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JAN/FEB 1985

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NOTE FOR THE SECRETARY-GENERAL

The background papers provided to you for your trip on administrative and financial matters boil down, in my view, to one initiative and two reactions;

(a) Initiative. The Singapore decision to quit UNESCO, because of what they consider an unfair UN rate of assessment, is a very dangerous one and I submit requires the Secretary-General to refer to the matter, if his hosts have not done so, and to say that decisions of this nature (1) play havoc with the principle of universality; (2) place multilateral cooperation at a dollar-and-cents level and (3) do not contribute to a climate in which the vexatious issue of the scale of assessments can be solved (this issue is to be discussed by the General Assembly at its resumed 39th session in April).

(b) Reactions.

(1) The programme budget submitted by ESCAP, requesting 80 additional posts (32 P and 48 G) does not conform to the instructions of maximum restraint issued last year under your name. Mr. Kibria is fond of saying that his region is the largest in terms of size and of population and that his resources should be commensurate to that size. But this approach must give way to the consideration of restraint applicable to the Organization as a whole. Should Mr. Kibria raise this point, my advice is that he should be told that, while his requests are no doubt well founded, they will have to be regarded in the context of the climate of austerity applicable to the entire Organization.

(2) It is evident from Mr. Kibria's draft of your statement to ESCAP staff that he wishes to incite some commitment, or at least expression of willingness, regarding increased salaries for General Service staff and, perhaps, higher post adjustment for Professional staff. This in my view would be most injudicious; the question of General Service salaries is a complex one, and has always been so in ESCAP; there is a review being made right now, with a rapid exchange of views between ESCAP on the one hand and the Headquarters Financial Services on the other. OFS can think of at least as many reasons to contain salaries as ESCAP has to increase them. The exchange of views should be allowed to continue. As for post adjustment, the decision of the General Assembly, and the surrounding climate, make it very clear that no sectoral increases would be tolerated.

Patricio Ruedas
Patricio Ruedas
18 January 1985

NOTE FOR THE SECRETARY-GENERAL

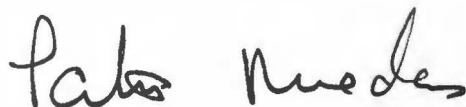
Enclosed herewith are the usual "fact-sheets" for the various countries you are scheduled to visit during your forthcoming trip.

As for the representation of nationals of the various Asian Member States in the Secretariat you will find that, except for Thailand, they are within their desirable range (although Laos is at the minimum of its range). Thailand, for the well-known reason that it is the headquarters of a regional economic commission, is well above its desirable range.

Also enclosed are data sheets on the United Kingdom and Australia. As at 30 November, the UK was on the high side of its range and Australia over-represented by two.

On the financial side, enclosed are fact sheets on the status of assessed and voluntary contributions, i.e., contributions to the regular budget and to trust funds or special accounts of the UN proper (excluding UNDP or UNICEF). Generally all the countries covered are in "good standing" except Laos and Viet Nam. Both countries owe considerable sums in respect of 1984 and prior years, and you might wish to refer to this fact if an appropriate opportunity arises.

I will be sending you a special note on the situation of Singapore which, while in good standing as far as the United Nations is concerned, has recently written to you indicating that its withdrawal from UNESCO is due to its "high rate of assessment", and that for the same reason it is reassessing its position as regards membership in other specialized agencies.



Patricio Ruedas

11 January 1985

A n t a r c t i c a

Note for the Secretary-General's briefing book

At its thirty-eighth session, the General Assembly, following an initiative by Malaysia, adopted a resolution which, noting the Antarctica Treaty as well as the references to this subject at the Non-Aligned Summit, asked the Secretary-General to prepare a "comprehensive, factual and objective study" of all aspects of Antarctica. The Study was submitted to the General Assembly at its 39th session. In it, striving to be rigorously factual and objective, no conclusions, recommendations or views were put forward. Replies of Member States to the Secretary-General's request for information and views were appended to the Study, thus producing a bulky four-volume document.

The Study has, on the whole, received favourable comments, both by consultative parties to the Antarctica Treaty and States which are not parties.

At the thirty-ninth session, Malaysia, following the statement made by its Prime Minister in the General Debate, proposed to the Consultative Parties informally that an ad hoc committee be created for the purpose of giving further consideration to the question. However, presumably because of the rejection of this proposal by the consultative parties, Malaysia did not press it and, in keeping with its stated purpose of trying to work by consensus, put forward a resolution which was adopted by the General Assembly without a vote, on which it took no action other than to inscribe the item once again in the provisional agenda for the fortieth session.

It is still uncertain whether the United Nations will continue to play a role on this question. The Consultative Parties, Australia and New Zealand among them, strongly resist such a role and urge States simply to accede to the Treaty. Meanwhile, they are proceeding apace in negotiations to draw up a regime on the exploitation of minerals. Malaysia and other countries on their part insist that they wish merely to expand co-operation in Antarctica by ensuring that the international community as a whole, which has a stake in Antarctica, should be given the opportunity to participate in decisions regarding its future. Under the Treaty, decision-making is limited to the Consultative Treaty Parties. Malaysia has stated that it has not renounced its intention of putting forward the proposal to create an ad hoc committee in the future.

Alvaro de Soto/jt
17 January 1985



General Assembly

Distr.
GENERAL

A/RES/38/77
11 January 1984

Thirty-eighth session
Agenda item 140

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/38/646)]

38/77. Question of Antarctica

The General Assembly,

Having considered the item entitled "Question of Antarctica",

Conscious of the increasing international awareness of and interest in Antarctica,

Bearing in mind the Antarctic Treaty 1/ and the significance of the system it has developed,

Taking into account the debate on this item at its thirty-eighth session,

Convinced of the advantages of a better knowledge of Antarctica,

Affirming the conviction that, in the interest of all mankind, Antarctica should continue forever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord,

Recalling the relevant paragraphs of the Declaration of Heads of State or Government of the Non-Aligned Countries at their Seventh Conference, held at New Delhi from 7 to 12 March 1983, 2/

1/ United Nations, Treaty Series, vol. 402, No. 5778, p. 72.

2/ See A/38/132-S/15675 and Corr.1 and 2, annex, sect. III, paras. 122-123.

1. Requests the Secretary-General to prepare a comprehensive, factual and objective study on all aspects of Antarctica, taking fully into account the Antarctic Treaty system and other relevant factors;
2. Also requests the Secretary-General to seek the views of all Member States in the preparation of the study;
3. Requests those States conducting scientific research in Antarctica, other interested States, the relevant specialized agencies, organs, organizations and bodies of the United Nations system and relevant international organizations having scientific or technical information on Antarctica to lend the Secretary-General whatever assistance he may request for the purpose of carrying out the study;
4. Requests the Secretary-General to report to the General Assembly at its thirty-ninth session;
5. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Question of Antarctica".

97th plenary meeting
15 December 1983

Brief for the Secretary-General
Nuclear Issues in the Pacific

Background

The countries and peoples of the Pacific region have long been exercised by a number of nuclear questions which in their view have an important bearing either on the peace and security of their region or critically affect their environment and their economic future. Foremost among these for several decades now has been the question of nuclear testing, first by Britain and the United States in the fifties and more particularly by France since the sixties. To this has been added in the past few years, the anxieties generated by the question of ocean disposal of nuclear waste, in particular by Japan, and to a lesser degree by the United States and other nuclear powers. Furthermore, the public opinion in Australia and New Zealand have from time to time become concerned by the visits of nuclear armed or nuclear powered ships to their ports and to a lesser extent by the existence of strategic bases on their territories. The new labour Government of Prime Minister Lange of New Zealand has taken a clear stand on this question. Finally, the states of the region have often expressed a profound interest in questions of nuclear disarmament and arms control.

The perception of a shared interest on these problems has impelled the countries of the region to collective action on several of them, in particular within the framework of the South Pacific Forum, the Commonwealth and the United Nations.

1. Nuclear testing

The countries of the South Pacific remain united in condemning France's underground nuclear testing programme at the uninhabited Mururoa Atoll in French Polynesia, the latest test having been conducted last December. They reiterated their strong opposition to nuclear testing in the region by France or any other country in the communiqué issued at the conclusion of the South Pacific Forum meeting in August 1984. The Forum members have also included a prohibition on such activity among principles to be incorporated in a draft treaty establishing a nuclear-free zone in the South Pacific.

Other regional groupings such as the Commonwealth Heads of Government for the Asia-Pacific region and the Permanent Commission for the South Pacific, comprising Chile, Colombia, Ecuador and Peru, have also voiced opposition to nuclear testing in the region.

The Pacific States have individually and collectively issued a stream of protests against the French tests at Mururoa. Foreign Minister Hayden of Australia, noting in December 1984 that at least seven explosions had been set off in the course of the year, said that France's continued defiance of widespread opposition to the tests among South Pacific peoples was deeply offensive to Australians. His Government has banned shipments of Australian uranium to France since June 1983.

Prime Minister Lange of New Zealand also attacked the programme at a news conference last December, asserting that France had become "utterly reckless" in the size and number of explosions it detonated at Mururoa. At the thirty-ninth session of the General Assembly, New Zealand and Australia were joined by many smaller Pacific States in criticizing the tests.

France remains unmoved by the widespread opposition to its programme. The French authorities have indicated that they will take every precaution to contain nuclear fallout from the explosions but will not be deterred from a programme they consider vital to national security. They anticipate another 10 to 15 years of testing at Mururoa, after which time the accumulated geological damage and attendant danger of radioactive leakage into the ocean will have ruled out further explosions. The Kerguelen Islands in the southern Indian Ocean have been mentioned as a possible site for relocation of the tests. An alternative to the Mururoa site might have to be found earlier in the event French Polynesia moves to independence.

On the international front, Australia, New Zealand and several other Pacific States were among the co-sponsors of a resolution adopted at the thirty-ninth session of the General Assembly on the urgent need for a comprehensive nuclear-test-ban treaty. Among other provisions, the resolution urged the Conference on Disarmament to resolve the differences over scope, verification and compliance that have thus far impeded progress towards the drafting and adoption of such a treaty. In his statement in the general debate, Prime Minister Lange indicated that the Pacific countries' advocacy of a test-ban treaty was prompted not only by concern over the French testing programme, but also by the conviction that a global prohibition on nuclear weapons testing would be a critical first step in turning back the arms race.

Recommendations

In your talks with the leaders of Australia and New Zealand, you may express your understanding and sympathy for their concern at nuclear testing in the Pacific region. You may wish to inquire about the most recent developments and exchanges in this regard. You may commend the initiative of the Pacific countries for a comprehensive test-ban treaty and express the view that the conclusion of such a treaty could greatly help in resolving this problem in addition to contributing to the control of nuclear weapons.

2. Ocean disposal of nuclear waste

The question of nuclear dumping has aroused considerable concern in the Pacific region since Japan announced in 1980 a plan to dispose of low-level radioactive waste at a site about halfway between Tokyo and the Northern Mariana Islands. Government leaders and citizens' groups from the smaller Pacific States issued strongly worded protests against the plan, stating that the marine environment on which the island peoples depend for their livelihood should not be endangered by nuclear waste.

In response to these objections, Japan postponed action on the plan while seeking, unsuccessfully to date, to obtain the consent of South Pacific Governments. Prime Minister Nakasone was expected to raise the issue with leaders in Australia, New Zealand, Fiji and Papua New Guinea during his visit to those countries the week of 13 January 1985.

In an effort to secure permanent protection of the Pacific waters from nuclear waste, Kiribati and Nauru proposed in 1983 a total ban on nuclear dumping under the London Dumping Convention, an international instrument subscribed to by 53 States. The Convention now permits low-level dumping under safety conditions defined by the International Atomic Energy Agency. Japan was joined in resisting the proposal by several European countries which have practiced dumping in the Atlantic and want to keep the option available. A vote on the ban is expected at the next consultative meeting of parties to the Convention, in September 1985, after completion of a scientific review on the safety of low-level dumping. Japan has suggested that the fate of its Pacific dumping plan will be strongly influenced by the outcome of the meeting.

At the regional level, the communiqué issued at the conclusion of the South Pacific Forum meeting in August 1984 described as intolerable and unacceptable the dumping and disposal of nuclear waste in the South Pacific. It also noted that Forum members were negotiating a regional protocol on the issue under the auspices of the South Pacific Regional Environment Programme. Australia and New Zealand have not committed themselves to the global ban sought by many of the small island nations but have agreed to discuss the matter in a working group of the Forum before the next meeting of the London Dumping Convention. Among Forum members, New Zealand, Nauru and Kiribati are parties to the Convention. Australia participates as an observer at the consultative meetings.

No matter what decision is taken in September by the parties to the London Convention, the conflict over dumping in the Pacific is likely to persist. Japan, on the one hand, is convinced of the safety of its ocean disposal plan and seems determined to overcome the resistance of its neighbours in the Pacific. These countries, on the other hand, continue to press at the national, regional and international level for measures to prohibit such activity.

