded a common feeling of the danger to the peninsula inherent in American expansionism. Cambodia has still been spared, but the violations of its frontiers by American forces and their allies in South Viet-Nam have already multiplied in number. Frontier villages are constantly being subjected to bombardment, with the resulting loss of life to many peasant families.

58. It was thus on 18 March 1970 that a man still unknown on the international scene, with the support of an ignominious parliament, proclaimed himself head of State of Cambodia in the place of Norodom Sihanouk and declared that the Americans would be his "advisers" and his allies, and that everything was going to change in Cambodia. The neutrality of Cambodia was violated and the American and South Viet-Nameese troops, with American weapons and advisors, on 30 April 1970 invaded its territory, which was opened to their machinations by Lon Nol himself, who declared that he was ready to make war against Norodom Sihanouk and all his supporters on Cambodian soil.

59. In view of that situation, Peking was to become the place of exile of the United National Front of Cambodia, presided over by Prince Norodom Sihanouk, head of State of Cambodia and head of the Royal Government of National Union of Cambodia. That Government was first of all set up in exile and was later to be reinstalled on Cambodian soil in a clandestine capital.

60. Let us return to the basic premises of the situation when, on 23 March 1970, Sihanouk, in a message to the Khmer people, made a five-point declaration that indicated what the mission of the United Front would be, namely, to liberate the country from the dictatorship of Lon Nol; to fight against the American imperialist aggressors in Indo-China, side by side and with the support of peoples who love justice and peace, be they near or far; and to rebuild the country.

61. Starting in 1970, therefore, the struggle was begun between two Governments which, in 1972, were to proclaim two different constitutions, and it was to take three years before Sihanouk could test the unity of his *maquis* and of the population of the liberated zones in favour of his legal Government, and for the majority of the arguments that had been raised against him by the Government of Lon Nol to be seen to be as without foundation by all. But the Sihanouk Government was in exile in a foreign country, where it still resides, although the Royal Government does report that it

has a clandestine capital on Cambodian soil. The problem involved in the recognition of the Royal Government as the authentic Government of Cambodia deserves some careful consideration even if one is convinced of the well-founded position of Sihanouk.

62. We shall consider in turn the three factors of legality, legitimacy and recognition which, from the standpoint of domestic legal order or international legal order, justify the existence of a government in exile.

63. On the question of legality, we have seen that in March 1970, a coup d'état deprived Cambodia of its legally invested government and at the same time it resulted in the downfall of its head of State, who had previously been brought to power by the wishes of the Khmer people acting through its freely elected representatives, and that a month later American troops, together with their South Viet-Nameese allies, saw themselves granted official access to Cambodian soil where, henceforth, they were to conduct their war operations.

64. One could therefore consider that the Cambodian State disappeared, because it depends on a foreign Power, and that the very speed of the invasion justified the exile of Sihanouk, who, since he was travelling at the time of the coup d'état, decided to go to a foreign country in order to make the necessary arrangements there for the continuation of his State.

65. On the question of the exile of the Government, the Constitution, generally speaking, is silent. This was true in the case of France in 1940. But if exile is never found to be in accord with the letter of the constitution, it is not for that reason unconstitutional, and a Government which leaves its territory is not merely a *de facto* body. It is not a private entity unable to dispose of national property abroad or to raise an army or exercise legislative and executive authority. To question the legal basis of the Government in exile because exile is not expressly provided for in the law would be to act to the benefit of the occupier, and would lead to a negation of right and law because of the disappearance of the only representative body in a position to exercise this right and this law.

66. As a matter of tradition, in terms of international law, the State is made up of the nation, the territory and the Government. The nation is the people, or the total ethno-linguistic body which makes up a population in a given territory. The Khmer nation existed in March 1970, as did its territory, but the legally elected Government could do nothing other than to place itself outside the grasp of its enemies in a host country. As in the case of Vichy, the Government of the coup d'état fell into the hands of the people receiving their orders from a foreign Power. It became unable to exercise real authority over the nation since the invader or his straw men substituted their authority for that of a legal Government.

67. Henceforth, full legality was attributed to the collaboration Government, since the Sihanouk Government was outside Cambodian territory. None the less, the occupation was virtually completed, since the fourth Hague Convention says that because there is an invader a government is

unable to exercise publicly its authority, and the invader is in a position to substitute his own authority for the government authority. Hitlerite Germany had already invoked this procedure and carried it out fully in the case of Vichy. If one assimilates the setting up of a collaboration government to a situation of occupation of a country, it is only just that the previous government should temporarily seek asylum in a host country in order to safeguard the State.

68. The exile of the Royal Government was, however, very brief indeed, since in the summer of 1970 the entire country was engaged in the armed struggle for its liberation, because the guerillas and the *maquis* were being organized and the resistance operated so well that Lon Nol was not able to control the territory of which he claims to be the chief. Very quickly, the *maquis* freed two-thirds of Cambodia, and the representatives of the Royal Government, with the resistance leaders, installed their authority and their administration in the territory.

69. As to the legitimacy of the Sihanouk Government, it rests on a whole series of elements derived from law and tradition, and on the essential factor in our era, which is the consensus of the Cambodian people.

