

The Acting President of the United Nations Council for Namibia said that the Council for Namibia, in its programme of action adopted in Algiers, invited the attention of the Security Council to the present critical situation in Namibia and requested that it convene urgently to impose comprehensive and mandatory sanctions against South Africa as provided for under Chapter VII of the Charter of the United Nations. The Council for Namibia, furthermore, called upon the international community to intensify efforts for the complete and effective isolation of South Africa, and in this regard called for the exposure to the widest international scrutiny of those foreign economic and other interests whose collaboration with the racist Pretoria régime buttressed the machinery of exploitation in Namibia and contributed to the perpetuation of the subjugation of the people of the Territory.¹⁷⁵⁵

In the course of both meetings a number of speakers called for the imposition of measures stipulated in Chapter VII of the Charter.¹⁷⁵⁶

At the same meeting the draft resolution was put to the vote and was adopted by 12 votes in favour, none against and 3 abstentions as resolution 475 (1980).¹⁷⁵⁷

The resolution reads as follows:

The Security Council,

Having considered the request by the Permanent Representative of Angola contained in document S/14022, in which he requested the convening of an urgent meeting of the Security Council,

Having heard the statement of the Permanent Representative of Angola,

Recalling its resolutions 387 (1976), 428 (1978), 447 (1979) and 454 (1979), by which it, *inter alia*, condemned South Africa's aggression against the People's Republic of Angola and demanded that South Africa scrupulously respect the independence, sovereignty and territorial integrity of the People's Republic of Angola,

Gravely concerned at the escalation of hostile, unprovoked and persistent acts of aggression and sustained armed invasions committed by the racist régime of South Africa in violation of the sovereignty, air space and territorial integrity of the People's Republic of Angola,

Convinced that the intensity and timing of these acts of armed invasion are intended to frustrate efforts at negotiated settlements in southern Africa, particularly in regard to the implementation of Security Council resolutions 385 (1976) and 435 (1978),

Grieved at the tragic loss in human life, mainly that of civilians, and concerned about the damage and destruction of property, including hedges and livestock, resulting from the escalated acts of aggression and armed incursions by the racist régime of South Africa against the People's Republic of Angola,

Gravely concerned that these wanton acts of aggression by South Africa form a consistent and sustained pattern of violations aimed at weakening the unrelenting support given by the front-line States to the movements for freedom and national liberation of the peoples of Namibia and South Africa,

Conscious of the need to take effective measures to maintain international peace and security,

1. *Strongly condemns* the racist régime of South Africa for its premeditated, persistent and sustained armed invasions of the People's

Republic of Angola, which constitute a flagrant violation of the sovereignty and territorial integrity of that country as well as a serious threat to international peace and security;

2. *Strongly condemns also* South Africa's utilization of the international Territory of Namibia as a spring-board for armed invasions and destabilization of the People's Republic of Angola;

3. *Demands* that South Africa should withdraw forthwith all its military forces from the territory of the People's Republic of Angola, cease all violations of Angola's air space and, henceforth, scrupulously respect the sovereignty and territorial integrity of the People's Republic of Angola,

4. *Calls upon* all States to implement fully the arms embargo imposed against South Africa in Security Council resolution 418 (1977);

5. *Requests* Member States urgently to extend all necessary assistance to the People's Republic of Angola and the other front-line States, in order to strengthen their defence capacities in the face of South Africa's acts of aggression against these countries;

6. *Calls for* the payment by South Africa of full and adequate compensation to the People's Republic of Angola for the damage to life and property resulting from these acts of aggression;

7. *Decides* to meet again in the event of further acts of violation of the sovereignty and territorial integrity of the People's Republic of Angola by the South African racist régime, in order to consider the adoption of more effective measures in accordance with the appropriate provisions of the Charter of the United Nations, including Chapter VII thereof,

8. *Decides* to remain seized of the matter.