3. Proposal for a nuclear-free zone

At their annual meeting held in Tuvalu in August 1984, the members of the South Pacific Forum approved a set of principles submitted by Australia as the basis for a treaty to establish a nuclear-free zone in the South Pacific. Among the main provisions were the right of South Pacific countries to enjoy peaceful economic and social development free from the threat of environmental pollution; acknowledgement of existing international and regional accords on nuclear activities, notably the Treaty on the Non-Proliferation of Nuclear Weapons; a ban on the use, testing and stationing of nuclear explosive devices in the region; and the unqualified right of individual countries to decide for themselves on security arrangements and such questions as the access to their ports by vessels and aircraft of other countries.

The last point was seen in part as reflecting Australia's concern that any treaty on a nuclear free zone should not limit its right to continue allowing access to its ports by United States nuclear-powered or nuclear-armed ships under the terms of the ANZUS alliance.

The Forum appointed a working group chaired by Australia to examine the substantive issues involved in establishing a nuclear-free zone, with a view to preparing a draft treaty for consideration at its next meeting in August 1985. Noting that the Non-Proliferation Treaty would be reviewed in 1985, the Forum members affirmed that progress towards a nuclear-free zone in the South Pacific could make a useful contribution to maintaining the momentum of international debate on disarmament and arms control.

Recommendations

In your talks with the leaders of Australia and New Zealand, you may express your appreciation for their initiative to establish a nuclear-free zone in the South Pacific which would be an important step in the strengthening of the nuclear non-proliferation and arms control regimes and certainly contribute to the peace and security of the region.

4. ANZUS and the Access of Nuclear Vessels to New Zealand Ports

The decision of New Zealand's Labour Government, which came to power in July 1984, to bar nuclear-powered or nuclear-armed vessels from New Zealand ports has created uncertainty over the future of the ANZUS pact binding New Zealand, Australia and the United States in a mutual defence alliance. United States Secretary of State George Shultz has said that visits to New Zealand by United States nuclear-powered vessels are essential to the continuing effectiveness of the alliance. Washington considers ANZUS as a vital link in its global defence strategy, especially in view of the growing Soviet military presence in the Pacific region and the Indian Ocean. It is also concerned that New Zealand's position might set a precedent that would be followed in other countries where anti-nuclear sentiment is strong.

Australia, which regularly admits United States nuclear-armed ships to its ports, has also expressed concern over the threat posed to ANZUS by New Zealand's decision on the issue. Both Australia and the United States have said that they were prepared to review the pact but have stressed the vital need to grant port access to all types of naval vessels belonging to members of the alliance. Prime Minister Hawke will be conferring with President Reagan on the question during his visit to the White House in early February.

In an effort to defuse the issue, Washington had announced in July 1984 that it would suspend visits by nuclear-powered or nuclear-armed ships to New Zealand for the remainder of the year. Since then it has been engaged in quiet diplomacy with the Lange Government, seeking to impress on it the strategic importance of such visits, and has avoided public statements that might provoke a backlash in New Zealand.

Prime Minister Lange has thus far stood firm in upholding the ban. He maintains, however, that his Government is committed to preserving ANZUS despite calls by the Labour Party organization for New Zealand's withdrawal. In August 1984 he said that in his view visits by nuclear-powered and nuclear-armed warships to New Zealand ports were not essential to the United States' global military strategy. He therefore believed that the crisis could be resolved without any damage to ANZUS if the United States simply refrained from proposing such visits, as it had done during the term of the previous Labour Government (1972-1975).

On 17 December the Prime Minister reaffirmed the ban and expressed confidence that any requests by Washington in 1985 for access to New Zealand ports would be for vessels which conformed to his Government's policy.



INTEROFFICE MEMORANDUM

11 January 1985

TO: Mr. Virendra Dayal, Chef de Cabinet
Executive Office of the Secretary-General

FROM: M. Fartash, Regional Representative *M. Fartash*

SUBJECT: The Secretary-General's visit to South-East Asia and the Pacific

1. I refer to your memorandum of 10 December 1984 on the above subject and have the pleasure to enclose a brief note on questions of interest to UNHCR which the Secretary-General may wish to raise or which may be raised with him during his forthcoming visit.
2. I will be happy to provide any additional information or clarification which may be required.

Enclosure

cc Mr. Ahmad
copy

UNHCR Note for the Secretary-General's
Visit to South-East Asia and the Pacific Region

I. Thailand

1. Of some 600,000 Indochinese who entered Thailand since 1975, over 485,000 have been resettled in third countries. Of the 125,000 remaining, almost two-thirds are Lao and over 80 percent have been in Thailand for more than three years.

The overall refugee situation is therefore in some danger of stagnation, with resettlement quotas being reduced each year and neither voluntary repatriation nor local integration being realistic large-scale alternative solutions at present.

Of special concern is the increased influx of refugees from Laos which has more than doubled in 1984 to over 19,000, including 3,000 arrivals in December 1984 alone.

The Royal Thai Government has announced some initiative, such as possible large-scale return of new arrivals, in an apparent effort to stem the flow. UNHCR's position remains that there should be an agreed screening procedure between the Royal Thai Government and UNHCR, whereby refugees would be admitted into Thailand and those found not of concern to the High Commissioner would subsequently be returned with the necessary guarantees as to their safety.

The Secretary-General's support for an agreement by the Royal Thai Government along these lines could be helpful.

2. For those Kampuchians within the High Commissioner's competence, of the 32,000 Khmers in Khao-I-Dang at the end of 1984, it is likely that some 15,000 will remain by mid-1985.

There have been some suggestions that the Royal Thai Government might wish to close Khao-I-Dang this year and return unaccepted cases to the border. UNHCR's position, supported by major governments, is that there should be no forcible return of Khmers from Khao-I-Dang to the border and that other solutions should be sought for all persons unwilling to repatriate.

The Secretary-General may wish to reiterate the High Commissioner's basic position on this matter.

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3. The High Commissioner also remains concerned for the boat people reaching Thailand, for whom the main problem continues to be piracy attacks on the high seas. Fortunately, there has been a reduction of some 30 percent in attacks on boats reaching Thailand in recent months, and a number of Thai nationals have recently been prosecuted and sentenced heavily for such attacks. Nevertheless, the problem remains one of considerable concern and it will almost certainly be necessary for the present anti-piracy arrangement in Thailand, funded through UNHCR, to be renewed on its expiration in June 1985. Future efforts will concentrate on land-based anti-piracy activities and for this purpose full co-operation between the relevant Thai enforcement agencies remains crucial. The UNHCR-funded arrangement aims at deterrence of pirate attacks, while the active involvement of the international community and full co-operation of all states in the region is necessary if the overall problem of piracy in South East Asia is to be addressed fully.

II. Laos

The principal issue is the voluntary repatriation of refugees from Thailand. Some 2,500 persons have returned under UNHCR auspices since 1980 (including 200 in 1984) and perhaps double that number, spontaneously. It is important that the Lao authorities should accept further groups back on a more prompt and regular basis in 1985, if this solution is to remain a viable alternative.

III. Viet Nam

The Secretary-General may wish to express appreciation to the Vietnamese authorities for their co-operation on the Orderly Departure Programme, under which 80,000 persons have now legally left Viet Nam for third countries, including 30,000 in 1984.

Continued efforts by all parties to facilitate this programme as an alternative solution to illegal and dangerous boat departures are essential.

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During a meeting in Geneva under UNHCR auspices in October 1984, the Socialist Republic of Viet Nam authorities and receiving countries agreed to make such efforts while Amerasian cases continue to depart under the Orderly Departure Programme. Separate discussions between the Socialist Republic of Viet Nam and the United States of America, on both Amerasian and re-education cases wishing to leave Viet Nam, have continued on a bilateral basis.

IV. Malaysia

The Vietnamese boat population has remained static, at around 9-10,000 persons in Malaysia for the last few years, with resettlement opportunities being roughly equivalent to the rate of new arrivals.

The positive attitude of the Malaysian authorities in admitting all arrivals in recent years, and more recently in assisting victims of piracy, should be acknowledged. Malaysia has also accepted, without publicity, some 3,500 Khmer Muslim refugees from Thailand, for permanent settlement, which has been a very positive regional contribution towards solving this problem. In addition, there are some 60-80,000 Filipino refugees in Sabah, most of whom arrived in the early 1970's, who are being assisted by UNHCR. It is important that the national status of this group should be regularized as soon as possible.

V. Singapore

The authorities may be urged to continue to allow disembarkation of boat people rescued at sea and to allow temporary transit of cases to the Refugee Processing Centre in Galang, Indonesia.

VI. Indonesia

The Government has continued its positive practice of admitting all

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refugees arriving by boat and, in addition, has admitted 2,750 to the refugee processing centre in Galang, from other countries in the region, en route to the U.S.A..

Some 10,000 persons of Melanesian origin, from Irian Jaya, have recently fled to Papua New Guinea where they are being assisted by UNHCR. Should any of this group seek to repatriate subsequently, UNHCR would hope to be able to undertake its traditional role of initial assistance to such returnees in Indonesia.

VII. Australia

Australia remains a major refugee resettlement country, accepting some 14,800 refugees including over 10,000 from Indochina in its 1983/84 programme. The Government's continued humanitarian admission of refugees is of considerable importance to UNHCR, in view of the decreasing resettlement quotas available worldwide.

VIII. New Zealand

The Government has traditionally accepted refugees on a humanitarian basis, especially Indochinese in recent years. The continuance of flexible admission criteria for such cases is of importance to UNHCR.

11 January 1985

BRIEFING NOTES FOR THE SECRETARY-GENERAL
ON THE QUESTION OF KAMPUCHEA

1. Viet Nam's current position

Over the past year, Viet Nam has stressed its desire for a dialogue with the ASEAN countries. Without making any fundamental concessions, the Vietnamese authorities have gone further than in the past to show that such a dialogue would effectively focus on the question of Kampuchea.

During a visit to Australia in March 1984, Vietnamese Foreign Minister Co Thach agreed that a "partial solution" to the question of peace and stability in Southeast Asia should be based on a discussion of the following steps :

- (a) Withdrawal of Vietnamese troops from Kampuchea;
- (b) Elimination of Pol Pot and his associates as a political and military force and creation of a safety zone on both sides of the Thai/Kampuchean border;
- (c) Security of the Sino/Vietnamese, Sino/Laotian and Thai/Laotian borders;
- (d) A process of self-determination by free elections, excluding Pol Pot and his associates; and,
- (e) International supervision and guarantees of all aspects of the foregoing.

At the time, Australian Foreign Minister Hayden had expressed the view that this "five-point formulation" was an indication of Viet Nam's willingness to discuss Kampuchea as a "priority issue".

Two months later, Rafeeuddin Ahmed visited Hanoi. He met with Mr. Co Thach on 17 May and pointed out, inter alia, that ASEAN could not reasonably be expected to discuss the security of the Sino/Vietnamese and Sino/Laotian borders with Viet Nam. He urged that these extraneous issues be excluded from an eventual dialogue with ASEAN. Mr. Co Thach agreed.

The Vietnamese Foreign Minister indicated that he was also prepared to drop his proposal for the creation of a "safety zone on both sides of the Thai/Kampuchean border", as it had been rejected repeatedly by Thailand. He said he would only insist on the adoption of "security measures" along that border. Mr. Co Thach's basic message was that Viet Nam would be ready to undertake a total withdrawal from Kampuchea, if satisfactory arrangements on the elimination of "Pol Pot and his accomplices" could be worked out. In the past, "total" withdrawal had always been linked to a more elusive concept, the cessation of the Chinese "threat". During his meeting with Mr. Ahmed, however, Mr. Co Thach made no reference to the Chinese threat.

The five-point formulation adopted in Canberra was thus converted into the following "four-point agenda", which Mr. Co Thach said could form the basis for initial talks with ASEAN :

- (a) Elimination of Pol Pot and his accomplices and adoption of security measures along the Thai-Kampuchean border;
- (b) Withdrawal of Vietnamese troops from Kampuchea;
- (c) Self-determination by free elections, excluding Pol Pot and his accomplices; and,
- (d) International supervision and guarantees for all aspects of the foregoing.

The merit of this agenda is, of course, that it clearly focusses on the Kampuchean issue, even if Mr. Co Thach made it clear that a comprehensive settlement was, in the last analysis, contingent upon a broader regional arrangement, including China.

The Indochinese Foreign Ministers conference, held in Vientiane on 2 July 1984, reiterated the call for talks with the ASEAN countries and stated that a dialogue should be initiated "immediately". The conference pointed out that this dialogue should be based on both the ASEAN appeal of 21 September 1983 and the Indochinese Foreign Minister's communiqué of 29 January 1984.