70. Legality is a purely formal concept which expresses conformity with positive law. On the other hand, legitimacy is defined in terms of the end result that is sought; that is to say, in terms of the common good. This concept is particularly important in the case of Cambodia where the two Governments have been passing, back and forth, accusations that endanger the common good. With time, it has been possible to see from where the bombing inflicted on the population emanated, as well as the destruction of the country and its occupation by foreign troops, which was certainly not clear from the very first days of the coup d'état. The Royal Government was easily able to demonstrate that on 30 April the invasion of Cambodia by American and Saigonese forces, which took place with the approval of Lon Nol, allegedly to protect the country against the North Viet-Nameese, led to pillaging and the perpetration of countless assaults against the Khmer. In May 1970, 80,000 South Viet-Nameese soldiers were in Cambodia.

71. Finally, the alienation of the executive authority and its being placed in the hands of the United States was confirmed by the fact that military operations were commanded from the American Embassy and that orders for the bombing of the population came from the United States staff headquarters, as did the orders for the devastation of the national territory, again on the pretext that they were fighting against the North Viet-Nameese, who would turn out to be the Khmer forces of resistance. Illegality would derive from this complete subordination to foreign authority, quite obviously contrary to the common good.

72. However, the legitimacy of the Sihanouk Government has been confirmed ever since the *maquis* were organized and got in touch with the Royal Government, since the stated purposes of the liberation army and of Khmer internal resistance are identical to those of the Royal Government, and they both share the same concept of the common good. However, three years were needed to prove this by Sihanouk's trip to Cambodian territory, namely, that the

identity of views was complete between his policy and that of the partisan leaders; it was noted that the latter in particular recognized him as head of State and that the entire population of the liberated zones came to offer him their unreserved support. The situation is similar to that of General de Gaulle after Brazzaville.

73. Indeed, Sihanouk, who was constitutionally invested with power before he left Cambodia, exercised his authority the very first months on reconquered territory which, at first, consisted of the north-eastern provinces of Cambodia and then was extended to two-thirds of the country in December 1970, and then to 80 per cent of the territory and at the present time it covers 90 per cent of Cambodia, with more than 80 per cent of the population. These facts, too, are very difficult to deny since geographical confirmation can be made at any time. Only the capital of Phnom Penh remains under the authority of the Lon Nol group as the town of Nanking remained under the authority of Chiang Kai-shek although the whole of China and even Peking was then in the hands of Mao Tse-tung.

74. Since his constitutional investiture Sihanouk has remained faithful to the common good, that is to say, to neutrality and peace for his country; in so doing he is endorsed by the *maquis* leaders who have made common cause with him, as shown in the public documents brought back from the spring trip of 1973; he preserves the constitution which respects the continuity of the State to which the resistance movement remains faithful; he has not adopted any totalitarian system and thus he has lost none of the claims that he had when he left national soil. In addition he has an established Government which was set up in the very first months on national soil, at the same time as in the place of exile, and that Government has the authority to deliberate and to represent the people without which ordinarily nations refuse to recognize the validity of a Government.

75. On the question of recognition, it may be said that the act of representing a State is not merely the act of representing a people but it also involves the possession of an international personality, and now 50 States, including 43 States Members of the United Nations, as of this day, have recognized the Royal Government of National Union of Cambodia, whose competence has gone beyond the military sphere, whereas in most similar cases, the Government not recognized by the majority of States has not even been able to exercise civil authority.

76. In such a context Sihanouk could perhaps figure as a "manager" of his country pending the total liberation of national territory and the elections which would then be held and which could serve to entrust a large portion of the executive officials' posts to the leaders of the internal resistance.

77. What sometimes happens is that a country which has seceded is recognized, although this may result in partition, but in the case of the Cambodia of the United National Front of Cambodia, can one say that it is a State which has seceded and thus started a civil war? On the contrary, it would seem quite clear that in describing the *maquis* as "North Viet-Nameese", Lon Nol has unleashed against the Cambodians themselves a terrible war because he was to be

supported by United States arms and bombers. Lon Nol, surrounded by United States "advisers" and military personnel, for whom he has to work, set himself to act in a belligerent fashion vis-à-vis his own compatriots. Belligerence presupposes a civil war, but Sihanouk refuses to consider that Cambodia could be made up of two enemy camps. His action is directed only against mercenary foreign troops. Therefore, he cannot by any means deal with Phnom Penh, because he is not confronted with a competing Government but, in international terms, he is facing foreign aggression. Peoples used in the service of that Government are a minority who, despite very powerful means of action, do not represent the Cambodian people; whereas the Government of Sihanouk, which was in power until March 1970, was a Government devoted to continuity of the monarchy, with its roots in the people, despite the opposition movements which are customary to all democratically constituted Governments. He did not leave his national territory as a result of the conflict but because of a war with a foreign Power. The Lon Nol Government has, of course, claimed that Sihanouk was overthrown by a popular movement, but since that claim was made, proof has emerged that the people destined to succeed him were guided by remote control by the United States command. It was the foreign war, the war which has ravaged the entire Indo-Chinese peninsula, which led to the exile of the legitimate Government and not a civil war. Therefore, in this case, it is not a matter of revolutionary sedition.

78. In the light of the explanations that I have just given, one can therefore say that the Sihanouk Government stands as a Government which finds itself situated both in a host country and residing in the *maquis* centres of the national territory. This twofold position makes it not a Government-in-exile identical to the Governments which took refuge in London in 1940, but a Government which was compelled to depart only temporarily and from only part of its national territory. The usual exiled Government has neither territory nor population. The Sihanouk Government, thanks to the efforts of the liberation army which has been in existence ever since Lon Nol seized power, has been able to regain its authority over the large majority of the territory and govern a population numbering at the present time over 5 million out of the 6.5 million which make up the population of Cambodia.

