

### III Recognition

#### **Recognition of States. Cyprus. "Turkish Federated State of Cyprus". Implications of non-recognition. Application of treaties. Passports. Postal Services.**

On 18 November 1981 the Minister for Foreign Affairs provided the following written answers to the corresponding questions (Sen Deb 1981, Vol 92, 2328-2329):

(1) Does the Australian Government recognise the Turkish annexation of the northern part of Cyprus.

(2) Has the Government decided to:

- (a) apply the migration agreement between Australia and Turkey to persons living in the Turkish-occupied sector of Cyprus, and
- (b) recognise only Turkish passports for Turkish Cypriots travelling to Australia.

(3) If the answer to (2) (a) and (b) is "yes", do those decisions constitute de facto recognition of the annexation of the northern part of Cyprus by Turkey.

(4) Is there a contradiction in the Government's position.

(1) No.

(2) (a) The Government continues to operate a limited migration program in northern Cyprus for humanitarian reasons. This program is separate from, and is not conducted under the provisions of, the migration agreement between Australia and Turkey.

(b) As the Australian Government does not recognize the "Turkish Federated State of Cyprus", it follows that it does not recognize travel documents which purport to have been issued by that regime and will not place Australian visas in them. No such difficulty arises in respect of passports issued by the Government of Turkey and persons in Cyprus possessing such documents may be granted Australian visas in them, subject of course to compliance by the holder with the requirements applicable to the category of visa sought.

(3) No.

(4) No. Those actions in no way imply a recognition of the annexation of northern Cyprus or a recognition of the "Turkish Federated State of Cyprus". In international law and in Australian practice, recognition can only be extended by a deliberate decision of a Government.

On 17 March 1982 the Minister for Communications provided the following written answers to the corresponding questions (HR Deb 1982, Vol 126, 1110-1111):

(1) Does Australia Post accept mail bearing stamps by the "Turkish Federated State of Cyprus".

(2) Do any international conventions or other agreements regulate the use of postage stamps issued by occupying powers; if so, can he provide the details.

(1) Yes. Such mail is accepted by Australia Post because it does not act to

impede communications between residents of Cyprus and Australia, for humanitarian and practical reasons.

(2) No. The Acts of the Universal Postal Union (UPU) stipulate that postage stamps should be issued only by postal administrations.

On 20 April 1982 the Minister for Foreign Affairs provided the following answers to the corresponding questions (HR Deb 1982, Vol 127, 1602):

(1) What are the ranks and duties of the officials in the Australian High Commission in Cyprus who travel to the part of Cyprus occupied by Turkish armed forces personnel (*Hansard*, 13 October 1981, page 1943).

(2) Does the Australian Government apply the Migration Agreement between Australia and Turkey to persons who reside in the Turkish-occupied area of Cyprus.

(3) Has the Government decided not to recognise purported passports issued by the Turkish Federated State of Cyprus; if so, when did it so decide.

(4) Does the Government of the Turkish Republic issue a Turkish Cypriot with a Turkish passport which in the space for the passport's number bears a special number commencing with the letters "TRC" and which leaves blank the space for the holder's nationality; if so, do Australian officials in (a) Turkey and/or (b) Australia, stamp these special Turkish passports issued to Turkish Cypriots.

(5) Have Australia and Cyprus discussed whether the (a) stamping of the special passports and (b) application of the Migration Agreement are consistent with the principles of sovereignty, territorial integrity and unity of the Republic of Cyprus for which the Commonwealth Heads of Government have repeatedly declared their support; if so, what have been the date, form and outcome of the discussions.

(1) The Australian High Commissioner to Cyprus, The Secretary to the High Commissioner.

(2) No.

(3) The Australian Government does not recognise travel documents issued by the "Turkish Federated State of Cyprus" (TFSC). This has been the Government's practice since the declaration of the TFSC on 13 February 1975. No specific decision was made by the Government on this issue. The practice is a consequence of the Government's policy of not recognising the TFSC.