The ASEAN appeal proposes a settlement comprising three essential elements : A phased withdrawal of Vietnamese troops "on a territorial basis", self-determination through internationally-supervised elections in which all Kampucheans would participate and national reconciliation involving all the Kampuchean factions. The Vientiane communiqué of 29 January 1984 is a document of a more general character. It deals, inter alia, with Sino/Vietnamese and American/Vietnamese relations. It also suggests that, "pending a global solution of the problems of Southeast Asia", the Indochinese and ASEAN countries should negotiate a

"framework agreement" on principles governing relations between them. It refers to the Kampuchean problem only to accuse Thailand and other ASEAN countries of seeking to impose an "absurd solution", based on the "unilateral" withdrawal of Vietnamese troops and the return of Pol Pot.

While the Indochinese communiqué of 2 July 1984 formally conceded, for the first time, that the ASEAN appeal would be acceptable as a basis for talks with ASEAN, the request that the Vientiane communiqué of 29 January be considered on an equal footing represented an apparent regression from the four-point agenda which Mr. Co Thach had privately accepted during his meeting of 17 May with Mr. Ahmed. Moreover, in a letter addressed to the Foreign Ministers of the Non-Aligned Movement, dated 1 September 1984, Mr. Co Thach once again linked the withdrawal of Vietnamese troops to the cessation of the Chinese "threat", although this linkage had been conspicuously absent from the meeting of 17 May.

During the recent session of the General Assembly, Mr. Ahmed met with Mr. Co Thach on 10 October and expressed his surprise at the apparent discrepancy between Viet Nam's public stand and Mr. Co Thach's private statements of the previous May. The Foreign Minister explained, in substance, that his position had not changed but that, in its public statements, Viet Nam could not avoid perfunctory references to the Indochinese joint communiqués and to the Chinese threat. The following day, on 11 October, Mr. Co Thach formally confirmed to the Secretary-General that Viet Nam would be ready to enter into talks with ASEAN, on the basis of the four-point agenda worked out with Mr. Ahmed. He added that these talks should constitute the "first phase" of a global settlement of the problems of the region.

Subsequently, on 16 November, the General Assembly considered the question of peace, stability and co-operation in South-East Asia. During the debate, Vietnamese Ambassador Hoang Bich Son stressed that his country was "prepared to engage in negotiations with the ASEAN countries". He pointed out, in this regard, that "three areas of consensus and of differences" had emerged. He explained that Viet Nam and ASEAN agreed on : (a) The withdrawal of Vietnamese forces "without permitting the return of the Pol Pot clique"; (b) Respect for the right of self-determination of the Kampuchean people; and, (c) The need for international guarantees and supervision. On the other hand, the Ambassador said, there were differences over the "method to eliminate Pol Pot and his associates" and how the right of self-determination should be exercised. He added that the modalities for international guarantees and supervision also required "further discussion".

It should also be noted that, in his statement before the General Assembly, the Vietnamese Ambassador conceded, for the first time, that there was an "international aspect" to the "Kampuchean issue". He did not elaborate, however, on the implications of this apparent concession.

The 10th Indochinese Foreign Ministers' Conference has just been held in Ho Chi Minh City, on 17 and 18 January 1985. The final communiqué of the Conference re-affirms that the Kampuchean situation is "irreversible". At the same time, it stresses the "ardent aspiration" of the Indochinese countries to peace and reiterates their "willingness to enter into negotiations with the parties concerned" to achieve an early solution based on the following elements :

- a) The withdrawal of Vietnamese forces from Kampuchea, paired with the exclusion of the genocidal Pol Pot clique;
- b) Respect for the Kampuchean people's right to self-determination, first and foremost the right to come back to a life free from threat of genocide;
- c) The holding by the Kampuchean people of free general elections with the presence of foreign observers;
- d) Building South-East Asia into a zone of peace and stability wherein States with different social systems can live in peaceful coexistence, without allowing their respective territories to be used against other countries;
- e) Respect by all external States of the national rights of South-East Asian countries; and
- f) The establishment of an international form of guarantee and supervision for the implementation of the agreements.

These elements are not inconsistent with the "four-point agenda" discussed privately with Mr. Co Thach. Moreover, the two additional points, relating to peaceful coexistence between States with different social systems and to the respect of the national rights of the countries of the region, only reiterate generally accepted principles.

However, instead of calling for a dialogue with the ASEAN "group", as Viet Nam had done consistently during the past year, the communiqué places the emphasis on the promotion of "bilateral" relations between the countries of the region. This change of approach is justified by a reference to the recent evolution of ASEAN's own position on the matter.

The communiqué also recalls Viet Nam's proposal for an "international conference". It is pointed out that this conference will be attended by the countries of the region, as well as other countries that are "directly concerned or have already contributed" to the search for peace and stability in South-East Asia. Viet Nam had previously said it would accept a limited, 1954 Geneva-type, international Conference. The present formulation, however, appears to allow for more flexibility in the membership of the Conference. The idea of a limited international conference had been explored by Rafeeuddin Ahmed during his first trip to the region in 1982 and had been received positively by the ASEAN countries, as a possible alternative to the UN-sponsored ICK which Viet Nam has always rejected.

2. ASEAN's current position

During the last five years, the ASEAN countries have taken the lead in mobilizing the international community against the Vietnamese presence in Kampuchea and in elaborating proposals for a negotiated settlement of the problem. After pressing for an International Conference on Kampuchea (ICK) which was convened in July 1981, they encouraged the establishment, in 1982, of the Coalition Government of Democratic Kampuchea (CGDK). The following year, they issued their 21 September Appeal, which sets out the main elements for a comprehensive political settlement of the Kampuchean problem and calls for consultations with Viet Nam on "initial steps" towards such a settlement.

The beginning of 1984 was marked by a number of Indonesian initiatives. By the month of May, however, ASEAN seemed to have developed a sense of helplessness about its capacity to influence the situation and it began to show doubts about the policy of active involvement it had pursued so far.

In February, General L. B. Murdani, Commander-in-Chief of the Indonesian armed forces, paid an official visit to Viet Nam. Later that month, an Indonesian/Vietnamese academic seminar on regional peace and security issues, including Kampuchea, was held in Hanoi. In the course of this informal seminar, the Indonesian side expressed the view that the main Khmer Rouge leaders should specifically be excluded from general elections in Kampuchea, as well as from an eventual process of national reconciliation.

Subsequently, Vietnamese Foreign Minister Co Thach was invited to visit Jakarta from 11 to 13 March, on his way to Canberra. During his visit, Mr. Co Thach reportedly rejected out of hand President Suharto's proposals for a multinational peace-keeping force with Vietnamese participation and for the establishment of a government of national reconciliation in Kampuchea. Although Mr. Co Thach later claimed that he had not rejected President Suharto's ideas, but rather his contention that "the Pol Pot criminals" should be allowed to participate in general elections in Kampuchea, the Indonesian authorities concluded that Viet Nam remained adamant. Their disappointment was compounded by Mr. Co Thach's subsequent visit to Australia from 14 to 19 March, where the "five-point formulation" announced by Foreign Minister Hayden created the impression that, after deliberately spurning Indonesia, the Vietnamese had taken a somewhat softer line in Canberra.

Moreover, a few days after Mr. Co Thach's return from Australia, Viet Nam launched its annual dry season offensive along the Thai-Kampuchean border. The ASEAN countries interpreted this as further evidence of Hanoi's lack of sincerity. They consequently decided to put their diplomatic efforts in abeyance and to adopt a stiffer attitude. In a joint communiqué issued on 8 May 1984, the ASEAN countries stressed that the "trust and confidence" they had attempted to forge with Viet Nam had been undermined.

This disillusionment became even more evident during the 17th ASEAN Ministerial Meeting, held in Jakarta on 9 and 10 July 1984. The two strongly worded communiqués issued on that occasion dismissed the third annual "partial withdrawal" announced by Viet Nam at the end of June as another "rotation of troops". They denounced Viet Nam's "attempts to impose a military solution" of the Kampuchean problem and asserted that "at least half a million Vietnamese settlers" were engaged in a process of "colonization" in Kampuchea. They expressed ASEAN's "deep disappointment" with the Indochinese communiqué of 2 July 1984 and rejected Viet Nam's proposal for an immediate dialogue as a "propaganda ploy" which offered "nothing positive". In conclusion, they stressed that it "should now be clear to all that the onus rests with Viet Nam to respond in good faith" to the international efforts aimed at achieving a comprehensive political settlement of the Kampuchean problem.

During the ASEAN Ministerial Meeting, as well as during his previous trip to the region in May 1984, Mr. Ahmed discussed with the Foreign Ministers concerned the "four-point agenda" worked out with Mr. Co Thach. He advised the ASEAN countries to seek direct confirmation of this agenda from Mr. Co Thach and suggested that they might also wish to present counter-proposals, with a view to defining a mutually-acceptable text.

The ASEAN Foreign Ministers acknowledged that the four-point agenda did represent a useful clarification of Viet Nam's position. They expressed the view, however, that Viet Nam's linkage of a withdrawal from Kampuchea to the elimination of "Pol Pot and his accomplices" was only a "tactical" change, aimed primarily at breaking up the CGDK. They reiterated that they did not wish to see Pol Pot return to power, but considered that the best way to "eliminate" the Khmer Rouge was to allow them to take part in free general elections under international supervision. Above all, they made it clear that they remained unconvinced of Viet Nam's readiness to engage in meaningful negotiations on Kampuchea.

Hence, during the last session of the General Assembly, while Mr. Co Thach stressed that conditions for a dialogue were "ripe", the ASEAN countries raised the stakes by responding that the question of Kampuchea was not a problem between them and Viet Nam, but one between Viet Nam and the Kampuchean people. They pointed out that, while they were still willing to "assist" in the search for a solution to the conflict, Viet Nam should prove its sincerity by seeking direct negotiations with the Coalition Government of Prince Sihanouk.

In the past, the ASEAN countries had always stressed their readiness to discuss a solution of the Kampuchean problem with Viet Nam. Their present attitude of apparent disengagement seems to be a result of the negative atmosphere that has prevailed since May 1984. However, it probably does not amount, at least for the time being, to a fundamental change of approach.

It should be noted, in this context, that during a meeting in New York last October, Indonesian Foreign Minister Mochtar and Vietnamese Foreign Minister Co Thach agreed to exchange visits in 1985. Dr. Mochtar is tentatively scheduled to visit Hanoi from 22 to 25 January and Mr. Co Thach is expected to travel to Jakarta later in the year. Dr. Mochtar's visit to Hanoi will be the first by an ASEAN Foreign Minister in the last five years. Although Malaysia is the current Chairman of the ASEAN Standing Committee, Indonesia has been authorized to act as an informal "interlocutor" with Viet Nam.

3. Sihanouk and the Phnom Penh régime

Last October, Prince Sihanouk revealed that France had tried to arrange secret contacts between himself and representatives of Hanoi and Phnom Penh. He pointed out that, as a result of a quiet French initiative, the Vietnamese Government and the Heng Samrin régime had agreed to send emissaries to Paris for separate encounters with him, in November.

The Prince said he had told the French authorities that as a "man of dialogue", he was willing to "talk to anybody". He had reportedly explained that, while he was not ready for negotiations, he would not object to an "exchange of views between adversaries". Following the positive reactions of Hanoi and Phnom Penh to the sounding undertaken by France, Prince Sihanouk said he had felt compelled, "in good conscience", to appraise his coalition partners and China of the proposed encounters. Son Sann reportedly agreed that contacts would be useful. However, the Khmer Rouge and China expressed strong opposition, pointing out that this initiative would only play into the hands of Viet Nam, which was trying to "break up" the coalition. As a result, Prince Sihanouk decided to cancel the meetings.

The French Permanent Mission in New York has confirmed that Paris has been trying to facilitate contacts between Sihanouk and "the other side". The Mission has indicated that the "private" visit which Mr. Hun Sen, Foreign Minister of the Phnom Penh régime, paid to Paris, from 23 November to 3 December 1984, was the result of an informal "invitation" by Mr. Régis Debray, a counsellor to President Mitterrand. It had been hoped that a meeting with Prince Sihanouk could be arranged on that occasion, but the "constraints" imposed on him by his participation in a coalition government had prevented it.

On his arrival in Beijing, on 3 January 1985, the Prince stated that he would not have "any contacts" with the Heng Samrin régime until the withdrawal of the Vietnamese forces from Kampuchea. He also indicated that he had rejected an "offer" by Foreign Minister Hun Sen to meet with him in February.

Mr. Hun Sen was named Prime Minister on 14 January, following the recent death of his predecessor in Moscow. He will however keep the foreign affairs portfolio. At the end of the Indochinese Foreign Ministers Conference in Ho Chi Minh City, on 18 January, he reportedly declared that Phnom Penh would be prepared to hold talks with the factions of Sihanouk and Son Sann, if they dissociated themselves from Pol Pot. He pointed out that, if they joined the Phnom Penh régime in "eliminating" Pol Pot, they would be able to play "a certain role" in Kampuchea.