79. It is on these points and the principles of law and equity that we base our request that justice should be done and that Cambodia's seat should be restored to the true representatives of the people of Cambodia, namely the representatives of the Royal Government of National Union of Cambodia, and that the abnormal situation which has prevailed should finally be brought to an end.

80. Mr. ZAKARIA (Malaysia): The General Assembly has before it today the item entitled "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations". When this body, at its 2155th meeting on 17 October last, decided to accept the recommendation of the General Committee to include this item in the agenda of the twenty-eighth session of the General Assembly, it took a decision which, in my delegation's view, threatens the reputation and the standing of our

Organization. Article 2, paragraph 7, of the United Nations Charter clearly states:

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

81. In the course of the general debate in the Assembly this session and during the debate on the fifth report of the General Committee [A/9290/Add.4] recommending the inclusion of this item, the view was expressed many times that the tragic events in Cambodia revolved primarily around the question of contending national leaderships. This is a view that my delegation would venture to suggest is virtually incontestable. The matter, it is abundantly clear, is one falling wholly within the domestic jurisdiction of the Cambodian people. My delegation continues, therefore, to be of the view that the inclusion of this item was in contravention of the provisions of Article 2, paragraph 7, of the Charter.

82. Our Organization has hitherto, through strict adherence to its Charter, developed a reputation and a standing that have come to be the hope, especially of small countries, for a better world order and an improved quality of life. Any action by the General Assembly that amounts to, or is seen as, a betrayal of that hope can only lead to a diminishing trust and confidence in the Organization and what it stands for. It would be a matter of deepest regard if, in these heady days of rapprochement among the major Powers, instead of harnessing the forces of détente for the further consolidation and strengthening of the United Nations we should allow ourselves to be lulled by euphoria and to cast off our customary circumspection in safeguarding the status and the standing of our Organization.

83. My delegation trusts that representatives will therefore understand why we—and indeed many others—viewed with misgiving the General Assembly’s decision to include in its agenda the item now under consideration, a decision that seemed to us to be clearly against the provisions of the Charter. However, our abiding faith in the United Nations has led us to accept the majority decision of the Assembly to include this item, as a manifestation of the world body’s right to discuss matters affecting peace and security and to maintain a watchful interest over areas of conflict, without in any way detracting from principles which it has hitherto held sacrosanct. It is my delegation’s belief that this was the spirit in which the General Assembly accepted the inclusion of this item, and it is on the basis of this belief that my delegation is participating in this debate today.

84. The adoption of the draft resolution which accompanied the request for the inclusion of this item [A/9195 and Add. I] and which is today before the Assembly in document A/L.714 would establish precedents of the most far-reaching nature. The General Assembly would, for the first time, be interfering in the internal affairs of a Member State and would in consequence have on its hands the enormous responsibility of imposing on a Member State a Government of this Assembly’s choice, without regard to the wishes of the people of that State. This is a precedent whose creation no person, State or organization could contemplate

with equanimity, for it would constitute the grossest affront to the sovereign rights of peoples—in this case, the Khmer people.

85. As if the enormity of this responsibility were not enough, the Assembly would also be seating in this hall a Government in exile. A precedent of this nature must surely daunt even the most enthusiastic of the sponsors. For my delegation—and indeed for many other delegations present here—such a precedent cannot but be regarded as flying in the teeth of our painful but steady progression towards a better international order and, indeed, casting us back towards anarchy.

86. The sponsors of the draft resolution claim that the Royal Government of National Union of Cambodia exercises control over nine-tenths of the national territory and enjoys the support of the entire Cambodian people. On the other hand, this Assembly has heard from the Foreign Minister of the Khmer Republic [2188th meeting] that the Government in Phnom Penh is in control of all but four of the 23 provinces of his country and of seven-eighths of the population. Despite the fact that my Government has diplomatic relations with the Government in Phnom Penh, my delegation is not prepared, in this instance, to enter into the merits or otherwise of the contesting claims. It does, however, occur to my delegation that it is somewhat unusual, indeed perplexing, that a Government which claims to be in control of over 80 per cent of the national territory of Cambodia and to have the loyalty of the entire population of that country should operate in exile rather than establish itself in some area of its national territory.

87. Years of careful nurturing and restraint have gone into making the United Nations the respected body that it is today. History is studded with instances of what can happen to an organization when well-tried conventions and customary circumspection are thrown to the winds. My delegation has a deep interest in the continued existence of the Organization in its present unimpeachable form, and I do believe that this view is held by the majority of the membership of the Organization. My delegation is convinced that the adoption of the draft resolution would be a retrograde step for this Organization and for many an undermining of their hope and, indeed, their faith in the United Nations.

88. I have hitherto addressed myself to the unfortunate implications that the adoption of the draft resolution would have on the United Nations. Let me now turn to the question of Cambodia.