(4) The Turkish Government does issue residents of northern Cyprus with Turkish passports. Such passports are accepted as valid travel documents by the Australian Government and are stamped by Australian officials in Turkey and in Australia.

(5) No. The Australian Government has consistently made clear, in multilateral forums such as the Commonwealth as well as bilaterally, its support for the sovereignty, territorial integrity and unity of the Republic of Cyprus.

On 30 April 1982 he provided the additional written answer to part (2) of the preceding question (HR Deb 1982, Vol 127, 2135):

The Australian Government does not consider that the migration agreement between Australia and Turkey applies to residents of northern

Cyprus. Our Embassy in Ankara has however advised that residents of northern Cyprus, who of necessity acquire Turkish passports in order to travel, have as a matter of operating practice had their applications handled through channels originally established in the migration agreement for Turkish nationals. The Australian Government has accepted this state of affairs as being the only practical avenue for processing applicants from northern Cyprus. The alternative of accepting passports issued by the "Turkish Federated State of Cyprus" is unacceptable as the Australian Government does not recognize that regime. In the Government's view the present practice does not imply a recognition of either the "TFSC" or Turkish sovereignty over northern Cyprus. Under international law and in Australian practice recognition can only be extended by a deliberate decision of the Government.

See also under "Sovereignty. Cyprus. Declaration of the "Turkish Republic of Northern Cyprus". above in Part II.

#### **Recognition. Recognition of States and Governments. South America.**

On 10 March 1982 the Minister for Foreign Affairs, Mr Street, provided the following written answer (HR Deb 1982, Vol 126, 850-851):

Australia recognises all countries of South America and all present governments except that of Bolivia. The Australian Government decided not to recognise the military regime which took power in July 1980 and condemned the reversal of the democratic process in Bolivia.

He added that Australia had diplomatic relations with the following countries:

Guatemala, Chile, Panama, Brazil, Paraguay, Mexico, Argentina, Uruguay, Guyana, Ecuador, Columbia, Peru, Costa Rica.

#### **Recognition. Non-recognition of Governments. Implications of visit by diplomatic agent.**

In January 1981 an Australian woman was detained by the authorities of Pnomh Penh because she had entered Kampuchea without a visa through Thailand. Australia did not recognize the authorities in Pnomh Penh, yet sought permission from the authorities there to extend assistance to the woman. According to press reports, a spokesman for the Department of Foreign Affairs said: "We are trying to get permission to visit Miss McIlwraith, but it is very difficult as we have no diplomatic relations with the regime in Pnomh Penh." (*The Australian*, 5 January 1981, p 1). Arrangements were made for a diplomat to fly into the city to organise her release. (*Ibid.*, 14 January 1981, p. 3). The official flew in from Hanoi which had responsibility for the area. (*The Age*, Melbourne, 19 January 1981, p 1; *The Weekend Australian*, 24-25 January 1981, p 1).

On 23 September 1981 Senator Guilfoyle, the Minister representing the Minister for Foreign Affairs in the Senate, said in answer to a question (Sen Deb 1981, Vol 91, 888-889):

I am able to confirm media reports that an officer from the Australian Embassy in Islamabad is currently visiting Kabul, Afghanistan, to undertake administrative tasks. A similar visit took place in April this year. The visit in no way implies recognition of the illegal regime. Australia will

continue to withhold recognition of the Karmal regime, which was installed by invading Soviet forces in December 1979.

For an example of the media reports referred to, see the report in *The Age*, Melbourne, 23 September, 1981, p 1.

**Recognition. People's Republic of China. Province of China.**

On 27 May 1981 the Minister for Trade and Resources, Mr Doug Anthony, provided the following written answer, in part (Sen Deb 1981, Vol 90, 2237):

The arrangements establishing diplomatic relations between Australia and China in December 1972 preclude any possibility of the Australian Government establishing a trade office or any official presence in the Province of Taiwan. We recognize the People's Republic of China as the sole legal Government of China, and acknowledge the position of the Chinese Government that Taiwan is a part of China.