This is the clearest indication so far of Phnom Penh's willingness to consider a reconciliation with the two non-communist factions. There can be little doubt that this approach is encouraged, if not inspired, by Viet Nam since the communiqué of the Ho Chi Minh City Conference praises the "policy of national unity" pursued by Phnom Penh. Mr. Hun Sen's statement, however, is likely to be denounced by the Khmer Rouge and China as further evidence of Viet Nam's attempts to split the Coalition Government of Prince Sihanouk.

4. The Military Situation

Ampil, the Headquarters of the KPNLF forces, and the last major encampment of that faction in the Thai-Kampuchean border area, fell to Vietnamese forces on 8 January 1985. The assault began the previous day, on the sixth anniversary of the establishment of the Heng Samrin régime in Phnom Penh. Observers report that Viet Nam threw into the battle for Ampil more of its resources than it had ever used against the resistance. More than 4,000 Vietnamese and Heng Samrin soldiers are believed to have taken part in the battle, backed by Soviet-made T-54 tanks, against the 5,000 resistance fighters defending Ampil. With the fall of Ampil, Viet Nam has managed to take over seven of the KPNLF camps, leaving only a small one, mainly inhabited by civilians.

Viet Nam began its annual dry-season offensive on the resistance camps along the Thai-Kampuchean border much earlier than in previous years. In contrast to the 1983-84 dry season, when serious fighting did not occur until 25 March, this time, Viet Nam launched its first attacks on 18 November, capturing Nong Chan, a major KPNLF camp. There followed, in late November and December, the seizure of four smaller camps - Baksei, Nam Yuen, Sokh Sann and O'Bok. The largest KPNLF camp, Nong Samet, was overrun on 25 December. The civilian population of these camps was evacuated to temporary sites in Thailand, either before the attacks or as they began. As a result, there have reportedly been few civilian casualties. Some 130,000 civilian Kampucheans have crossed the border into Thailand since last November. Moreover, a large number of the 80,000 people who had sought refuge in Thailand, following last year's dry season, have not been able to return to their camps, because of the continuing tension along the border.

In previous years, the Vietnamese forces had retreated from the camps, after their seizure. Their tactics, however, seem to have changed. There has been some speculation that they may now try to remain in position in or near the camps. Observers believe that Hanoi hopes to "bottle up" the resistance forces at the border and thus, be able to prevent or, at least, to curtail drastically any further infiltration deep inside Kampuchea.

The KPNLF camps have been the prime target during the present offensive, although some Khmer Rouge bases have also been hit. Sihanouk's stronghold at Tatum has not so far been attacked. The Sihanoukist forces had also been spared last year. This concentration of attacks on the KPNLF has been seen as an attempt to destroy the myth that the non-communist factions can represent a credible military and political alternative to the Khmer Rouge or the Heng Samrin régime. The futility, in Hanoi's view, of this ASEAN basic strategy would thus be exposed. In any event, Viet Nam seems to have gained a military and psychological victory over the Coalition, while still maintaining the option of eventually winning over Prince Sihanouk to its side.

The intensity of the Vietnamese offensive this season has led to a greater number of direct clashes with Thailand, which has accused Hanoi of several limited incursions into its territory. These clashes have caused some casualties on both sides, but only Thailand has reported its losses. In the most recent incident, a Thai military plane, apparently helping to dislodge Vietnamese soldiers in Thai territory, was shot down by Vietnamese anti-aircraft fire. Viet Nam has, as in the past, denied any violation of Thai territory and reiterated that these charges are another of Thailand's "slandorous" contentions, aimed at hiding its support for the resistance forces.

On 9 January 1985, ASEAN issued a statement deploring the escalation of fighting and Viet Nam's "recurrent intrusions" into Thai territory. ASEAN stated that these actions reveal once again Viet Nam's disregard for international opinion and its "single-minded pursuit of a military solution" to the Kampuchean problem. The statement adds that Hanoi's attitude belies its protestations of peaceful intentions and its desire for a negotiated settlement of the problem. It is likely that the ASEAN countries will take a similar line during the Secretary-General's visit to the region.

China was slow to react to the Vietnamese offensive along the Thai-Kampuchean border, as it was expecting the visit, in December, of First Deputy Prime Minister Arkhipov, the highest-ranking Soviet official to visit Beijing in 15 years. On 28 December, however, a Chinese Foreign Ministry spokesman "strongly condemned" the attack on Nong Samet camp. After the fall of Ampil, on 8 January, China condemned the Vietnamese offensive as "criminal", calling on Hanoi to end its "atrocities" in Kampuchea and accusing it of threatening Thailand's security. US diplomatic sources have speculated that some kind of reaction from China should be expected, although it may come with some delay. The Vietnamese dry season offensives have usually been accompanied or followed by renewed tension along the Sino-Vietnamese border. According to press reports, armed incidents have in fact occurred in the past few days.

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C O M M U N I Q U E

of the Tenth Conference of the Foreign Ministers of
Laos, Kampuchea and Vietnam

(17th and 18th January, 1985)

The Tenth Conference of the Foreign Ministers of the Lao People's Democratic Republic, the People's Republic of Kampuchea and the Socialist Republic of Viet Nam was held in Ho Chi Minh City on January 17 and 18, 1985.

1. The Conference is of the unanimous view that the year 1984 marked a new step forward in the growth of the forces of peace, national independence and social progress in the fierce struggle against the forces of imperialism, colonialism and international reaction. Southeast Asia has witnessed very important developments favourable to the struggle for national defence and edification of the Lao, Kampuchean and Vietnamese peoples. With the vigorous and effective support of the Soviet Union, the socialist community, the non-aligned countries and friends over the world, Laos, Kampuchea and Vietnam are steadily forging ahead. The outstanding achievements recorded by the People's Republic of Kampuchea in the economic, military, political and diplomatic fields confirm the irreversibility of the Kampuchean situation while all schemes of the imperialist, expansionist and reactionary forces in the last six years aimed at re-installing the genocidal Pol Pot clique back in Kampuchea have met with dismal failure. It is an undeniable reality that under the leadership of the Party and the Government of the People's Republic of Kampuchea over seven million Kampucheans are truly assuming their own destinies in their miraculous renaissance. The so-called 'coalition government of Democratic Kampuchea' is nothing but the shadow of the Pol Pot clique living in exile in sanctuaries in Thailand, kept and induced by foreign countries to turn against its own fatherland. There is an ever more powerful momentum for the exclusion of Pol Pot and his associates so as to safeguard the Kampuchean people's right to self-determination.

As a matter of fact only the Chinese authorities and the reactionaries within the Thai ruling circles steadfastly prop up the genocidal Pol Pot clique in order to oppose the Kampuchean people's renaissance and serve their selfish interests.

2. The Conference reviewed the diplomatic activities undertaken by the Lao People's Democratic Republic, the People's Republic of Kampuchea and the Socialist Republic of Vietnam during the past year in pursuance of their foreign policy of peace, friendship and co-operation. It is pleased to note that the peoples of the world appreciate ever more highly and extend an increasingly

strong support for the just position and good will of the Indochinese countries towards the cause of peace and national independence in Southeast Asia and the world.

The Conference appreciates highly the various diplomatic activities of the People's Republic of Kampuchea, especially the visits undertaken by its Foreign Minister in a number of African states as well as his broad contacts and exchanges in Sweden and France. It considers positive the meetings held during the past year between the Lao and Vietnamese Foreign Ministers and their counterparts in several Southeast Asian countries. These meetings prove that in spite of a few remaining differences, the majority of states in the region are becoming increasingly aware of the necessity, through dialogue on an equal footing and on the basis of mutual respect for each other's legitimate interests, to promote and develop bilateral relations of friendship and co-operation, and to create favourable conditions for the settlement of intra-regional differences without external interference.

The Conference takes note of the view held by several Asean countries that the Kampuchea issue is not a problem between the Asean and the Indochinese states. This correct approach helps foster bilateral relations between the latter and other Southeast Asian nations and do away with artificial obstacles to the establishment of a zone of peace and stability in Southeast Asia. The Conference welcomes the intention of several Southeast Asian states to develop their bilateral relations with Viet Nam and Laos. It considers the visit to Viet Nam made by General L.B. Murdani, Commander-in-chief of the Indonesian Armed Forces, the seminars among Vietnamese and Indonesian scholars and the eventual visit of Indonesian leaders to Vietnam positive efforts that are beneficial not only to the bilateral Indonesian - Vietnamese ties of co-operation and friendship but also to the consolidation of peace in Asia and of the solidarity among non-aligned countries. The Conference welcomes the earnest endeavour of any nation in Southeast Asia and the world to help settle the existing differences between the Indochinese countries and another state within or outside the region.

The Conference welcomes the Malaysian proposal to turn Southeast Asia into a nuclear free zone and to materialize the ZOPFAN concept while the "Kampuchea problem" still awaits a solution. The three Indochinese countries declare their willingness to cooperate with the other Southeast Asian states in carrying out this important initiative.

3. The Conference exposed the schemes undertaken by the Beijing reactionary ruling circles over the past six years in collusion with the U.S. imperialists and the reactionaries within the Thai ruling circles aimed at weakening the Indochinese countries through a multi-faceted sabotage war, fomenting confrontation between the Southeast Asian states and undermining peace and stability in the region. While resolutely struggling to defend their respective fatherlands, the three Indochinese peoples have invariably treasured their time-honoured friendship with the Chinese people and always looked forward to an early restoration of this friendship. A relationship of friendship and cooperation between Viet Nam, Laos and Kampuchea on

the one hand and the People's Republic of China on the other, would constitute a factor of extreme importance for peace and stability in Southeast Asia. What matters most is that both sides should show good will. In that spirit, the Lao People's Democratic Republic and the People's Republic of Kampuchea fully support the endeavours of the Socialist Republic of Viet Nam to restore peace in the Viet Nam - China border regions and to resume the Sino - Vietnamese negotiations for the normalization of their relations.

4. The present tension prevailing on the Kampuchean-Thai and Lao - Thai borders stems from the Thai expansionist policy here-to-fore pursued by the reactionary ruling circles of Thailand vis-a-vis the Indochinese countries. Such a situation is on the one hand, contrary to the interests of the peoples of these countries as well as those of the other Southeast Asian countries and on the other, to the sole advantage of outside hegemonist forces which are attempting to pit the countries in the region one against another. The three Indochinese countries once again reaffirm their desire and willingness to do their utmost to foster good-neighbourliness with Thailand thus turning the Kampuchean-Thai and Lao-Thai borders into borders of peace and friendship and solving the problems of their relations with Thailand through negotiations. In this spirit, the Conference assesses highly the determination of the Lao People's Democratic Republic to defend its sovereignty over the region of the three Lao hamlets in Sayaboury province that have been illegally occupied by Thailand. The People's Republic of Kampuchea and the Socialist Republic of Viet Nam while fully supporting the just position and the good will of the Lao People's Democratic Republic, firmly demand that the Thai side immediately withdraw its troops from the three hamlets, return the Lao civilians that have been abducted to Thailand and compensate for the losses inflicted on the Lao population by the Thai army in order to normalize the two countries' relations.

The Conference welcomes all efforts aimed at bringing peace and security for both countries along the Kampuchean - Thai border under an international form of guarantee and supervision and at halting completely the use of the refugee camps by Khmer reactionaries as bases for military operations directed against the Kampuchean people. The Lao People's Democratic Republic and the Socialist Republic of Viet Nam wholly support the initiatives of the People's Republic of Kampuchea, on urgent measures aimed at ensuring peace and security along the border with Thailand and on the repatriation of Kampuchean refugees residing on Thai soil on the basis of principles mutually agreed upon.

5. Looking back on the relations of Vietnam, Laos and Kampuchea with the United States after the end of the American war of aggression the conference clearly indicated that the present absence of normalization stems from the successive American administrations hostile policy vis-a-vis the Indochinese countries. Nevertheless the latter invariably advocate looking to the future. Normalization of relations between the three Indochinese countries and the United States conforms to the interests of all parties concerned and of peace and stability in Southeast Asia. The United States should assume a responsible role in contributing to long-term peace and

stability in Southeast Asia. The Conference welcomes the broadening contacts between various strata of the American people and political circles and the three Indochinese countries. The Conference is of the view that the recent visits of American Congressmen's Delegation to Laos, Viet Nam and Kampuchea have been positive, as they increased mutual understanding and help foster the settlement of problems of concern to the United States on the one hand, and each of the three Indochinese countries on the other.