89. The tragic events that have been and are sadly still taking place in Cambodia cannot be regarded in isolation; they should be viewed against the background of the changing scene in South-East Asia and as part of the Indo-China scenario. We are all familiar with the terrible war that raged in Viet-Nam for so long, but I fear that the tragedy of the escalated war in Viet-Nam had tended to push into the background the conflicts that were raging in other parts of Indo-China, namely, in Laos and Cambodia—conflicts which had connexions with the much publicized Viet-Nam war.

90. Some 10 months ago the world greeted with new hope the Paris Agreement bringing to an end the war in Viet-

Nam. That Agreement called for the disengagement of foreign troops from the conflict, and in a matter of a few short weeks all United States troops and foreign forces allied to the United States in that conflict withdrew from Viet-Nam. Machinery was provided, for the first time, for a dialogue—granted, it was a strained and sparse dialogue, as it transpires—and a peace as yet very imperfect is beginning to take root. In any case, such conflict as exists today is between the Viet-Nameese, and we who stand on the sidelines watch and hope that the Viet-Nameese people will in time resort to peaceful means to settle their problems, without interference in any form, anywhere.

91. Happily, and we should like to think not by coincidence, the Laotian parties to the conflict in Laos have been able to reach an accommodation and are in the process of getting a workable coalition going. The United States has ended its military activities there and the intensity of the conflict, one hopes residual in character, has much abated.

92. Unhappily, peace remains elusive in Cambodia. Last August the United States ceased all military activity in Cambodia, and what is required now in that country is that the indigenous parties to the conflict there get together and reach a peaceful settlement without outside interference. I mentioned earlier that it was the view of many delegations that the problem in Cambodia revolved around the question of contending national leaderships and, that being the case, that the matter must be resolved by the Cambodian parties to the contest without interference from anywhere else.

93. The reduction of foreign interference in the region of South-East Asia is a development that my country has welcomed and we, with the other member nations of the Association of South-East Asian Nations, are working to establish the region as a zone of peace, freedom and neutrality, free from any form or manner of foreign interference. We believe that the reduction of foreign involvement in Indo-China is a major contributory factor in the de-escalation of conflict in Viet-Nam and the progression towards accommodation and peace in Laos. We are convinced that this reduction of foreign involvement, and it is to be hoped its eventual elimination, will create the conditions in which the Cambodian people will find a way of resolving their own problems peacefully.

94. We who live in the region are vitally interested in peace in Indo-China, for, until peace returns to that area, stability and progress for the region as a whole will remain elusive. After many years there seems at last to be light at the end of a long dark tunnel, and we have allowed ourselves to hope that at last the troubled region of South-East Asia may have an opportunity to pull itself out of the morass in which it has been for so long.

95. Several neighbouring countries in Asia and in the Pacific region, representing a wide spectrum of political persuasions, are firmly convinced of at least one thing, and that is that the Cambodian people must be allowed to resolve their own problems peacefully, without external interference in any manner or form. The merits or otherwise of the Government in Phnom Penh or Prince Sihanouk's Government are for the Cambodian people alone to decide. It would indeed be a supreme irony, particularly in the light of developments in South-East Asia, if the United Nations, a

body dedicated to the highest ideals, whose every endeavour has hitherto been towards peace and the preservation of the sovereign rights of independence of its Member States, should now take it upon itself to impose a national leadership upon Cambodia without regard to the sacred right of the Cambodian people to choose their own leadership. Those convictions of the countries situated near the Khmer Republic have been expressed in the "Joint Views on the Khmer Situation" issued by the delegations of Indonesia, Japan, New Zealand, the Philippines, Singapore, Thailand and Malaysia on 24 October and contained in General Assembly document A/9254.

96. On the basis of those compelling considerations my delegation will vote against draft resolution A/L.714, by which the General Assembly would decide to seat the representative of Prince Sihanouk's Government in the United Nations and to expel the representatives of the Government of the Khmer Republic.

97. In advocating the adoption of the draft resolution some of the sponsors have advanced the argument that the question of Cambodia is the same as the question of the restoration of the lawful rights of the People's Republic of China, with which the General Assembly was seized until the twenty-sixth session, when it decided to seat the representatives of the People's Republic of China in the United Nations and in all the organizations related to it. I must hasten to say here that the decision taken by the General Assembly at that session in respect of the Chinese seat was a correct one, and my delegation was among those which strongly supported that decision.

98. It would be wrong, however, in our view to draw a comparison between the two questions, because there is no parallel either from the point of view of principle or from that of fact. In the case of China, the Government of the People's Republic was clearly in control of the country and there was no doubt that that Government was the *de jure* and *de facto* Government of China and that it alone had the legitimate right to represent China and to occupy the Chinese seat in our Organization. What the General Assembly did then was merely to recognize a well-established fact and to restore to the People's Republic of China its lawful rights in the United Nations which it had been wrongfully denied for a long time.

99. The situation is completely different in regard to the question of Cambodia. The adoption of the draft resolution before us today would mean, not the restoration of the rights of a government fully in control of the country, but the seating of a government which not only is not in control of the country, but which operates in exile. The Khmer situation, as I have said, represents a case of contesting claims for national leadership, and it would be wrong, in the view of my delegation, for the General Assembly to take any action which might prejudice the decision of the Khmer people themselves and prolong the tragic suffering and loss of lives and property in the Khmer Republic.

100. My delegation hopes that in considering this question the General Assembly will be guided by the highest ideals of the Charter and will ensure that the sovereign rights of the Khmer people to decide their own future are not violated

and that our faith and trust in the United Nations as the champion of those rights are not grievously betrayed.

