

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.

the item to the Council because it felt that the integrity of the Council was at stake, that there had been a massive demonstration of military power in South-East Asia, and that the Council's primary responsibility under Article 24 of the Charter was being placed in question by its seeming inaction. He expressed the belief that the Council must exercise its responsibilities in view of the serious breaches of the peace in South-East Asia and the threat of broader conflict in the area, and urged the parties concerned to act in accordance with the Charter principles relating to the non-use of force, non-interference in the affairs of another State, and the peaceful settlement of disputes.¹⁸⁰⁴

The representative of the USSR stated that China had begun and was continuing an unprovoked aggressive war against Viet Nam and that China's invasion was a constituent element of its general expansionist policy vis-à-vis South-East Asia in general and Viet Nam in particular. China's aggression had created a serious threat to peace and security not only in that region but throughout the world. The Security Council must categorically condemn the Chinese Government for its actions against Viet Nam and take decisive measures to put an end to its aggression.¹⁸⁰⁵

The representative of China contended that Viet Nam's massive armed aggression against and occupation of Democratic Kampuchea was a question entirely different in nature from China's limited counter-attack, in defence of its frontier, as a result of provocation by Viet Nam. He asserted that Viet Nam's aggression against Kampuchea constituted a gross violation of the Charter and a serious threat to international peace and security, while China's counter-attack was a necessary action of self-defence in accordance with Article 51 of the Charter. He called on the Council to adopt urgent measures to condemn Viet Nam's acts of aggression and proposed a settlement of the border disputes through peaceful negotiations.¹⁸⁰⁶

The representative of Viet Nam asserted that the serious threat to peace and security in South-East Asia was brought about by the open, large-scale aggression of China against Viet Nam and that the Security Council should take appropriate decisions to condemn that aggression and demand the withdrawal of all Chinese forces from Viet Nam. He contended that a clear-cut distinction should be drawn between the deliberate war of aggression waged by China against Viet Nam and the support and assistance of Viet Nam for the armed revolutionary struggle of the people of Kampuchea at their request.¹⁸⁰⁷

The representative of Democratic Kampuchea stated that 150,000 Vietnamese troops, supported by hundreds of Soviet military advisers, were occupying Kampuchea, in contravention of the Charter and the principles of non-alignment, and constituted a threat to peace, security and stability in South-East Asia, the Pacific, Asia

and the world. Democratic Kampuchea understood and supported the just measures taken by China to put an end to the provocations of Viet Nam.¹⁸⁰⁸

The representatives of Norway, Portugal¹⁸⁰⁹ and the United Kingdom¹⁸¹⁰ stated that following the Vietnamese invasion of Kampuchea, the situation in South-East Asia had deteriorated further with the military action taken by China against Viet Nam and the widening of the conflict could endanger international peace and security. They considered it appropriate for the Council to take immediate action aimed at the withdrawal of all foreign forces from the respective areas of conflict and full respect for the sovereignty, territorial integrity and inviolability of the States involved. The representative of France said that it was necessary for the Council to convene to deliberate on a problem falling within its responsibility for maintaining international peace and security.¹⁸¹¹

The President, speaking as the representative of Kuwait, stated that China's action against Viet Nam could not be viewed in isolation from the situation in the rest of the region: his country opposed China's action, as it opposed the involvement of Viet Nam in Kampuchea.¹⁸¹²

At the 2129th meeting on 16 March 1979, the representative of Thailand introduced¹⁸¹³ a draft resolution¹⁸¹⁴ submitted jointly by the five countries members of the Association of South-East Asian Nations—Indonesia, Malaysia, the Philippines, Singapore and Thailand. Under the operative paragraphs of the draft resolution, the Security Council would: (1) urgently call upon all parties to cease all hostilities forthwith; (2) further call upon all parties to the conflicts to withdraw their forces to their own countries; (3) appeal to them and to States outside the region to exercise the utmost restraint and to refrain from any acts which may lead to a further escalation and widening of the conflicts; (4) reaffirm that all States must scrupulously respect the sovereignty, territorial integrity and independence of other States; (5) call upon all parties to the conflicts to settle their disputes by peaceful means in accordance with the Charter of the United Nations; (6) welcome the offer of the good offices of the Secretary-General in the search for a peaceful solution; and (7) decide to remain seized of the question.

At the same meeting the five-Power draft resolution was put to the vote¹⁸¹⁵ and failed of adoption, owing to a negative vote by one of the permanent members of the Security Council. It received 13 votes in favour to 2 against.

¹⁸⁰⁴ *Ibid.*, paras. 64-82.

¹⁸⁰⁹ 2114th mtg., Norway, paras. 73-79, Portugal, paras. 82-87.

¹⁸¹⁰ 2115th mtg., paras. 14-22.

¹⁸¹¹ *Ibid.*, paras. 6-11.

¹⁸¹² 2118th mtg., paras. 60-62.

¹⁸¹³ 2129th mtg., paras. 25-31.

¹⁸¹⁴ S/13162, *OR, 34th yr., Suppl. for Jan-March 1979*, p. 144. The draft resolution failed of adoption, owing to the negative vote of a permanent member.

¹⁸¹⁵ For the vote, see 2129th mtg., para. 72.

¹⁸⁰⁴ 2114th mtg., paras. 32-43.

¹⁸⁰⁵ *Ibid.*, paras. 45-70.

¹⁸⁰⁶ *Ibid.*, paras. 90-124.

¹⁸⁰⁷ 2115th mtg., paras. 85-112.