6. Inspired by their ardent aspiration for the early establishment of peace and stability in the region, the Indochinese countries once again reiterate their willingness to enter negotiations with the parties concerned so as to soon reach a solution encompassing at the same time : the withdrawal of Vietnamese volunteer forces from Kampuchea paired with exclusion of the genocidal Pol Pot clique, respect for the Kampuchean people's right to self-determination, first and foremost the right to come back to a life free from the threat of genocide, the holding by the Kampuchean people of free general elections with the presence of foreign observers, building Southeast Asia into a zone of peace and stability wherein states with different social systems live in peaceful coexistence without allowing their respective territories to be used against other countries, respect by all external states of the national rights of Southeast Asian countries, the establishment of an international form of guarantee and supervision for the implementation of the agreements.

The three Indochinese countries refer once again to their proposal on the convening of an international conference to discuss all problems related to peace and stability in Southeast Asia that would be attended by all states within the region and those outside that are directly concerned or have already contributed to Southeast Asia's peace and stability.

The three Indochinese countries consider that the best is to reach a negotiated solution. At the same time they state their determination to continue their struggle for the defence and edification of their respective countries. With regard to the People's Republic of Kampuchea in particular, concurrently with its growth and consolidation contingents of Vietnamese volunteer forces have successively been withdrawn from this country in the past three years and will continue to be withdrawn in the course of this year as well as of the coming years. In this perspective the Conference is confident that within five to ten years time, the so-called Kampuchea problem will of itself be settled regardless of the absence of the negotiated solution.

The Lao People's Democratic Republic and the Socialist Republic of Viet Nam hold high the policy of national unity pursued by the people's Republic of Kampuchea and which finds expression in Foreign Minister Hun Sen's declaration of 18 September, 1982 and the resolution adopted in August 1984 by the National Assembly of the People's Republic of Kampuchea. This policy of national unity has been warmly welcomed by broad sections of world public opinion.

The three Indochinese countries have done their utmost for the sake of peace in Southeast Asia and the world. In this spirit the Conference values highly and fully supports the important peace initiatives of the socialist community, especially the Soviet Union's position in the ongoing Soviet - US talks aimed at halting the nuclear arms race, easing international tension and consolidating the peace and security of the world peoples. It attaches great importance to the fortieth anniversary of the victory over fascism which will be vividly commemorated by the nations of the world. For the three Indochinese peoples 1985 will also be marked by major celebrations: The fortieth anniversary of the victory of revolution in the three countries and the tenth anniversary of their victory over the US imperialist war of aggression. These important events constitute a living manifestation of the ties binding the fate of the three Indochinese peoples to that of the other nations of the world. The history of the past forty years shows that in spite of many remaining difficulties and obstacles nothing can thwart the world peoples - among whom those of Indochina - in the realization of their lofty goals namely peace, independence, friendship and cooperation.

18 January 1985

So far UNHCR has been able to organize repatriation of one old woman from the Khao-I-Dang holding centre to Phnom Penh via Bangkok and Ho Chin Minh City. It had been hoped that this symbolic return of one person which took place on 1 June 1984 on humanitarian ground and after elaborate negotiation, would be followed by many more individual cases and eventually pave the way for the return of large groups. So far this expectation has not materialized.

24. The basic formal impediment to the progress of negotiation is the issue of contact between the Thai and Phnom Penh authorities. The Thais do not want to have any contact with the Phnom Penh authorities which can be construed in any way as de facto recognition of the regime. They are, however, prepared to deal with UNHCR, ICRC or UN as intermediaries. Hun Sen the Foreign Minister of the Heng Samrin Regime who has been handling this question, on the other hand has been making proposals which would require direct or indirect contact between Phnom Penh and Bangkok.

25. Originally Hun Sen had proposed negotiations with Thailand under the auspices of UNHCR. When this was rejected by Prasong Secretary General of the National Security Council who handles the issue on behalf of Thailand, Hun Sen proposed involvement of the two national Red Crosses of Thailand and Kampuchea to work out the repatriation arrangements. When Prasong rejected this Hun Sen through UNHCR proposed involvement of two "proxy" red crosses. The idea was that each country would appoint the red cross of a third country to act on its behalf. At the time to illustrate his proposal, Hun Sen had mentioned possibility of Hungarian Red Cross acting on behalf of Phnom Penh and French Red Cross on behalf of Bangkok. Later on Hun Sen proposed involvement of two "proxy" governments on behalf of PNP and Bangkok to work out, with UNHCR as intermediary, the necessary arrangements. Prasong could not accept either of these formula and maintained that their acceptance would confer de facto recognition on PNP regime and RTG was under no circumstance prepared to make any move which would imply such a recognition.

26. Behind this procedural smoke-screen on the format of negotiation, each side has some more serious substantive concern. PNP is seriously worried about the security aspects of a mass repatriation. It wants to be in a position to screen thoroughly all the candidates for repatriation and

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have the option of rejecting those it considers to be "suspects" or security risk.

The RTG on the other hand is not interested in allowing PNP authorities to conduct any screening of the candidates for voluntary repatriation on their soil. They would rather refugees to go en mass to a reception centre in Kampuchea, preferable not in Phnom Penh, under the auspices of the United Nations. RTG would not agree to let PNP pick and choose those they want to accept and let the rejected cases remain in Thailand indefinitely. PNP has already indicated that it would not agree to creation of a UN reception centre in Kampuchea.

27. Presence of Khmer refugees at the camps along the Thai-Kampuchean border also provides a buffer for Thailand. At the same time these camps act as "safe havens" for the forces of the coalition. As long as the occupation of Kampuchea by Vietnamese forces continue the Thais and their allies would not want in any way to reduce the pressure on the Vietnamese before a political settlement of the Kampuchean problem. So it would be reasonable to assume that even if the Thais, for humanitarian reasons, may be willing to allow mass repatriation of Khmers from the border, national security reasons and pressure from their allies dictate against such a course.

Separation of civilian and military camps

28. This question was first dealt with much earlier, during June and July 1980, when relief operations along the Thai/Kampuchean border were under the joint mission of UNICEF/ICRC. The separation was sought by the joint mission mainly for the following purposes :

- a) Provision of food should not go directly to fighting forces, in particular those belonging to the Khmer Rouge group;
- b) To ensure security for personnel of international agencies and NGO workers who deliver relief to camps.

29. Despite efforts made by the joint mission, a clear-cut arrangement was not arrived at, and in the subsequent years, particularly during 1983 and 1984, the situation has markedly deteriorated. It is perhaps due to the empirical tendency that those camps which are civilian/military mixed have been more likely to draw fire, causing great difficulties

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and grave dangers to civilians in the camps, that CGDK has indicated earlier this year its agreement, in principle, that military camps should be separated.

30. This time, efforts might be made more clearly from the humanitarian viewpoint that arrangements should be reached in order to spare civilians from being exposed to grave dangers. Such arrangements could possibly be combined with avoidance of attacks on civilian targets in the interior of Kampuchea by CGDK resistance forces.

Brief for the Secretary-General

New Caledonia

Background

New Caledonia, comprising the main island where the capital Noumea is located, the island of Pines, the Loyalty Islands and other small islands, has a total land area of 19,103 square kilometres. France annexed the Territory in 1853. It is governed by a French High Commissioner, appointed by the President of France.

The indigenous Kanak population today constitutes only 43 per cent of a total population of 145,000. Europeans, mainly French settlers including functionnaires, account for about 37 per cent and others, mainly Polynesian and Indochinese labourers, the remaining 20 per cent.

Europeans are largely concentrated in and around Noumea. They occupy the most developed agricultural lands and dominate the Territory's economic and political life. The Kanaks are in the lower echelon of the economy.

The causes for the Territory's political crisis

The main problem in New Caledonia stems from the composition of its population. Whereas Kanaks which after 130 years of French rule have become a minority of the total population want immediate independence, the European settlers and others wish to retain the link with France.

The European domination of the Territory's political life increased steadily since New Caledonia became a French possession in 1853. Until 1946, two separate administrations were in effect for Kanaks and Europeans and it was not until 1956 that the first Territorial Assembly, in which both groups were represented, was established. In 1958, New Caledonia was designated an Overseas Territory of France allowing it to send representatives to the French National Assembly. However, political power in the Territory is still concentrated in the settlers who dominate the Territorial Assembly.

The political differences between the two main groups have been accentuated by economic disparities. While the Territory has a high level of per capita income (\$6,462), both main sectors of the economy - exploitation of high-quality nickel and cattle ranching - are controlled by European settlers. Agriculture, the main occupation of the indigenous population, has declined as a result of the alienation of land by the French for mining and cattle-raising.

Pressure for independence began to build up in the early 1970s. In response, France introduced various reforms, but these did not satisfy the Kanak population. The Statute of Autonomy adopted last July by the French Assembly to defuse tensions failed to please either group. The Melanesians objected to it because it delayed independence until 1989 at the earliest. The electoral law it contained did not limit the franchise to those with at least one parent born in New Caledonia. The European settlers, opposed to any move towards independence, accused France of betraying them and abandoning their interests.

As elections under the new statute approached (November 1984), tensions began to mount. On 24 September, the National Kanak Socialist Liberation Front (FLNKS) announced its decision to boycott the elections for the Territorial Assembly and to unilaterally declare independence from France on 1 December. The elections were held on 18 November in an atmosphere of confrontation and violence. The FLNKS disrupted the voting in some areas by occupying polling stations, burning town halls, setting up road blocks and kidnapping government officials. As a result of the boycott, the turn-out in the election was less than 50 per cent of the eligible voters and consisted mainly of Europeans. The anti-independence party, Rassemblement pour la Calédonie dans la République (RPCR), which represents the European settlers, won 34 seats in the new 42-seat Assembly. Six seats went to a moderate Kanak group and two to European right-wing parties.

Serious disturbances followed the elections despite the presence of 1,300 policemen flown in from France to maintain order. In the face of the deteriorating situation, France announced on 24 November 1984 that it would hold negotiations with all the parties concerned and indicated that it would advance the date of the referendum on independence from 1989 to sometime before 1986. The turnabout in the Government's position was widely criticized by the European settlers and in France itself as ignoring the will of the majority in the Territory.

Notwithstanding French overtures, a Kanak provisional government was sworn in on 1 December, as a first step towards the future state of Kanaki. The FLNKS also called for the cancellation of the election results and an immediate referendum in which only Kanaks could vote. On the other hand, the anti-independence RPCR proceeded to select a President and the cabinet members for a new government.

At this critical point, President Mitterand appointed Mr. Edgard Pisani, a former Minister, as his Special Envoy to negotiate with all sides on the issue of self-determination and to draft an independence plan acceptable to all groups within two months. Mr. Pisani arrived in Noumea on 4 December amidst a tense situation. On 5 December, in a violent clash between the Kanak militants and European settlers, nine Kanaks including two brothers of Mr. Jean-Marie Tjibaou, the President of FLNKS, were killed. This was followed by other incidents and clashes in the Territory which brought the death toll to 11 by 18 December.

Nonetheless, the FLNKS declared its willingness to talk to Mr. Pisani. Europeans although agreeing to talk to him, have remained obdurate in their opposition to any independence plans. In a statement on 18 December the President of the Territorial Assembly, Senator Ukewie, said that he and other officials would use all available means "to oppose the manoeuvres" of the French Government which was plotting to impose independence.

On 7 January 1985, Mr. Pisani, announced his plan which provided for a referendum in July 1985 in which all eligible voters with at least three years' residence would be asked choose between: independence in association with France or maintenance of the present status.

If the choice was independence, New Caledonia would become an independent sovereign state on 1 January 1986, but would remain linked to France by a special treaty of association. Under the Treaty, France would have permanent responsibility for defence and internal security of the Territory. Land and the nickel mines would belong to the Melanesian community but the French settlers could continue to lease them. Noumea, the capital, where the settlers are concentrated would be given a special status. The two communities would enter into a pact to be guaranteed by France to cover the rights of individuals and companies who choose to stay in the Territory. Everyone in New Caledonia would have the option to acquire the citizenship of the new state or retain French citizenship, but no one would be forced to leave the country as a result of this choice. The plan is reportedly approved in outline by the French Government.

The RPCR although it has rejected the independence plan has not opposed the referendum. The French Gaullist Opposition has said that it would also oppose the Pisani plan. The FLNKS had at first considered the plan favourably insofar as it recognized sovereignty for the Kanaks. But violence erupted once again when a young settler was killed in the outlying areas and riots and disturbances broke out in Noumea. On 12 January two Kanak leaders including Mr. Eloï Machoro, the Minister of Internal Security in the provisional government were killed, in a clash with the police. The Kanaks have accused the police of a premeditated assassination of their leaders. Extremist elements among the settlers have also made death threats to other Kanak leaders. It was later reported that the President of FLNKS, Mr. Jean-Marie Tjibaou, had rejected the plan and instead demanded immediate independence without links to France.

A state of emergency has been in effect in New Caledonia since 12 January and France has sent 1,000 more military police to reinforce the 2,800 troops who arrived there in November of last year, bringing the total of the security forces in the Territory to over 6,000. A nightly curfew has been imposed in Noumea, bringing an uneasy calm to the situation.