101. Mr. BENNETT (United States of America): This is my first opportunity of saluting the President of the General Assembly. We have confidence in his presiding over our deliberations.

102. Last week this Assembly discussed means of strengthening the United Nations [*item 25*]. During that debate the United States called attention to the growing tendency of some of our Members to propose simplistic, one-sided draft resolutions on the most complex and difficult of issues; to propose draft resolutions often totally unacceptable to the parties concerned. My delegation pointed out then [*2184th meeting*] that in divorcing itself from reality in that manner the General Assembly was weakening its ability to have the impact it should have on the real problems we face in so many parts of the world today.

103. Regrettably, the draft resolution we are considering today is particularly notable both for its one-sidedness and for its failure to take account of the real situation as it exists at present in Cambodia and in East Asia.

104. One can only wonder at the curious twists of logic which have produced a draft resolution through which some members of the non-aligned movement appear to support great-Power hegemony in Asia, through which self-proclaimed revolutionary governments appear to support the divine right of a royal pretender, and through which some of those among us who are the most vociferous in denouncing outside interference in the internal affairs of sovereign States now propose that this Assembly should instruct the Khmer people on who is to represent them.

105. Certainly the complexities of the issue before us are worthy of a more balanced, considered approach than that taken in this draft resolution. One must ask himself whether its sponsors have thought through seriously the consequences of what they are proposing. Have they asked themselves, for instance, why is it that only one East Asian Member Government supports seating Prince Sihanouk's so-called government?

106. Many delegations here have been quick to voice their concern over any appearance of great-Power domination and their resentment whenever they believed they sensed the possibility of a great-Power dictate. Have they, I wonder, thought about the implications of this draft resolution for Asia? Have they asked the views of their many East Asian colleagues? Have they considered that they would be siding with the great Power of that area against the smaller ones?

107. Yesterday [*2189th meeting*] the representative of Thailand referred to the views of seven Asian and Pacific States—Indonesia, Japan, Malaysia, New Zealand, the Philippines, Singapore and Thailand. These States have formulated their position on the issue before us and have circulated it among the United Nations membership in document A/9254. I believe that all of us have an obligation to examine these views carefully. Many members here have, in other circumstances, insisted on the importance of giving preference to States of a region or their regional grouping in

seeking solutions to problems of their respective area. In this case, it seems to me, we are fortunate to have a regional consensus before us, and we should certainly give it the greatest weight in our considerations.

108. The argumentation made in support of the "Royal Government of National Union of Cambodia" seems to rest largely on the principle that since Prince Sihanouk is at its head it must be the true government of Cambodia. But with all due respect to Prince Sihanouk's once intimate, often constructive role in earlier Cambodian developments, I submit to this body that we can find some more objective, more reliable criteria—and we should seek to find some more objective, more reliable criteria—for deciding who governs Cambodia. Better still, can we not allow the Cambodian people the privilege of making this determination themselves? The Cambodian people have not, so far as I know, granted Prince Sihanouk any irrevocable right to rule over them. Neither, I submit, should we.

109. Among the sponsors of the draft resolution before us are some of the most vocal supporters of the principle of non-interference in the internal affairs of sovereign States. Have they fully considered the basic conflict between this principle—a principle which is enshrined in the Charter of this body and with which we all agree—and their support for a draft resolution by which foreigners would tell the Khmer people who is to represent them in this world Organization?

110. It is hard to conceive of a more gross or more blatant interference in the internal affairs of a Member State. If this were to be accepted and become a precedent, who is to say what Member State in this Assembly might not be the next victim of such a procedure.

111. All of us who have been reading the international press—reputable journals such as *Le Monde* of Paris and *The Guardian* of Great Britain, which enjoy a large audience here in the United Nations—are aware that Prince Sihanouk himself admits, and has done so in recent newspaper articles and interviews, that he is not in control of his "government" and that his "government" is not in control of Cambodia. These are the Prince's own words. Prince Sihanouk does not head a government in exile; he is a non-government in exile. Have the supporters of the draft resolution before us given thought to the precedent they are setting in seeking to have the United Nations decide the issue of Cambodian representation, not on the basis of who actually governs Cambodia, but rather on the basis of who they would like to have govern Cambodia? We can all have our preferences; there is plenty of room for differences on that. But I submit that we should look at facts.

112. But now let us leave the never-never land of the "Royal Government of National Union of Cambodia" and draft resolution A/L.714. Let us turn our attention to the real world, to what has happened in Cambodia, what is happening there and what my delegation believes most of us hope will happen.

113. In March 1970 Prince Norodom Sihanouk was removed as the Chief of State—the Chief of State—of Cambodia by a unanimous vote of the Cambodian Parliament under the terms of the constitution then in effect, the constitution that Prince Sihanouk himself had proclaimed. The

complaint against the Prince which led to his removal was his open and since publicly admitted complicity with North Viet-Nameese forces in the prosecution of their war against the Republic of Viet-Nam. His activity in this connexion included his giving permission for large-scale use of Cambodian territory by South Viet-Nameese Communists and by the North Viet-Nameese army over a period of years. This occupation of Cambodian territory by foreign forces began to supplant the indigenous Cambodian inhabitants and began in a *de facto* manner to annex the areas occupied. Here, my fellow representatives, is the real intervention in Cambodia by a foreign force. This is the intervention which began the tragedy of Cambodia.

