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CREDENTIALS OF REPRESENTATIVES TO THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY

Report of the Credentials Committee

Chairman: Mr. Mahamidou ELHADJI YAHAYA (Niger)

1. At its 1st plenary meeting, on 7 June 1982, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its twelfth special session with the same composition as that of the Credentials Committee at the thirty-sixth regular session, namely: China, Ghana, Netherlands, Niger, Panama, Papua New Guinea, Paraguay, Union of Soviet Socialist Republics and United States of America.
2. The Credentials Committee held one meeting on 6 July 1982.
3. On the proposal of the representative of the Secretary-General, Mr. Mahamidou Elhadji Yahaya (Niger) was elected Chairman unanimously.
4. The Committee had before it a memorandum by the Secretary-General, dated 2 July 1982, on the status of credentials of representatives to the twelfth special session. The memorandum indicated that, on the basis of information received by the Secretary-General as at 28 June 1982, formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs, as provided for in rule 27 of the rules of procedure of the General Assembly, had been submitted by 68 Member States (Afghanistan, Albania, Australia, Austria, Bahamas, Barbados, Belgium, Bhutan, Botswana, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Czechoslovakia, Democratic Kampuchea, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Gabon, German Democratic Republic, Greece, Hungary, Iceland, India, Indonesia, Ireland, Ivory Coast, Jamaica, Japan, Kenya, Luxembourg, Maldives, Mongolia, Morocco, Mozambique, Nepal, New Zealand,

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Niger, Nigeria, Norway, Papua New Guinea, Paraguay, Philippines, Poland, Qatar, Romania, Saudi Arabia, Senegal, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yugoslavia and Zambia). The memorandum also indicated that, of the Member States participating in the session not already mentioned, the following 70 Member States had empowered their Permanent Representative to represent their respective States in the General Assembly without limitation as to session: Algeria, Angola, Antigua and Barbuda, Argentina, Belize, Benin, Bolivia, Burundi, Canada, Cape Verde, Central African Republic, Chad, Congo, Cuba, Cyprus, Democratic Yemen, Djibouti, Dominican Republic, Egypt, Equatorial Guinea, Fiji, Gambia, Germany, Federal Republic of, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iran, Iraq, Israel, Italy, Jordan, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Netherlands, Nicaragua, Oman, Pakistan, Panama, Portugal, Saint Vincent and the Grenadines, Samoa, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Yemen, Zaire and Zimbabwe. In addition, the appointment of the representatives of one Member State, Seychelles, had been communicated to the Secretary-General in the form of a cable from its Head of State. Communications emanating from the permanent representative or permanent mission concerned had also been received by the Secretary-General in respect of the representatives of the following 12 Member States: Bangladesh, Brazil, Colombia, Ghana, Lebanon, Libyan Arab Jamahiriya, Mauritania, Mexico, Peru, Rwanda, Saint Lucia and Sao Tome and Principe. The memorandum further indicated that 5 Member States (Bahrain, Comoros, Dominica, Solomon Islands and Vanuatu) had not yet communicated to the Secretary-General any information regarding their representatives to the twelfth special session.

5. The representative of the Secretary-General informed the Committee that subsequent to the preparation of the Secretary-General's memorandum formal credentials in the required form had been received from 3 Member States (Ghana, Guatemala and Turkey).

6. Statements were made by the representatives of the Union of Soviet Socialist Republics, China, Panama and the United States of America.

7. The representative of the Union of Soviet Socialist Republics stated that his country firmly believed, as did many other countries, that the sole legitimate representative of Kampuchea in the United Nations and other international organizations and forums was the Government of the People's Republic of Kampuchea. The Kampuchean people had overthrown the criminal Pol Pot clique, which had carried out the policy of barbarous genocide against the population of the country. The Government of the People's Republic of Kampuchea which had been formed in accordance with the Constitution of the country, was in full control of the entire territory and enjoyed the support of the people. Only the representatives of the People's Republic of Kampuchea could and should represent Kampuchea in the United Nations. There could be no doubt that the People's Republic of Kampuchea would

assume its legitimate place in the Organization. The presence in the Organization of persons acting as representatives of so-called "Democratic Kampuchea" was an affront to the Kampuchean people and should arouse the indignation of Members of the United Nations. When that extremely abnormal situation was rectified, the prestige of the United Nations would be enhanced throughout the world. The same representative stated that his delegation also wished to reiterate that it did not recognize the credentials of the delegation appointed by the Fascist régime in Chile.

8. The representative of China stated that the representative of the Soviet Union had, as in the past, again questioned the credentials of the representatives of Democratic Kampuchea. In the view of his delegation that was totally unreasonable. As was known to all, Democratic Kampuchea was a Member of the United Nations and the Government of Democratic Kampuchea was the sole legitimate government of Kampuchea. That had been affirmed by the General Assembly at its previous sessions. Both at the seventh emergency special session, which had adjourned only recently, and at the thirty-sixth regular session, which was not yet concluded, the General Assembly had accepted the credentials of the representatives of Democratic Kampuchea. The credentials of the representatives of Democratic Kampuchea to the present special session had been submitted in accordance with the relevant provisions of the rules of procedure of the General Assembly and were therefore legal and valid. His delegation maintained that the Credentials Committee should adhere to the correct decisions made by the General Assembly at the previous sessions and accept the credentials of the representatives of Democratic Kampuchea to the present session. The representative of China added that the so-called "People's Republic of Kampuchea" mentioned by the representative of the Soviet Union was only a puppet propped up by the Vietnamese authorities through armed aggression against Kampuchea with the support of a super-Power and was being sustained at bayonet point by 200,000 foreign occupation troops. It could therefore in no way represent the Kampuchean people.