The death toll in the Territory has now reached 19 with vastly more who have been injured. There has been large-scale damage to property and businesses and tourism has suffered badly. The two communities have virtually turned into opposing armed camps with seemingly irreconcilable differences about the future of the Territory.

As the situation has grown more intractable and the Pisani plan appears in serious jeopardy, President Mitterand of France took the bold political step of announcing a visit to the Territory where he arrives on Saturday. He has before his departure insisted on giving the Pisani plan a chance.

But he is predicted to get a hostile reception. The Kanaks have termed his visit as "meaningless" and reiterated their determination to have "sovereignty over Kanaki". The settlers are equally determined to impress upon him that they are French and wish to remain French.

The situation in the Territory remains highly fluid and could take any turn. If an early political settlement is not reached, the possibility of a bloody civil strife between the two communities cannot be precluded.

Views of regional countries

As regards repercussions of the situation in New Caledonia on the region, the South Pacific countries are concerned at the destabilizing effects of the political crisis in the Territory on the rest of the region. They have emphasized the need for a peaceful and orderly transition of the Territory to independence. The South Pacific Forum Summit held in August called on France to show a more forthcoming attitude.

The Foreign Minister of Australia stated last November that his country would not recognize any provisional independent Government in New Caledonia which would compromise the joint efforts of France and Australia to find a peaceful solution in the Territory. He felt that the assistance provided by France to the Territory was indispensable and that no one in the region was economically capable of replacing France in New Caledonia. In general, Australia is prepared to give France the chance to work things out.

The South Pacific Forum had set up a five-member group (Fiji, New Zealand, Papua New Guinea, Samoa and Vanuatu) last August to hold discussions on this issue with the Independence Front and the French authorities. Prime Minister Lange of New Zealand discussed New Caledonia with Foreign Minister Cheysson in New York and visited the Territory to meet the local French authorities and the leadership of the two groups.

Prior to the latest crisis in the Territory which erupted on 12 January, the Prime Ministers of New Zealand, Papua New Guinea, Vanuatu and Western Samoa, who are members of the South Pacific Forum's Group on New Caledonia, held a special meeting in Wellington on 18 December 1984 to review developments in the Territory. In their joint statement they said that although the SPF reserved the right to take the problem to the United Nations, France appeared to be moving fast enough not to warrant taking the issue to an outside Forum.

INTERNATIONAL YOUTH YEAR - 1985

Background

The General Assembly at its thirty-fourth session (in resolution 34/151 of 17 December 1979) designated 1985 as International Youth Year: Participation, Development, Peace, an indication of the serious intention of Governments to give full attention to the role of young people in the world today and to their demands of the world of tomorrow. The world youth population (defined as persons aged 15 to 24) was 738 million in 1975, and by 2000 it is expected to number 1,180 million.

The General Assembly, in 1980, decided to establish a 24-member Advisory Committee for the IYY: Algeria, Chile, Costa Rica, Democratic Yemen, Germany (Federal Republic of), Guatemala, Guinea, Indonesia, Ireland, Jamaica, Japan, Lebanon, Morocco, Mozambique, Netherlands, Nigeria, Norway, Poland, Romania, Rwanda, Sri Lanka, Union of Soviet Socialist Republics, United States of America and Venezuela.

At its first session (April 1981) the Advisory Committee adopted the Specific Programme of Measures and Activities for the Preparation and Observance of International Youth Year, which was later endorsed by the General Assembly (A/36/215, Annex). The Specific Programme was designed to be implemented before and during the IYY, with suggestions for an appropriate follow-up; it established activities to be undertaken at national, regional and international levels; it encouraged the active participation of young people themselves in all phases and aspects of the programme.

There are several reasons for adopting this approach: The realization that meaningful action to change the situation of youth requires long-term commitment; the understanding that activities at all levels are necessary - to create general public awareness of the situation of youth - to enable appropriate co-ordination of activities and to focus efforts where they will involve the greatest number of young people; and the desire to thoroughly reflect the three themes of the Year.

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It was overwhelmingly realized that for youth to have opportunities to participate in the planning and preparation of IYY, primary emphasis must be given to activities and programmes at the local and national levels. Activities at the regional and international levels should serve to support and encourage local and national level activities.

In order to co-ordinate activities at the national level, a major recommendation of the first session of the Advisory Committee was the establishment by Governments of national co-ordinating committees for the Year. To date, over 100 countries have taken measures to do this. This not only reflects the great interest in the situation of youth and in the IYY, but it also marks the first time various sectors have joined together at the national level to develop national action for and with youth. The national co-ordinating committees are expected to perform the following functions: Investigate and create awareness at the national level of the problems and concerns of young people; develop national plans of action based on the assessment of the situation of youth; co-ordinate the activities of various governmental and non-governmental organizations; and act as liaison internationally with other groups and organizations.

The Advisory Committee convened its second session (June 1982) in order to review progress in the implementation of the Specific Programme of Measures and Activities, and to propose further guidelines for action. The major activity approved by the second session of the Committee was the convening during 1983 of five regional meetings devoted to IYY. These meetings reviewed the situation of youth in each region and adopted regional plans of action for youth. They also created greater public awareness of youth issues and of IYY, brought together representatives from many Governments, United Nations agencies and bodies and non-governmental organizations and in so doing gave tremendous impetus to the implementation of programmes for youth at both the regional and national levels. The very close working relationship between the regional commissions and the IYY secretariat, established within the Centre for Social Development and Humanitarian Affairs, and the growing interest of Governments in IYY were instrumental in the success of the regional meetings on IYY.

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The recently completed third session of the Advisory Committee, held from 2 to 11 April 1984, was concerned mainly with activity at the international level. Major issues of discussion were the possibility of holding a world conference on youth in 1985 under the auspices of the United Nations, a global plan of action for youth, the strengthening of channels of communication between the United Nations and youth and youth organizations, and the formulation of a declaration of rights and responsibilities for youth. The Committee adopted four resolutions by consensus.

The main points of the resolutions are as follows:

- Convening, within existing resources, of a fourth session of the Advisory Committee for IYY in 1985 in order to recommend guidelines for further planning and suitable follow-up on youth;
- Devoting an appropriate number of plenary meetings of the General Assembly to youth at its fortieth session, provided that it is consistent with the Assembly's procedures and practices that such meetings can be designated as the UN World Conference for IYY;
- Recommending that the regional commissions implement the regional plans of action on International Youth Year; and
- Suggesting that the UN system assist Governments in the preparation of international events and regional and inter-regional conferences on specific youth-related subjects.

During 1984 and 1985, the aim of the IYY secretariat is to encourage the implementation of the Specific Programme of Measures and Activities with particular emphasis placed at the national level. In order to achieve success at the national level, the secretariat will work closely with the national co-ordinating committees and with national, regional and international youth organizations.

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Concluding remarks

The International Youth Year has generated tremendous interest at the national level (106 national co-ordinating committees have been established), regional level (there are now five regional plans of action on youth which are being implemented) and at the international level (resolutions on youth are sponsored by over ninety countries in the General Assembly). In addition, requests to the United Nations for information, technical guidance and support and advisory services for the preparation for the Year have increased tremendously. Hundreds of seminars and meetings are being organized at all levels. Special programmes to celebrate the Year such as international film festivals, music competitions, cultural programmes, essay contests, photo exhibitions and stamp issuances are being planned at all levels. In addition, international conferences and festivals are scheduled for 1985 by individual governments and non-governmental organizations.

In the next twenty months issues will arise relating in particular to the proposed declaration on the rights and responsibilities of youth; the feasibility and desirability of a world conference (these two issues were not approved by the Advisory Committee but will most likely be raised at the thirty-ninth session of the General Assembly); United Nations involvement in certain politically sensitive international conferences organized by individual governments. In addition, resolutions of a political nature (such as youth and apartheid and the human rights of youth living in Arab occupied territories) are likely to be reintroduced and discussed during General Assembly deliberations.

Briefing on the Thirtieth Session of the Commission on the Status of Women and the Second Preparatory Meeting for the 1985 World Conference to Review and Appraise the Achievements of the UN Decade for Women

Background

The stage for the UN Decade for Women was set in San Francisco in 1945. The preamble of the UN Charter, adopted there, reaffirms "the equal rights of men and women". Since that time, the Commission on the Status of Women has played a critical role in elaborating international standards for improving the status of women and eliminating sex discrimination. More recently, although concerned with equal rights, emphasis has also been given to women's role in development including their economic and political role. The Commission meets every two years and has a membership of 32 states.

To draw international attention to the struggle for women's full integration in society, 1975 was designated by the General Assembly as International Women's Year marked by a global conference held in Mexico City. At that Conference it was proposed to designate 1975-1985 as the UN Decade for Women: Equality Development and Peace.

A mid-Decade UN conference was held in Copenhagen in 1980 focussed on a plan of action featuring objectives and measures in the specific areas of health, education and employment. The Mexico City conference helped to raise the consciousness of women everywhere to the efforts being made internationally and nationally to achieve greater equality and open up opportunities to women to participate fully in all aspects of development. At Copenhagen the common concerns of women - East, West, North and South - became more evident. For the end of the Decade Conference to be held at Nairobi from 15-26 July 1985, the focus will be on the obstacles encountered in attaining

the goals and objectives of the Decade with a view to future action up to the year 2000.

It is expected that new impetus will be given to women in development issues although balanced attention will also be given to the themes of peace and equality.

The Commission on the Status of Women has been designated by the General Assembly to serve as the preparatory body for the 1985 Conference and the Branch for the Advancement of Women of the CSDHA/DIESA to act as the Conference Secretariat with Mrs. Leticia Shahani serving as Secretary-General.

The first session of the preparatory body held in February 1983 took decisions on regional and other pre-conference activities and on the agenda for the Conference. The main items of the agenda will be:

Critical review and appraisal of progress achieved and obstacles encountered in attaining the goals and objectives of the United Nations Decade for Women: Equality, Development and Peace, and the sub -themes: Employment, Health and Education; bearing in mind the guidelines laid down at the World Conference of the International Women's Year, held at Mexico City, and the World Conference of the United Nations Decade for Women: Equality, Development and Peace, held at Copenhagen:

- (a) Progress achieved and obstacles encountered at national, regional and international levels to attain the goal and objective of equality;
- (b) Progress achieved and obstacles encountered at national, regional and international levels to attain the goal and objective of development, and
- (c) Progress achieved and obstacles encountered at national, regional and international levels to attain the goal and objective of peace.

- Forward-looking strategies of implementation for the advancement of women for the period up to the year 2000, and concrete measures to overcome obstacles to the achievement of the goals and objectives of the United Nations Decade for Women: Equality, Development and Peace, and the sub-themes:

Employment, Health and Education, bearing in mind the International Development Strategy for the United Nations Third Development Decade and the establishment of a New International Economic Order:

- (a) Strategies and measures at the national, regional and international levels to achieve the goal of equality;
- (b) Strategies and measures at the national, regional and international levels to achieve the goal of development, and
- (c) Strategies and measures at the national, regional and international levels to achieve the goal of peace.

Preparatory activities for the Conference include:

Asian Regional Preparatory Meeting	Tokyo	26-30 March 1984
African Regional Preparatory Meeting	Arusha	3- 7 Sept 1984
Western Asia Preparatory Meeting	Baghdad	not decided yet
Latin American Preparatory Meeting	To be decided	
Regional Seminar on the economic role of women in the ECE region	Vienna	15-19 October 1984
Inter-regional seminar on the situation of women in rural areas	Vienna	17-18 Sept 1984

In addition, seminars on forward-looking strategies for the advancement of women are being organized by the Secretariat and the Regional Commissions.

Interagency co-operation is crucial to the preparations for the Conference especially in the preparation of basic documentation in view of the scope of topics dealt with during the Decade. A second interagency meeting was held in Vienna on 8-9 March 1984 to discuss progress in preparing agency inputs to the basic conference documentation.

Preparatory Body for the 1985 Conference
Second Session

The second session of the CSW acting as Preparatory Body was held in February-March 1984. Recommendations were made on the documentation to be submitted to the World Conference, including a report on women and children living under the racist minority regimes of southern Africa and one on women and children living in the occupied Arab territories and other occupied territories. Recommendations were also made on the organizational aspects of the Conference. It was decided to have a plenary and two committees meeting simultaneously.

The Economic and Social Council, at its first regular session, 1984 adopted the recommendations of the second preparatory meeting. The financial implications for the Conference itself will be reviewed by the General Assembly (Fifth Committee) at its next session. The Preparatory Body's report is contained in A/CONF.116/PC/19.

Commission on the Status of Women - Thirtieth Session

At its regular thirtieth session the Commission on the Status of Women discussed and made recommendations on a number of on-going concerns including the Convention on the Elimination of All Forms of Discrimination Against Women, the situation of women and children living under racist minority

regimes and in the occupied Arab territories and other occupied territories; communications on the status of women; equal opportunity for women employed in the UN system; elderly women; violence in the family, young women, and physical violence against detained women specific to their sex. The Commission adopted an agenda for its thirty-first session that grouped current issues broadly under the three themes of the Decade; Equality, Development and Peace. It also includes a general item on the results of the 1985 World Conference and one on communications on the status of women.