114. And it continues to go on. We note from this morning's radio and press news, that there has been a new attack by North Viet-Nameese forces operating from Cambodian territory.

115. Now, the removal of Prince Sihanouk was not a palace coup: it resulted from popular disaffection and from general discontent with the then existing situation. The initial demonstrations calling for the Prince's removal began in the provinces as protests against North Viet-Nameese occupation of Cambodian territory, and those demonstrations quickly spread to the capital and culminated in the Parliament's unanimous decision to remove Prince Sihanouk from office.

116. I might note that Prince Sihanouk's removal from office was not accompanied by any change of government. It was his own Government; the Prime Minister did not change, etc. The Government in existence at the time had been chosen by the Prince in August of the preceding year, and the Parliament had been elected in 1966 from his own political organization. That Government remained in office, reiterated its adherence to all treaties and agreements, and made no substantive changes in its own composition.

117. But no sooner had the Cambodian Government made the single change of removing Sihanouk and begun negotiations with Viet-Nameese Communist representatives for the withdrawal of their troops from Cambodia than those troops began to attack Cambodian police and army posts in and near their areas of occupation, to widen their zones of control and to protect their base areas. How many of the sponsors of the draft resolution before us have protested that interference by foreign forces in the internal affairs of a Member State?

118. And, regrettably, the North Viet-Nameese are still in Cambodia. If they would go home, perhaps the Cambodians could at last settle their own problem for themselves and by themselves.

119. Following his removal from office, Sihanouk turned to an insurgent group which he had previously tried, and with considerable success, to suppress, the Khmer Rouge, and to the Viet-Nameese occupation forces, in an effort to regain his personal power and position. He himself, as we all know, has chosen to live in Peking. The principal bases of his mandate to rule Cambodia—North Viet-Nameese troops, Chinese diplomacy and an externally supported insurgency—do not enhance the legitimacy of his claim.

120. The situation at present, then, is that the Government of Cambodia is fighting alone, without the assistance of foreign troops or foreign advisers—and as far as the United States part of that is concerned, our Congress has seen to that—against a local insurgency, led, equipped and substantially assisted by the forces of a country foreign to Cambodia, North Viet-Nam.

121. The Government of the Khmer Republic has never ceased to maintain its clear control of the machinery of government, the support of the great majority of the population, and administration of the crucial urban areas and territories in which the greatest portion of the economic, social and political life of the Khmer people takes place. It thus commands the resources and enjoys the support of the people of the State, and consequently the Government of the Khmer Republic is in a position to carry out the obligations of Cambodia under the United Nations Charter. And it is carrying out those obligations.

122. My delegation flatly rejects as untrue the assertions by the delegation of Algeria [2188th meeting] and the delegation of China [*ibid.*] that the insurgents in Cambodia control a majority of the Khmer people. We have all, of course, unfortunately grown accustomed to the shrill insistence of the Algerian delegation that it must be the one-sided arbiter of almost every issue that comes before this body, and few here will be surprised to know that the Algerian delegation has resorted to gross intervention and exaggeration.

123. I submit that the General Assembly should be more concerned that the delegation of China has regrettably chosen to repeat the false charges and misstatements of fact which we heard from its representative in the General Committee. And I am sorry to see that the delegation of China has once again employed harsh invective against my country. Repetition does not make true false allegations and misstatements of facts. China, is, after all, a permanent member of the Security Council. The United States believes that China's privileged position in this Organization entails certain responsibilities, including the responsibility of the Chinese delegation to present its views in a reasonable tone, free from propaganda excesses and intentional inaccuracies.

124. Now, it is true that North Viet-Nameese and insurgent forces have disrupted government control, in the military sense, of some parts of the territory of Cambodia. Claims by the insurgents and by their foreign supporters, that they control 90 per cent of the territory and 80 per cent of the population, are patently false. That is a claim we have heard so often that it has become routine; but there is never any supporting data. And let me discuss that situation just a little bit: The deep-water port of Kompong Som and 16 of the 20 provincial capitals are controlled by the Government of the Khmer Republic. The four provincial capitals excepted from that total—all of them in the north-east of the country—were abandoned to the Viet-Nameese army in June of 1970. They were not abandoned to local insurgent forces: they were abandoned to a foreign force, which is still in the north-eastern section of Cambodia. The bulk of the Khmer population lives along the lines of communication and on the river banks. These are generally controlled by forces loyal to the Government in Phnom Penh. We estimate that more than 70 per cent of the population is administered by the Government of the Khmer Republic.

125. The territory in which the North Viet-Nameese and Khmer Rouge now hold sway is primarily rural in character. The areas of central importance to the main functions of Government and to the social patterns of Cambodian life, as well as the major markets and other ports, are clearly under full Government control. Neutral foreign observers are free to visit the areas under Phnom Penh's control, and do so as a matter of course. It should also be noted that even in those areas under the military control of North Viet-Nameese and insurgent forces, a large part of the population retains its allegiance to the Government of the Khmer Republic. As evidence of this situation is the fact that the thousands of refugees who flee the fighting in contested areas go only to territories in which the Government has clear control; they do not flee to the Khmer Rouge.