9. The representative of Panama stated that his delegation did not recognize the existence of the entity that had come to be called Democratic Kampuchea. He therefore requested that the strong reservations of his delegation with regard to the credentials of the representatives of "Democratic Kampuchea" should be recorded. In his delegation's view, the sole legitimate representative of the Kampuchean people was the Government of the People's Republic of Kampuchea and not any other illusory entity.

10. The representative of the United States of America stated that the United States had repeatedly stated the views of the American people concerning the despotic rule of the Khmer Rouge in Kampuchea and its profound concern over the tragic human suffering that had occurred there. Nevertheless, it supported acceptance of the credentials of the representatives of Democratic Kampuchea on technical grounds. In his memorandum, the Secretary-General had informed the Committee that those credentials were in compliance with the rules of procedure of the General Assembly. In the view of his delegation, therefore, the Credentials Committee did not have before it any issue involving Democratic Kampuchea's credentials. The same representative added that, by contrast, there was no basis

in law or justice for the claim raised by the régime installed in Kampuchea by means of Viet Nam's military invasion and occupation. Such a claim could be based only on the illegal use of force. Accordingly, in the absence of any superior claim, the Credentials Committee should, as in the past, recommend seating representatives of the Government whose credentials had been accepted by previous sessions of the General Assembly, as recently as February 1982. He added that the United States had been pleased to learn that there was to be formed a coalition of Khmer groups resisting the Vietnamese occupation of Kampuchea which would be called the Coalition Government of Democratic Kampuchea. That was a positive step in providing the framework for leadership against the Vietnamese occupation and for ultimate self-determination for the Khmer people. It was a very important development which the United States welcomed. The representative of the United States stated further that, while it was open to any delegation to express reservations it might have on a variety of subjects before the Committee, he did not understand the terse message of the representative of the Soviet Union stating unspecified adherence to reservations with regard to the credentials submitted by the delegation representing the Government of Chile. If the credentials of the delegation of Chile were open to question then those of many, if not all, countries in Latin America, Africa, Asia or Western Europe would also be open to similar reservations. The representative of the United States also stated that his delegation continued to adhere to the position with regard to the Afghan delegation's credentials that it had consistently taken since December 1979, when the Soviet Union had invaded and occupied Afghanistan. The fact that the United States had not raised a formal objection to the credentials of the Afghan delegation did not imply acceptance of the régime in that country or any acquiescence whatever in the installation of Soviet-directed authorities as a result of the Soviet Union's military invasion and continuing military occupation of Afghanistan.

11. The representative of China stated that his delegation also wished to reiterate that the fact that the representative of Afghanistan had been permitted to participate in the twelfth special session of the General Assembly could in no way be interpreted as signifying acquiescence in the situation created by the Soviet armed intervention in Afghanistan.

12. The representative of the Soviet Union stated that the comments made by the representatives of the United States and China with regard to the Government of Afghanistan were entirely out of place and were based on a false interpretation of events in that country and a distorted interpretation of the situation in the region as a whole. The Government of the Democratic Republic of Afghanistan had been established as a result of a popular revolution in April 1978 and was based on the will of the Afghan people to eliminate backwardness and uphold democratic rights and freedoms in Afghanistan. The delegation of the Democratic Republic of Afghanistan actively participated in the work of the United Nations and played a constructive role in the discussion of questions of strengthening international peace and security, including at the current special session of the General Assembly on disarmament. The comments made by the representatives of the United States and China could only be interpreted as interference in the internal affairs

of a sovereign State Member of the United Nations. They were contrary to the basic provisions of the Charter, to norms of international law and to established practice in the United Nations.

13. The Chairman proposed that, taking into account the various statements made in the Committee and the information provided to the Committee by the representative of the Secretary-General, the Committee should adopt the following draft resolution:

"The Credentials Committee,

"Having examined the credentials of the representatives to the twelfth special session of the General Assembly,

"Taking into account the different reservations expressed by certain delegations,

"Accepts these credentials, it being understood that credentials in proper form for representatives of Member States participating in the session and for whom credentials have not yet been submitted will be communicated to the Secretary-General as soon as possible."

The draft resolution was adopted without a vote.

14. The Chairman then proposed that the Committee should recommend to the General Assembly the adoption of a draft resolution (see para. 16). The proposal was approved by the Committee without a vote.

15. In the light of the foregoing, the present report is submitted to the General Assembly.

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

16. The Credentials Committee recommends to the General Assembly the adoption of the following draft resolution:

Credentials of representatives to the twelfth special session
of the General Assembly

The General Assembly

Approves the report of the Credentials Committee.