The Economic and Social Council at its first regular session, 1984, adopted the eleven resolutions and one decision of the Commission with only two minor revisions. The Commission's report is contained in E/1984/15.



UNITED NATIONS, NEW YORK, N.Y. 10017
CABLE ADDRESS: UNICEF - TELEPHONE: (212) 754-1234

18 January 1985

Dear Mr. Secretary General,

Your forthcoming travel

The potential for the Child Survival Revolution has been the topic of serious discussion with a number of top officials, including Heads of State of a number of the countries on your forthcoming travel schedule. It would be most helpful if you could include it as an item for discussion with those top officials, stressing the importance of this UN-led effort which is already saving the lives of many hundreds of thousands of children every year and which could be saving the lives of millions annually within a few years.

I enclose a copy of the State of the World's Children Report 1985 which was released on 19 December (with, once again, your public endorsement) and commend for your reading pages 1, 3, 5 and 7 which summarize the present status of this effort since its launch in December 1982. It includes your own comment in December 1983 and a very brief summary of the large scale programme in Indonesia. Also, your public reference to the progress of these simple programmes to improve the prospects for child health and survival would be most useful in your meetings with the press in Indonesia, Australia and New Zealand.

Indonesia

Last September I had a good discussion with President Soeharto reviewing progress on the children front and urged that he give child survival programmes the same personal leadership that he provided the agricultural "Green Revolution" and the promotion of family planning with such success in recent years. I enclose a copy of my follow-up letter to him. The Indonesian Foreign Minister spoke out at the UNGA last fall in support of the Child Survival Revolution concept and the Ministry of Health has been stepping up its programmes particularly those with growth monitoring, oral rehydration therapy and immunization. However, President Soeharto has not yet fully engaged himself in providing leadership for these programmes which could be saving within a few years the lives of at least 300,000 of the more than 600,000 small children who die each year.

Mr. Javier Perez de Cuellar
Secretary General



UNITED NATIONS, NEW YORK, N.Y. 10017
CABLE ADDRESS: UNICEF - TELEPHONE: (212) 754-1234

Secretary-General

Page 2

Indonesia has been a pioneer in promoting growth monitoring and oral rehydration therapy and presidential leadership is most urgently needed to advocate universal immunization for children by 1990. The latter is a goal in the new Indonesian Five Year Plan (and it the goal set by UNGA in 1980 and reaffirmed last fall) but cannot be achieved without more presidential leadership.

Australia

The Foreign Minister and the Deputy Prime Minister both publicly endorsed the importance of support for the Child Survival Revolution in December. Please thank them for their support.

Also noteworthy is the fact that Australia is providing substantial help for the African Emergency and on a per capita basis, is now the second largest provider of emergency assistance.

A Deputy Director of the Australian Development Assistance Bureau, Richard Manning, is the Chairman of UNICEF's Executive Board. The Australian Committee for UNICEF does good work and provided UNICEF with approximately \$1 million last year.

Also of note is that Australia is providing financial assistance for UNICEF noted projects in Kampuchea and Vietnam.

New Zealand

New Zealand also has been an active supporter of UNICEF and I enclose a copy of Prime Minister Lange's statement in support of the State of the World's Children Report.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "J. P. Grant", with a stylized flourish at the end.

James P. Grant
Executive Director



UNICEF

UNITED NATIONS CHILDREN'S FUND - FONDS DES NATIONS UNIES POUR L'ENFANCE
OFFICE OF THE REPRESENTATIVE TO INDONESIA
14, JL. M.H. THAMRIN, P.O. Box No. 202/JKT - JAKARTA

19 August 1984

Your Excellency,

As I leave Indonesia today in the aftermath of your celebration of the 39th Anniversary of the Independence of Indonesia, and after observing many villages in Yogyakarta and Central Java, I am struck by the great and evident progress of the people under your leadership.

I would like to thank you for the opportunity to have met with you and for our discussion on the means at hand to accelerate the survival and development of the Children of Indonesia. As you have stated, Indonesia's children are its future, and your commitment to the development of this precious resource has been a constant objective throughout the Pelita plans.

Your intense personal commitment, strong leadership and public endorsement of Indonesia's "green revolution" and of the Family Planning Programme, are recognized worldwide as a critical factor in Indonesia's impressive success in these sectors. I am convinced that Indonesia is on the brink of yet another breakthrough - that of dramatically reducing infant and child mortality, with all the economic and social benefits that would accrue. I am also convinced that your personal and public endorsement and support of this goal would greatly accelerate the process, as it has in Indonesia's efforts to contain population growth and to increase agricultural production.

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His Excellency
General Soeharto
President of the Republic of Indonesia
J a k a r t a



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Your Repelita IV calls for a reduction in Indonesia's Infant Mortality Rate from 90 per thousand births to 70 per thousand births. This would be an impressive improvement by historical standards. I should add however, that I am convinced from what I have seen and heard on this visit that if you could now devote the same leadership to promoting child survival, with particular attention to oral rehydration therapy for diarrhoea-caused dehydration, and to immunization against six major diseases (which together account for approximately half of the infant and small child deaths in Indonesia), Indonesia would have a good prospect for reducing its infant mortality to 50 or less in Repelita IV. This accomplishment would not only bring Indonesia's infant mortality to a rate achieved by the United States only in 1940, but, on the basis of experience in Indonesia and elsewhere, would also accelerate the reduction of Indonesia's birth rate. Thus Yogyakarta in 1980 with the lowest Infant Mortality Rate in the country, also had the lowest crude birth rate. If all of Indonesia had comparable crude death rates and birth rates, the national population growth would have been reduced by more than 1,000,000 that year.

I recognize, Your Excellency, that the most precious resource of a nation is the time of its leadership, which must be allocated sparingly to its most important problems. However, I would be remiss in my own responsibility as the Executive Director of the world's agency to promote the health and development of children if I did not share with you this judgement that Indonesia has already made so much progress under your leadership that a truly impressive breakthrough in the health of your children is now possible if you could provide still more leadership to capitalizing on this opportunity.

Your Excellency, I can assure you that if Indonesia were to make such an all-out effort on immunization and oral rehydration, UNICEF could take responsibility for mobilizing the additional foreign exchange resources required for purchase of vaccine and oral rehydration salts.

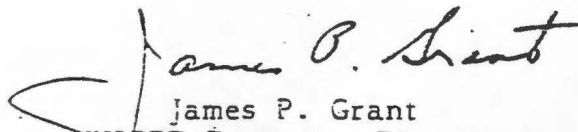
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In closing I would like to assure you of my personal support, and that of the UNICEF Representative to Indonesia, Mr. Daniel J. Brooks, in reaching your objectives for the well-being of Indonesia's children.

I take this opportunity to convey to Your Excellency the assurances of my highest consideration.


James P. Grant
UNICEF Executive Director

cc H.E. dr. Suwardjono Surjaningrat
Minister of Health of the Republic of Indonesia



Prime Minister
Wellington
New Zealand

4 DEC 1984

Mr P Ignatieff
UNICEF Representative
44 Market Street
Sydney
NSW 2000
AUSTRALIA

cc: The Permanent Representative
NEW YORK

Please pass text to UNICEF
Executive Director, James
Grant.

Dear Mr Ignatieff

It gives me great pleasure to personally endorse and support the achievements and strategies detailed in UNICEF's 1985 State of the World's Children Report.

As a parent of three healthy youngsters, I find it appalling that 40,000 young children die throughout the developing world each day. I would, therefore, urge the international community including leaders of governments, national and local organisations involved in mother and child health care, to commit themselves to fostering UNICEF's "child survival and development revolution". The strategies of this revolution including oral rehydration therapy, monitoring of child growth, mass immunisation campaigns and the promotion of breast-feeding are highly effective, low-cost methods capable of achieving dramatic results in children's welfare.

I should like to congratulate UNICEF on its achievements in child protection and the effectiveness of its programmes, especially in drought-stricken Africa where UNICEF is working strenuously to break the vicious cycle of poverty and disease. The New Zealand Government has consistently supported UNICEF's programmes. We shall continue to do so within the context of a positive, considerate relationship. It is my hope that 1985 will see us better placed to assist materially UNICEF's activities.

As a Christian, I look forward to spending Christmas with my family and reflecting on the meaning and significance of a spiritual tradition shared by many New Zealanders. Their thoughts, like mine, I am sure will turn to the plight of those youngsters born into a life of hunger, poverty and

/disease.

disease. Fortunately, UNICEF's programmes hold out a degree of hope for this target group. I am thankful for UNICEF's existence and I laud its mandate.

I therefore personally commend UNICEF's 1985 Report to the attention of all governments, organisations, groups and individuals involved in the protection and promotion of child health care.

Yours sincerely

(Sgd) DAVID LANGE

David Lange



Permanent Mission of the Republic of Indonesia to the United Nations

666 THIRD AVENUE
NEW YORK, N. Y. 10017

Mr Dan Brooks

STATEMENT

BY

H.E. DR. MOCHTAR KUSUMA-ATMADJA

MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF INDONESIA

BEFORE THE THIRTY-NINTH SESSION OF THE UNITED NATIONS

GENERAL ASSEMBLY

NEW YORK, 27 SEPTEMBER 1984

these challenges will be effectively addressed at the forthcoming United Nations world conference on women in Nairobi 1985.

One of the most important and concrete achievements of the United Nations Decade for Women was the adoption of the Convention on the Elimination of All Forms of Discrimination against Women in 1979. The Indonesian Government ratified this Convention not only because its tenets are in full accord with the rights already guaranteed to women by our Constitution but also because it would reinforce the effectiveness of those rights universally.

On refugees, the considerable response of the international community was once again demonstrated in the recently held Second International Conference on Assistance to Refugees in Africa in Geneva. As in Asia, while pertinent assistance has been forthcoming, the continued support of the international community is paramount.

Another area of deep concern to Indonesia is that in respect to children - a most vulnerable sector - in which millions of lives have been threatened by the global economic downturn. UNICEF's strategy for "child survival and development" stands as a beacon of hope for further reducing mortality among infants and young children. The recent supportive public statements from world leaders including the Secretary-General are important factors in creating a climate conducive to making substantial progress in child health throughout the world. The opportunity to accelerate child survival and development should not be allowed to pass, even in these difficult times. Indonesia, in cooperation with UNICEF, has achieved important breakthroughs. Consequently, infant mortality rates have been significantly reduced in Indonesia.

Mr. President,

Last January my Government had the honour to host the Conference of the Ministers of Information of Non-Aligned Countries, which underscored the importance that Indonesia and all Non-Aligned Countries attach to the often repeated goal of a new international information and communication order. Indeed, the Non-Aligned countries pioneered the initiative of the new order, as we have long been the victims of the unbalanced flow of information and communication. With regard to the United Nations, the Declaration of the Jakarta Conference pledged the full cooperation of the Non-Aligned Countries with efforts by the United Nations to provide technical assistance to the developing countries, study the relevant policies and activities of the United Nations and promote the rapid development of the new order. Indonesia remains convinced that the spirit of cooperation and the will to reach consensus, which have gradually increased over the past years, will hasten the advent of the new international information and communication order.

Mr. President,

As we approach the half-way mark of the decade of the eighties, mankind's vision of an international order of greater security and stability, of larger prosperity and justice, appears as distant as ever.

World Court

[guidelines for Spokesman when answering queries regarding U.S. Statement, attached].

It is not for the Secretary-General or for his spokesmen to comment on the position taken by a State party to a contentious proceeding before the International Court of Justice.

[If asked if this is without precedent the spokesmen should reply that this is not the case and he should refer to the similar attitude taken by France in the Nuclear Test Cases with Australia and New Zealand and by Iceland in the Fisheries Jurisdiction cases with the Federal Republic of Germany and the United Kingdom and by Iran in the hostages case with the United States.]

EGIN TEXT.

US WITHDRAWAL FROM THE PROCEEDINGS INITIATED BY NICARAGUA IN THE INTERNATIONAL COURT OF JUSTICE THE UNITED STATES HAS CONSISTENTLY TAKEN THE POSITION THAT THE PROCEEDINGS INITIATED BY NICARAGUA IN THE INTERNATIONAL COURT OF JUSTICE ARE A MISUSE OF THE COURT FOR POLITICAL PURPOSES AND THAT THE COURT LACKS JURISDICTION AND COMPETENCE OVER SUCH A CASE. THE COURT'S DECISION OF NOVEMBER 26, 1984, FINDING THAT IT HAS JURISDICTION, IS CONTRARY TO LAW AND FACT. WITH GREAT RELUCTANCE, THE UNITED STATES HAS DECIDED NOT TO

PARTICIPATE IN FURTHER PROCEEDINGS IN THIS CASE.