TELEGRAM DATED 3 JANUARY 1979 FROM THE DEPUTY PRIME MINISTER IN CHARGE OF FOREIGN AFFAIRS OF DEMOCRATIC KAMPUCHEA

Decision of 15 January 1979 (2112th meeting): rejection of the seven-Power draft resolution

By a telegram¹⁷⁵⁸ dated 3 January 1979, the representative of democratic Kampuchea requested the President of the Security Council to convene an urgent meeting of the council "to condemn Vietnamese aggression and to take such measures as may be necessary to ensure that Viet Nam ceases its aggression and respects the independence, sovereignty and territorial integrity of Democratic Kampuchea".

At its 2108th meeting on 11 January, following statements by the representatives of the USSR, China and Czechoslovakia, and by the President, the Council included the item in its agenda.¹⁷⁵⁹ The representatives of the USSR and Czechoslovakia objected to the Council's considering the communication in document S/13003 on the grounds that the situation in Kampuchea was purely an internal affair of that country. The representative of China stated that in view of Viet Nam's aggression against Democratic Kampuchea, it was entirely just for the Government of Democratic Kampuchea, a State Member of the United Nations, to request a Council meeting.¹⁷⁶⁰

The Council considered the question at its 2108th to 2112th meetings held from 11 to 15 February 1979. At its 2108th meeting the Council considered requests to participate in its consideration of the question, under article 31 of the Charter and rule 37 of its provisional rules of procedure, from the representative of Demo-

¹⁷⁵⁵ 2240th mtg., paras. 96-105.

¹⁷⁵⁶ 2237th mtg., para. 68 (USSR); *ibid.*, para. 81 (Jamaica); *ibid.*, para. 93 (Yugoslavia); *ibid.*, para. 141 (India); *ibid.*, paras. 164-166 (Pakistan); *ibid.*, paras. 174-176 (Cuba); *ibid.*, para. 218 (Mr. Gurirab, SWAPO); 2240th mtg., para. 13 (Tunisia); *ibid.*, paras. 27-34 (Benin); *ibid.*, para. 49 (Nigeria); *ibid.*, para. 61 (Guinea); *ibid.*, para. 104 (Mr. Eralp, United Nations Council for Namibia).

¹⁷⁵⁷ *Resolutions and Decisions of the Security Council, 1980*, pp. 21-22.

¹⁷⁵⁸ S/13003. *OR, 34th yr., Suppl. for Jan.-March 1979*, pp. 3-4.

¹⁷⁵⁹ 2108th mtg., para. 30.

¹⁷⁶⁰ *Ibid.* USSR, paras. 9-15, China, paras. 17-22, Czechoslovakia paras. 26-27.

cratic Kampuchea on behalf of a delegation led by Samdech Norodom Sihanouk,¹⁷⁶¹ and from the representative of Viet Nam on behalf of the People's Revolutionary Council.¹⁷⁶²

The representative of the USSR proposed, in accordance with rule 33(3) of the provisional rules of procedure, to adjourn the meeting to allow the representatives of the People's Revolutionary Council to participate.¹⁷⁶³ The proposal, which received two votes in favour and 13 against, was rejected.

In the ensuing discussion, the representatives of China, the United States, Kuwait and Bangladesh supported the participation under rule 37 of the delegation led by Prince Sihanouk.¹⁷⁶⁴ The representatives of the USSR and Czechoslovakia stated that it was necessary for the Council to invite the representatives of the People's Revolutionary Council as the genuine representatives of the Kampuchean people.¹⁷⁶⁵ The Council then agreed, on a proposal by the President,¹⁷⁶⁶ to extend an invitation to the delegation of Democratic Kampuchea.

Following a suspension of the meeting, in accordance with rule 15 of the provisional rules of procedure, to enable the Secretary-General to examine the credentials of representatives appointed in accordance with rule 14, the Council approved the Secretary-General's report¹⁷⁶⁷ stating the the credentials of Democratic Kampuchea were in order.