126. In any case, the fact that Government control of certain parts of the territory of Cambodia has been interrupted by North Viet-Nameese and insurgent forces has not necessarily any relationship to the question of the degree of effective authority exercised by the self-styled Sihanouk government. That entity, which has long had its base in a foreign capital far distant from the territory of Cambodia, has not even demonstrated its control over the insurgent forces operating in Cambodia. Nor is there any indication that that entity controls any sort of administrative machinery which might exercise governmental authority in territory under the military control of the insurgent and North Viet-Nameese forces.

127. The fighting in Cambodia, regrettably, goes on, and as long as the North Viet-Nameese stay there and are willing to continue, it is hard to see an end to it. Should we, in view of this long, tragic, costly, and still unresolved conflict, conclude here in this Assembly that the Khmer people were wrong to resent and resist foreign aggression? Should we declare that they were naive to believe their country could avoid the domination of its powerful neighbours to the north, and therefore must accept it? Should this General Assembly now explain to them that they must accept a régime based in Peking, that they must allow North Viet-Nam to occupy and control much of their territory, and that they must never again seek to change their policies, nor their Chief of State, without first securing the approval of China, North Viet-Nam and this Assembly? My delegation cannot believe that States valuing their own sovereignty, represented in this Assembly, would display such arrogance in trying to dictate to the people of a Member State of this Organization.

128. As for the Khmer people, they chose not to accept the dictates of a cynical *Realpolitik* which took no account of their national pride, their dignity and their freedom. In removing Prince Sihanouk from office, the Government of Cambodia sought to preserve its neutrality, its independence, and its sovereignty, national rights which the Cambodian people, represented through the unanimous decision of their elected parliament, had come to believe Prince Sihanouk had ceased to defend. Are we to tell the Khmer people that these principles—"independence," "sovereignty", "neutrality"—are only words and that they do not apply to small, weak States which find themselves alongside strong aggressive neighbours? Has this Organization so forgotten the ideals of its founders? Have we so departed from the principles of our Charter?

129. Clearly, there is much disagreement among us how the situation in Cambodia came about, or how it should be resolved. But the United States would hope that we could all agree that a negotiated settlement is preferable to a military solution; there has been too much of that aspect already. Let us then all read the public statements, and study the private actions of the Government of the Khmer Republic on the one hand, and on the other hand, those of Prince Sihanouk, to determine which of the two is truly seeking peace rather than individual preferment and position, which of the two has offered to negotiate, and which of the two has accepted the need for conciliation. It is the Government of the Khmer Republic that has repeatedly stated its willingness to negotiate a political settlement with no pre-conditions. It is Prince Sihanouk and the Khmer Rouge on the other hand who seek to prolong the violence and the bloodshed. Let us not, therefore, in this body, through our decision seek to discredit those who are seeking a peaceful settlement. Let us not take any action which can only complicate the situation, and which would further block the path to peace in Cambodia.

130. Mr. BAROODY (Saudi Arabia): I cannot afford but to be frank, not because of my nature, but because, more than ever, we should try to be true to ourselves and not vote simply by groups, but to the best of our ability on the basis of analysis, an analysis which should be made to ascertain the truth alone and what should be done about it.

131. The super-Powers, and most of those which go along with them, have not changed their policies which often as not are predicated on the basis of balance of power and maintaining fixed spheres of influence.

132. One would think that after the so-called détente was proclaimed as paving the way for a better understanding between the super-Powers a different situation would exist. But unfortunately we find that for them, and indeed for all of us, only lip-service is still being paid to an allegedly better political atmosphere among them.

133. After the Second World War the victorious Allied Powers that emerged fell out, which also happened after the First World War. I remember how in the Middle East the mandatory Powers, England and France, began to vie with each other for the allegiance of traitors in the area. But they did not succeed. And the Allied Powers after the Second World War fell out, and each side began to proclaim that its ideology was superior to the political persuasion of the other side.

134. The protagonists were the so-called capitalists and the so-called communists, and I shall explain the term "so-called" later. The capitalist States banded themselves together and called themselves the free world, while many of them were still colonial Powers. How can you be free when you dominate others in colonies? On the other hand, the communist States sang the praises of their political system as being the best one to guarantee a fair distribution of wealth.

135. But do we still have communists and capitalists, as such, nowadays? Of course the systems still prevail, but to what extent? During this session, I have said, and I shall repeat it again, that the capitalists are becoming socialists by

attrition, while the communist countries are veering towards capitalism by accelerated evolution.

136. Why do I say this? Are the super-Powers really fighting one another by proxy in order to maintain their political systems? To some extent that may be so. But to a large extent the super-Powers, like the small Powers, like every State, have petty national interests. When it suits them, as happened on the question of Korea, they work out a consensus. When some of us have reservations about their tacit agreements—now they are more than tacit agreements—they exchange views and say, “Who are those States that come and upset the applecart for us?”

137. I am not going to upset any applecart from this rostrum today, because there is neither a cart nor are there apples. There is no agreement, there is no consensus, there is no good will, there is no mutual trust. There is suspicion. There is one thing that is certain: each of the super-Powers wants to guarantee its own sphere of influence. No matter what we say and no matter what we do to rationalize our policies, the facts are still here to confront us, as they confronted the world before 1914: balance of power and spheres of influence.