US POLICY IN CENTRAL AMERICA

UNITED STATES POLICY IN CENTRAL AMERICA HAS BEEN TO PROMOTE DEMOCRACY, REFORM, AND FREEDOM; TO SUPPORT ECONOMIC DEVELOPMENT; TO HELP PROVIDE A SECURITY SHIELD AGAINST THOSE — LIKE NICARAGUA, CUBA, AND THE USSR — WHO SEEK TO SPREAD TYRANNY BY FORCE; AND TO SUPPORT DIALOGUE AND NEGOTIATION BOTH WITHIN AND AMONG THE COUNTRIES OF THE REGION. IN PROVIDING A SECURITY SHIELD, WE HAVE ACTED IN THE EXERCISE OF THE INHERENT RIGHT OF COLLECTIVE SELF-DEFENSE, ENSHRINED IN THE UNITED NATIONS CHARTER AND THE RIO TREATY. WE HAVE DONE SO IN DEFENSE OF THE VITAL NATIONAL SECURITY INTERESTS OF THE UNITED STATES AND IN SUPPORT OF THE PEACE AND SECURITY OF THE HEMISPHERE.

NICARAGUA'S EFFORTS TO PORTRAY THE CONFLICT IN CENTRAL AMERICA AS A BILATERAL ISSUE BETWEEN ITSELF AND THE UNITED STATES CANNOT HIDE THE OBVIOUS FACT THAT THE SCOPE OF THE PROBLEM IS FAR BROADER. IN THE SECURITY DIMENSION, IT INVOLVES A WIDE RANGE OF ISSUES: NICARAGUA'S HUGE BUILDUP OF SOVIET ARMS AND CUBAN ADVISERS, ITS CROSS-BORDER ATTACKS AND PROMOTION OF INSURGENCY WITHIN VARIOUS NATIONS OF THE REGION, AND THE ACTIVITIES OF INDIGENOUS OPPOSITION GROUPS WITHIN NICARAGUA. IT IS ALSO CLEAR THAT ANY EFFORT TO STOP THE FIGHTING IN THE REGION WOULD BE FRUITLESS UNLESS IT WERE PART OF A COMPREHENSIVE APPROACH TO POLITICAL SETTLEMENT, REGIONAL SECURITY, ECONOMIC REFORM AND DEVELOPMENT, AND THE SPREAD OF DEMOCRACY AND HUMAN RIGHTS.

THE ROLE OF THE INTERNATIONAL COURT OF JUSTICE

THE CONFLICT IN CENTRAL AMERICA, THEREFORE, IS NOT A NARROW LEGAL DISPUTE; IT IS AN INHERENTLY POLITICAL PROBLEM THAT IS NOT APPROPRIATE FOR JUDICIAL RESOLUTION. THE CONFLICT WILL BE SOLVED ONLY BY POLITICAL AND DIPLOMATIC MEANS — NOT THROUGH A JUDICIAL TRIBUNAL. THE INTERNATIONAL COURT OF JUSTICE WAS NEVER INTENDED TO RESOLVE ISSUES OF COLLECTIVE SECURITY AND SELF-DEFENSE AND IS PATENTLY UNSUITED FOR SUCH A ROLE. UNLIKE DOMESTIC COURTS, THE WORLD COURT HAS JURISDICTION ONLY TO THE

EXTENT THAT NATION-STATES HAVE CONSENTED TO IT. WHEN THE UNITED STATES ACCEPTED THE COURT'S COMPULSORY JURISDICTION IN 1946, IT CERTAINLY NEVER CONCEIVED OF SUCH A ROLE FOR THE COURT IN SUCH CONTROVERSIES. NICARAGUA'S SUIT AGAINST THE UNITED STATES — WHICH INCLUDES AN ABSURD DEMAND FOR HUNDREDS OF MILLIONS OF DOLLARS IN REPARATIONS — IS A BLATANT MISUSE OF THE COURT FOR POLITICAL AND PROPAGANDA PURPOSES.

AS ONE OF THE FOREMOST SUPPORTERS OF THE INTERNATIONAL COURT OF JUSTICE, THE UNITED STATES IS ONE OF ONLY 44 OF 159 MEMBER STATES OF THE UNITED NATIONS THAT HAVE ACCEPTED THE COURT'S COMPULSORY JURISDICTION AT ALL. FURTHERMORE, THE VAST MAJORITY OF THESE 44 STATES HAVE ATTACHED TO THEIR ACCEPTANCE RESERVATIONS THAT SUBSTANTIALLY LIMIT ITS SCOPE. ALONG WITH THE UNITED KINGDOM, THE UNITED STATES IS ONE OF ONLY TWO PERMANENT MEMBERS OF THE UN SECURITY COUNCIL THAT HAVE ACCEPTED THAT JURISDICTION. AND OF THE 16 JUDGES NOW CLAIMING TO SIT IN JUDGMENT ON THE UNITED STATES IN THIS CASE, 11 ARE FROM COUNTRIES THAT DO NOT ACCEPT THE COURT'S COMPULSORY JURISDICTION.

FEW IF ANY OTHER COUNTRIES IN THE WORLD WOULD HAVE APPEARED AT ALL IN A CASE SUCH AS THIS WHICH THEY CONSIDERED TO BE IMPROPERLY BROUGHT. NEVERTHELESS, OUT OF ITS TRADITIONAL RESPECT FOR THE RULE OF LAW, THE UNITED STATES HAS PARTICIPATED FULLY IN THE COURT'S PROCEEDINGS THUS FAR, TO PRESENT ITS VIEW THAT THE COURT DOES NOT HAVE JURISDICTION OR COMPETENCE IN THIS CASE.

THE DECISION OF NOVEMBER 26

ON NOVEMBER 26, 1984, THE COURT DECIDED — IN SPITE OF THE OVERWHELMING EVIDENCE BEFORE IT — THAT IT DOES HAVE JURISDICTION OVER NICARAGUA'S CLAIMS AND THAT IT WILL PROCEED TO A FULL HEARING ON THE MERITS OF THESE CLAIMS.

THIS DECISION IS ERRONEOUS AS A MATTER OF LAW AND IS BASED ON A MISREADING AND DISTORTION OF THE EVIDENCE AND PRECEDENT:

--THE COURT CHOSE TO IGNORE THE IRREFUTABLE EVIDENCE THAT NICARAGUA ITSELF NEVER ACCEPTED THE COURT'S COMPULSORY JURISDICTION. ALLOWING NICARAGUA TO SUE WHERE IT COULD NOT BE SUED WAS A VIOLATION OF THE COURT'S BASIC PRINCIPLE OF RECIPROCITY, WHICH NECESSARILY UNDERLIES OUR OWN CONSENT TO THE COURT'S COMPULSORY JURISDICTION. ON THIS PIVOTAL ISSUE IN THE NOVEMBER 26 DECISION — DECIDED BY A VOTE OF 11-5 -- DISSENTING JUDGES CALLED THE COURT'S JUDGMENT "UNTENABLE" AND "ASTONISHING" AND DESCRIBED THE

US POSITION AS "BEYOND DOUBT." WE AGREE.

--EL SALVADOR SOUGHT TO PARTICIPATE IN THE SUIT TO ARGUE THAT THE COURT WAS NOT THE APPROPRIATE FORUM TO ADDRESS THE CENTRAL AMERICAN CONFLICT. EL SALVADOR DECLARED THAT IT WAS UNDER ARMED ATTACK BY NICARAGUA AND, IN EXERCISE OF ITS INHERENT RIGHT OF SELF-DEFENSE, HAD REQUESTED ASSISTANCE FROM THE UNITED STATES. THE COURT REJECTED EL SALVADOR'S APPLICATION SUMMARILY -- WITHOUT GIVING REASONS AND WITHOUT EVEN GRANTING EL SALVADOR A HEARING, IN VIOLATION OF EL SALVADOR'S RIGHT AND IN DISREGARD OF THE COURT'S OWN RULES.

--THE COURT'S DECISION IS A MARKED DEPARTURE FROM ITS PAST, CAUTIOUS APPROACH TO JURISDICTIONAL QUESTIONS. THE HASTE WITH WHICH THE COURT PROCEEDED TO A JUDGMENT ON THESE ISSUES -- NOTED IN SEVERAL OF THE SEPARATE AND ~~DISSENTING~~ OPINIONS -- ONLY ADDS TO THE IMPRESSION THAT THE COURT IS DETERMINED TO FIND IN FAVOR OF NICARAGUA IN THIS CASE.

FOR THESE REASONS WE ARE FORCED TO CONCLUDE THAT OUR CONTINUED PARTICIPATION IN THIS CASE COULD NOT BE JUSTIFIED.

IN ADDITION, MUCH OF THE EVIDENCE THAT WOULD ESTABLISH NICARAGUA'S AGGRESSION AGAINST ITS NEIGHBORS IS OF A HIGHLY SENSITIVE INTELLIGENCE CHARACTER. WE WILL NOT RISK US NATIONAL SECURITY BY PRESENTING SUCH SENSITIVE MATERIAL IN PUBLIC OR BEFORE A COURT THAT INCLUDES TWO JUDGES FROM WARSAW PACT NATIONS. THIS PROBLEM ONLY CONFIRMS THE REALITY THAT SUCH ISSUES ARE NOT SUITED FOR THE INTERNATIONAL COURT OF JUSTICE.

LONGER-TERM IMPLICATIONS OF THE COURT'S DECISION
THE COURT'S DECISION RAISES A BASIC ISSUE OF SOVEREIGNTY. THE RIGHT OF A STATE TO DEFEND ITSELF OR TO PARTICIPATE IN COLLECTIVE SELF-DEFENSE AGAINST AGGRESSION IS AN INHERENT SOVEREIGN RIGHT THAT CANNOT BE COMPROMISED BY AN INAPPROPRIATE PROCEEDING BEFORE THE WORLD COURT.

WE ARE PROFOUNDLY CONCERNED ALSO ABOUT THE LONG-TERM IMPLICATIONS FOR THE COURT ITSELF. THE DECISION OF

NOVEMBER 26 REPRESENTS AN OVERREACHING OF THE COURT'S LIMITS, A DEPARTURE FROM ITS TRADITION OF JUDICIAL RESTRAINT, AND A RISKY VENTURE INTO TREACHEROUS POLITICAL WATERS. WE HAVE SEEN IN THE UNITED NATIONS, IN THE LAST DECADE OR MORE, HOW INTERNATIONAL ORGANIZATIONS HAVE BECOME MORE AND MORE POLITICIZED AGAINST THE INTERESTS OF THE WESTERN DEMOCRACIES. IT WOULD BE A TRAGEDY IF THESE TRENDS WERE TO INFECT THE INTERNATIONAL COURT OF JUSTICE. WE HOPE THIS WILL NOT HAPPEN, BECAUSE A POLITICIZED COURT WOULD MEAN THE END OF THE COURT AS A SERIOUS, RESPECTED INSTITUTION. SUCH A RESULT WOULD DO GRIEVOUS HARM TO THE GOAL OF THE RULE OF LAW.

THESE IMPLICATIONS COMPEL US TO CLARIFY OUR 1946 ACCEPTANCE OF THE COURT'S COMPULSORY JURISDICTION. IMPORTANT PREMISES ON WHICH OUR INITIAL ACCEPTANCE WAS BASED NOW APPEAR TO BE IN DOUBT IN THIS TYPE OF CASE. WE ARE THEREFORE TAKING STEPS TO CLARIFY OUR ACCEPTANCE OF THE COURT'S COMPULSORY JURISDICTION IN ORDER TO MAKE EXPLICIT WHAT WE HAVE UNDERSTOOD FROM THE BEGINNING, NAMELY THAT CASES OF THIS NATURE ARE NOT PROPER FOR ADJUDICATION BY THE COURT.

WE WILL CONTINUE TO SUPPORT THE INTERNATIONAL COURT OF JUSTICE WHERE IT ACTS WITHIN ITS COMPETENCE — AS, FOR EXAMPLE, WHERE SPECIFIC DISPUTES ARE BROUGHT BEFORE IT BY SPECIAL AGREEMENT OF THE PARTIES. ONE SUCH EXAMPLE IS THE RECENT CASE BETWEEN THE UNITED STATES AND CANADA BEFORE A SPECIAL FIVE-MEMBER CHAMBER OF THE COURT TO DELIMIT THE MARITIME BOUNDARY IN THE GULF OF MAINE AREA. NONETHELESS, BECAUSE OF OUR COMMITMENT TO THE RULE OF LAW, WE MUST DECLARE OUR FIRM CONVICTION THAT THE COURSE ON WHICH THE COURT MAY NOW BE EMBARKED COULD DO ENORMOUS HARM TO IT AS AN INSTITUTION AND TO THE CAUSE OF INTERNATIONAL LAW.