In the course of the discussion of the item, the representatives of Australia, Bulgaria, Cuba, the German Democratic Republic, Hungary, Indonesia, Japan, Malaysia, Mongolia, New Zealand, Philippines, Poland, Singapore, Sudan, Thailand, Viet Nam and Yugoslavia were invited, at their request, to participate in the debate without the right to vote.¹⁷⁶⁸

The Council began its discussion of the question with statements by the representatives of Democratic Kampuchea, China, Viet Nam and the USSR.

The representative of Democratic Kampuchea stated that his country was the victim of a large-scale act of flagrant aggression by Viet Nam, which had occupied the capital, most of the cities and part of the countryside. He asserted that the United Front for the National Salvation of Kampuchea and its "government" were puppets of Viet Nam and that the Government and army of Democratic Kampuchea were administering and defending the country in the occupied zone. He requested the Council to condemn Viet Nam's invasion, to ensure that there was no *de jure* or *de facto* recognition of the so-called new State of Kampuchea, and to demand the total and immediate withdrawal of Vietnamese forces from Kampuchean territory.¹⁷⁶⁹

¹⁷⁶¹ S/13019, *OR, 34th yr., Suppl. for Jan-March 1979*, pp. 16-17.

¹⁷⁶² S/13020, *ibid.*, p. 17.

¹⁷⁶³ 2108th mtg., para. 35.

¹⁷⁶⁴ *Ibid.*, China, paras. 46-53, United States, paras. 57-59, Kuwait, para. 62, Bangladesh, para. 65.

¹⁷⁶⁵ *Ibid.*, Czechoslovakia, paras. 54 and 55, USSR, para. 69.

¹⁷⁶⁶ *Ibid.*, President's statement, para. 66.

¹⁷⁶⁷ S 13021, *OR, 34th yr., Suppl. for Jan-March 1979*, p. 17.

¹⁷⁶⁸ For further details, see chapter III.

¹⁷⁶⁹ 2108th mtg., paras. 73-92.

The representative of China, fully supporting the statement and appeal of the representative of Democratic Kampuchea, said that Democratic Kampuchea, a small, weak country, had been subjected to aggression by Viet Nam with the political, economic and military support of the Soviet Union in violation of the Charter. He asserted that the annexation of Kampuchea constituted an important step in Viet Nam's strategy of establishing an "Indo-China Federation" under its control. The Chinese Government held that, in view of the urgency of the situation in Kampuchea, the Security Council should take emergency measures to condemn Viet Nam for its acts of aggression, call on the Vietnamese authorities to cease their aggression immediately and withdraw from Kampuchea, condemn the support of the Soviet Union for Viet Nam's acts, and request the United Nations specialized agencies to render political and material support to Democratic Kampuchea.¹⁷⁷⁰

The representative of Viet Nam stated that the refusal of the Council to hear the representatives of the National United Front for National Salvation of Kampuchea constituted a violation of the principles of the Charter, in particular Article 2, paragraph 7. He said that Viet Nam had attempted to solve its border conflict with Kampuchea through peaceful negotiations, but Kampuchea, supported by China, had rejected Viet Nam's proposals and Viet Nam was determined to exercise its legitimate right of self-defence recognized by the Charter. The revolutionary war of the Kampuchean people against the Pol Pot régime was a separate war during which a mass uprising of the Kampuchean people had taken full control of the territory of Kampuchea and created the Kampuchean People's Revolutionary Government as the sole legitimate Government of Kampuchea.¹⁷⁷¹

The representative of the USSR stated that the situation in the Council was in contradiction with its role within the United Nations system in that attempts were being made to move the Council towards intervention in the internal affairs of Kampuchea. He asserted that the Pol Pot régime, supported by China, had created a direct threat to international peace and security and that the People's Revolutionary Council was the only legitimate Government of Kampuchea.¹⁷⁷²

The representative of Kuwait stressed the right of every Member State to seek action from the Council whenever it felt in need of such action and stated that it would have been an abdication of responsibility on the part of the Council had it not met to consider the situation in Kampuchea. He stated that the Council should emphatically reaffirm the Charter principles of non-interference by any State in the domestic affairs of another State and the obligation of Member States to resolve disputes by peaceful means, and call for an immediate cease-fire and withdrawal of all foreign elements.¹⁷⁷³

¹⁷⁷⁰ *Ibid.*, paras. 96-110.