138. What business had the United States, and the Soviet Union, for that matter, to separate Korea by a line called the Thirty-eighth Parallel? What business had the United States to interfere when it was warned time and again by none other than the illustrious statesman, de Gaulle, to keep away from Indo-China? Do not tell us, my good friend, Ambassador Bennett, whether Mr. Lon Nol or Sihanouk does or does not represent his people. You have no business being the arbiter to find out who represents whom. Let the Cambodian people themselves find out. Had you and the Soviet Union not drawn that line in Korea, there would not have been a Korean war. You did it to serve your strategic and so-called ideological purposes, and that also applies to the Soviet Union.

139. And now China has emerged as one of the world's major Powers. Why should not China be apprehensive about the fact that not far from its borders the system of balance of power and power politics obtains? China considers the United States and the Soviet Union as titans and is apprehensive that if they entrench themselves there and if China, as a child, does not behave as they wish, they will see to it that it does whatever they want. Let us face the truth. I am not saying that China may not yet become a super-Power and act like the other super-Powers. It is not a question of ethnology; it is a question of power going to the heads of leaders, and there is no new approach to leadership nowadays, because we find that antiquated approaches are still the order of the day.

140. How can we solve this question? If we are wise here—but we will not do it—we will vote by the light of our conscience.

141. But how can we, when almost everyone wears the straightjacket of instructions issued to him by his own Government? I consulted my good friend, the Legal Counsel, Mr. Stavropoulos, as to whether we could vote by secret ballot. It would be a very interesting vote by secret ballot. He

told me that there are no precedents on this. But I would say that we are after all the masters of our own procedure. However, I think I will not suggest that we do that because there will be an interminable procedural debate, but I am sure that the vote would be a just vote were we to cast our ballots secretly.

142. It is immaterial whether or not the draft resolution before us will be adopted; the war will go on. I remember how a few years ago—it might have been three or four years ago—a ship that was loaded with arms destined for South Viet-Nam was allegedly hijacked and ended up in a Cambodian port. This ship was full of arms, and three or four weeks later there was a coup d'état in Cambodia. How do you explain this to us, my friends from the United States? Coups d'état are engineered every day, through intelligence agencies which have budgets to collect not the legitimate information necessary for the safety of a State; rather, they have billions in currencies so as to subvert States, subvert governments and change the *dramatis personae* to those that suit that particular State. Deny that here if you can and I will challenge you; and I will read chapter and verse from books written on that matter by your own writers who at one time were members of the Central Intelligence Agency. We lost.

143. We are told about plebiscites and ballots. How do you know that many of those who cast the ballots were not bought in the market place of democracy? It is happening every day. We are having more and more democracy by subscription and contribution—as if there is magic in that wooden box, that if you cast your ballot you are observing the highly-prized democratic system. Poor Demos in ancient Greece! His bones must be turning in his grave, if they have not crumbled. If he could only witness what is happening in the name of democracy nowadays! Coups d'état in the name of democracy, subversion in the name of democracy!

144. Whom are you fooling, some of you super-Powers here? You rig the votes. I am not saying that the plebiscite that voted in Mr. Lon Nol was spurious, but I am suspicious when the super-Powers do things surreptitiously in what they consider their spheres of influence. They think that they do not show their hand, but sooner or later their hand becomes clear. How? By the huge quantities of arms and planes that they send to one side or the other. They show their hand. But by a sleight of hand they subvert Governments.

145. We have no assurance that even Prince Sihanouk has full control over the people of the North. We are told that the Khmer Rouge are playing politics with Hanoi and that Prince Sihanouk has lost control. I do not know. What I know is that I must ask the super-Powers to leave small peoples alone, just as I have been telling them about our region. Leave us alone. They will not leave us alone. They fight wars by proxy. For the benefit of my Algerian friend: *une guerre par procuration*. That is what they are doing and that is why we have so much trouble in the world.

146. Now, let us assume that the draft resolution before the Assembly wins by a majority. I believe the President will have to ask the representatives of Cambodia who are sitting among us to leave. Suppose this is so. The war will continue.

And would the leaders who are playing this game suffer, as I mentioned to some of my colleagues here—we who are playing with the destiny of the Cambodian people, or any other people for that matter, where there is the foul play of super-Powers? No, we dress well, we eat, we have a restaurant here in the United Nations. And no doubt our leaders, some of them, live in palaces and others in good houses, and that sort of thing. But who is suffering? The people. And you here in the United Nations forget that sovereignty does not lie in governments but lies in the people.

147. We forget that and that is why we are blundering time and again. It will not be very long before the people of the world will have to make their leaders adopt a new approach to international affairs, lest, here, we totter and fall in the United Nations. And then what will happen? There might be a global war because of the weapons of mass destruction that fill the arsenals of the super-Powers. What shall we do? There will be 20 more speakers this afternoon and tomorrow,

and we will raise our hands in the vote. Whatever the outcome of the vote, the war will continue. I am not going to tell you how I am going to vote, nor am I going to tell you whether I may do something at the last minute. Why should I tell you? But I believe my brothers sitting around these tables toy with the idea of having a secret ballot. Toy with it. If you can get away with it, it will be more revealing than just voting by solidarity or by groups. It is high time there was a departure from antiquated methods when the problem calls for new approaches.

148. This is another tragedy we are witnessing. If ever I want to lend my hand to a draft resolution—and I may yet, I am not sure—its contents will revolve around the fact that sovereignty lies in the people of a country and not in their ephemeral government.

The meeting rose at 1.25 p.m.