¹⁷⁷¹ *Ibid.*, paras. 113-145.

¹⁷⁷² *Ibid.*, paras. 146-170.

¹⁷⁷³ 2109th mtg., paras. 6-13.

The representative of Norway stated that the situation in Kampuchea was an example of armed conflict and foreign intervention as well as interference in the internal affairs of another country in violation of fundamental Charter principles, and had repercussions which might affect peace and security beyond the region itself. Norway rejected the threat or use of force against the territorial integrity or political independence of any State and emphasized the obligation of Member States under the Charter to resolve disputes by peaceful means.¹⁷⁷⁴

The representative of France stated that the Council must affirm, without any ambiguity, that it could not condone the occupation of a foreign country by a foreign Power.¹⁷⁷⁵

The representative of Bangladesh said that every Member State facing a situation likely to endanger international peace and security had the inherent right to be given a hearing and the Council had a clear responsibility to examine the question. He expressed the view that the Council must reaffirm the principles of respect for sovereignty and territorial integrity, call for the immediate observance of a cease-fire and withdrawal of all foreign elements, call on the parties concerned to refrain from interfering in each other's internal affairs, and encourage the resumption of negotiations for the peaceful settlement of existing disputes.¹⁷⁷⁶

The representative of Zambia stated that the conflict involving Kampuchea and Viet Nam had serious implications both for the region and for international peace and security and emphasized the importance of the principles of non-interference in the internal affairs of States and respect for their independence, sovereignty and territorial integrity.¹⁷⁷⁷

The representative of the United Kingdom deplored the armed intervention against Kampuchea and stressed the fundamental principles of respect for the sovereignty, territorial integrity and political independence of Member States and the right of the people of Kampuchea to decide their own future without outside interference.¹⁷⁷⁸ The representative of the United States urged the Council to assume its responsibilities, as the norms of international behaviour that help to minimize the chance of war were at stake and lack of Council action would accelerate an already disturbing trend among many Governments of refusing to refer their disputes to international organizations and taking action by military means.¹⁷⁷⁹

The representative of Thailand expressed the hope that the Council would adopt a resolution affirming respect for the independence, sovereignty and territorial integrity of Kampuchea; calling for the total withdrawal of foreign forces; and reaffirming the right of the Kampuchean people to self-determination, free from outside interference.¹⁷⁸⁰

The representative of Yugoslavia supported the decision of the Council to consider the demand of the legitimate Government of Democratic Kampuchea and deemed it indispensable for the Council to undertake appropriate measures which would effectively reaffirm the principles of the Charter and the non-aligned movement, namely, rejection of foreign interference under any pretext and the resolution of disputes by peaceful means.¹⁷⁸¹

The President, speaking as the representative of Jamaica, expressed support for the Council's consideration of the complaint of Democratic Kampuchea and stated that any interference by a third party in the internal affairs of Kampuchea was inconsistent with the principles of the Charter.¹⁷⁸²

The representative of the German Democratic Republic regretted the Council's consideration of a matter of exclusive concern to the people of Kampuchea which could lead to interference in the internal affairs of the People's Republic of Kampuchea in violation of the Charter. He objected to any attempt to accuse Viet Nam of a policy of interference in the internal affairs of another State, asserting that Viet Nam had done everything necessary to achieve a peaceful settlement of its border conflict with Kampuchea but had eventually been obliged to take measures to guarantee its self-defence in accordance with Article 51 of the Charter. The representative of the German Democratic Republic urged that, in accordance with Article 31 of the Charter and rule 37 of the provisional rules of procedure, a representative of the Government of the People's Republic of Kampuchea be given an opportunity to address the Council.¹⁷⁸³

At the 2108th meeting on 11 January 1979, the representative of China introduced¹⁷⁸⁴ a draft resolution¹⁷⁸⁵ which stressed the need to respect the independence, sovereignty and territorial integrity of Kampuchea, condemned Viet Nam for its acts of armed invasion and aggression against Kampuchea, called for the immediate withdrawal of Vietnamese forces from Kampuchean territory, and asked the United Nations specialized agencies and Governments to stop aid to Viet Nam.

At the 2111th meeting on 15 January 1979, the representative of Kuwait¹⁷⁸⁶ introduced a draft resolution¹⁷⁸⁷ sponsored by Bangladesh, Bolivia, Gabon, Ja-

¹⁷⁷⁴ 2109th mtg., paras. 6-19.

¹⁷⁷⁵ *Ibid.*, paras. 33-37.

¹⁷⁷⁶ *Ibid.*, paras. 43-51.

¹⁷⁷⁷ 2110th mtg., paras. 8-11.

¹⁷⁷⁸ *Ibid.*, paras. 63-68.

¹⁷⁷⁹ *Ibid.*, paras. 72-84.

¹⁷⁸⁰ 2111th mtg., paras. 40-46.

¹⁷⁸¹ *Ibid.*, paras. 124-136.

¹⁷⁸² *Ibid.*, paras. 141-150. For similar views see the interventions by Bolivia and Sudan (2109th meeting), by Gabon, Malaysia, New Zealand, Portugal and Singapore (2110th meeting) and by Australia, Indonesia, Japan, Nigeria and the Philippines (2111th meeting).

¹⁷⁸³ 2109th mtg., paras. 66-76. For similar views see also the interventions of Cuba (2108th meeting), Czechoslovakia (2109th meeting), Hungary (2110th meeting) and Bulgaria, Mongolia and Poland (2111th meeting).

¹⁷⁸⁴ 2108th mtg., paras. 108-110.

¹⁷⁸⁵ S/13022, *OR, 34th yr., Suppl. for Jan.-March 1979*, p. 18. The draft was not put to the vote, as China supported the non-aligned text (S/13027).

¹⁷⁸⁶ 2111th mtg., paras. 4-12.

¹⁷⁸⁷ S/13027, *OR, 34th yr., Suppl. for Jan.-March 1979*, p. 27. The draft failed of adoption, owing to the negative vote of a permanent member.

maica, Kuwait, Nigeria and Zambia, under which the Council would have reaffirmed its conviction that the preservation of sovereignty, territorial integrity and political independence of every State was a fundamental principle of the Charter, called on all foreign forces involved in the situation in Democratic Kampuchea to observe an immediate cease-fire and withdraw from the country, and demanded that the parties concerned adhere strictly to the principle of non-interference in the internal affairs of States.

At the same meeting, the representative of the USSR expressed his opposition to the consideration of the seven-Power draft resolution, asserting that, in the absence of representatives of the People's Revolutionary Council, the adoption of any resolution on Kampuchea could only be regarded as intervention in the internal affairs of that State.¹⁷⁸⁸ The representative of Viet Nam also stated that the Security Council was unable to make an informed judgement on the problem of Kampuchea without hearing the representative of the People's Revolutionary Council.¹⁷⁸⁹

At the 2112th meeting on 15 January, the President informed the Council that, in view of the efforts made by the sponsors of the draft resolution put forward on behalf of the non-aligned countries, China would not press for a vote on the draft resolution contained in document S/13022.¹⁷⁹⁰

At the same meeting the seven-Power draft resolution received 13 votes in favour to 2 against, and failed of adoption, owing to the negative vote of a permanent member.¹⁷⁹¹

Following the vote, the representative of China said that while the draft resolution was not strong enough it contained the basic minimum elements and the Council and the Secretary-General should immediately take effective measures to ensure its speedy implementation.¹⁷⁹²

The representative of the USSR asserted that the true reason for raising the matter in the Council, namely, to cover up the crimes of the Pol Pot régime, was in defiance of the Charter and moved the Security Council towards interference in the internal affairs of Kampuchea. He said that the Council, having refused to listen to the representatives of the People's Revolutionary Council, was not in a position to produce a decision that would objectively reflect the current state of affairs in Kampuchea and not distort it.¹⁷⁹³

The representative of Czechoslovakia reasserted his opposition to attempts to internationalize the internal conflict in Kampuchea which the Council was not competent to consider.¹⁷⁹⁴

The representative of Kuwait stated that the non-aligned members of the Council had vindicated themselves by their devotion and dedication to the principles

embodied in the Charter and in the philosophy of the non-aligned movement.¹⁷⁹⁵

THE SITUATION IN SOUTH-EAST ASIA AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

Decision of 16 March 1979 (2129th meeting): rejection of five-Power draft resolution

By a letter¹⁷⁹⁶ dated 22 February 1979, the representatives of Norway, Portugal, the United States and the United Kingdom requested the President of the Security Council to convene an urgent meeting of the Council to consider the situation in South-East Asia and its implications for international peace and security.

At its 2114th meeting on 23 February, following a discussion in which the representatives of the USSR, China and Czechoslovakia participated, the Council included¹⁷⁹⁷ the question in its agenda.

The representative of the USSR objected to the proposal for consideration of the situation in South-East Asia on the grounds that it would divert the attention of the Council from the question of Chinese aggression against Viet Nam.¹⁷⁹⁸ The representative of Czechoslovakia also asserted that the Council should deal with the precise question of Chinese aggression against Viet Nam.¹⁷⁹⁹ The representative of China contended that Vietnamese aggression against Kampuchea was the root cause of the threat to peace and stability in South-East Asia and should be considered with priority as a separate item. However, he did not oppose the item under consideration, as it would include this question.¹⁸⁰⁰

The Council considered the question at its 2114th to 2118th meetings from 23 to 28 February and at its 2129th meeting on 16 March. The representatives of Angola, Australia, Bulgaria, Canada, Cuba, Democratic Kampuchea, the German Democratic Republic, Hungary, India, Indonesia, Japan, the Lao People's Democratic Republic, Malaysia, Mongolia, New Zealand, Pakistan, the Philippines, Poland, Singapore, Thailand, Viet Nam and Yugoslavia were invited, at their request, to participate in the discussion without the right to vote.¹⁸⁰¹

With reference to the participation of the delegation of Democratic Kampuchea, the representative of the USSR asserted that that delegation had no right to take part in the work of the Council as only the People's Revolutionary Council had the right to appoint representatives of Kampuchea.¹⁸⁰² The representative of China stated that the credentials of the delegation of Democratic Kampuchea were in order and that the People's Revolutionary Council was a puppet organization created by Viet Nam.¹⁸⁰³

Opening the discussion, the representative of the United States said that the United States had presented

¹⁷⁸⁸ 2111th mtg., paras. 151-154.

¹⁷⁸⁹ *Ibid.*, paras. 176-178.

¹⁷⁹⁰ 2112th mtg., para. 3.

¹⁷⁹¹ *Ibid.*, para. 4.

¹⁷⁹² *Ibid.*, para. 6.

¹⁷⁹³ *Ibid.*, paras. 24-27.

¹⁷⁹⁴ *Ibid.*, paras. 37-41.

¹⁷⁹⁵ *Ibid.*, para. 45.

¹⁷⁹⁶ S-13111, *OR*, 34th yr., Suppl. for Jan.-Feb. 1979, p. 83.

¹⁷⁹⁷ 2114th mtg., para. 19.

¹⁷⁹⁸ *Ibid.*, paras. 5-9.

¹⁷⁹⁹ *Ibid.*, paras. 15-17.

¹⁸⁰⁰ *Ibid.*, para. 11.

¹⁸⁰¹ For details, see chapter III.

¹⁸⁰² 2114th mtg., para. 21.

¹⁸⁰³ *Ibid.*, paras. 23-25.