However this does not preclude private organisations from doing business with the Province of Taiwan or establishing offices to assist such activities.

On 29 May 1983 the Minister for Foreign Affairs, Mr Hayden, issued the following statement (Comm Rec 1983, 689-690):

*Contact with Taiwan*

29 May 1983 — The Minister for Foreign Affairs, the Hon. Bill Hayden, released today the text of a letter he had sent to all ministers and another letter he had sent to all members of the House of Representatives and senators, regarding contact with Taiwan.

Mr Hayden said that the letters represented a restatement of existing policy and practice towards Taiwan — policy and practice established ten years ago and maintained under the Fraser Government.

The text of the letters to Ministers, dated 25 May 1983, is as follows:

My dear Minister,

On 11 May the Prime Minister endorsed recommendations I put to him on Government policy and practice towards contacts with Taiwan. Policy on this matter has been formulated over the years since diplomatic relations were established with the People's Republic of China in 1972. While the policy generally follows the practice of the previous Government, it is in fact based upon principles laid down by the Labor Government between 1972 and 1975.

I attach to this letter a guidance paper on how contacts with Taiwan should be handled. The essential principle underlying the Government's policy towards Taiwan is contained in the first paragraph of the attached document: That is, that the Australian Government accords no recognition to the authorities on Taiwan. I should be grateful if you would arrange for the circulation of this document to officers of your department, statutory bodies and other authorities under your jurisdiction.

I am writing in similar terms on this matter to all Ministers.

Let me also mention that you will be receiving a letter I am sending to all members and senators, setting out restrictions on travel to

Taiwan. I intend to seek the co-operation of the Leader of the Opposition on this matter.

Yours sincerely,  
Bill Hayden.

The text of the letters to members and senators is as follows:

My dear colleague,

Before the parliamentary recess I should like to take the opportunity in this letter of confirming to you the main elements of policy adopted consistently over the past ten years regarding travel to Taiwan. We shall continue with practice developed under the former Government and based upon principles laid down by the Labor Government when diplomatic relations were established with the People's Republic of China in 1972.

Australia recognised the People's Republic of China as the sole legal government of China and acknowledged the position of the P.R.C. that Taiwan was a province of China. The Australian Government therefore accords no recognition to the authorities on Taiwan nor condones any action which can be construed as recognition to those authorities.

Ministers of the Australian Government are not permitted to visit Taiwan or make any scheduled transit stops there. Federal parliamentary officers are similarly asked not to visit Taiwan or make any scheduled transit stops there. While members of Parliament and senators may visit Taiwan in their private capacities, they may not, of course, use diplomatic or official passports — ordinary passports must be used.

I am confident that you will co-operate fully in ensuring that this practice is carried out, and would be happy to discuss any aspects of the foregoing with you if they are not clear.

Yours sincerely,  
Bill Hayden

### **Recognition. States and Governments. The two Koreas.**

On 2 September 1983 the Minister for Foreign Affairs, Mr Hayden, said in the course of a statement issued on the destruction of the Korean airliner (Comm Rec, 1383):

The incident is also a tragic illustration of the consequences of continued hostility relating to the Korean peninsula. Australia has recognized two states and two governments on the Korean peninsula since 1974. Other Western nations who have relations with the Republic of Korea (South Korea) have made it clear that they would be prepared to recognize the DPRK (North Korea) if the DPRK and its friends, including the Soviet Union, would come to terms with the reality that there has existed in South Korea for over thirty years a sovereign government, the Republic of Korea.

It is our firm conviction that the continuing failure of the Soviet Union and others to recognize that reality, attempting to deny the Republic of Korea its legitimate place in international law has contributed to the circumstances in which this appalling act has taken place.

**Recognition. The two Koreas. Possible federation.**

On 4 May 1982 the Minister for Foreign Affairs, Mr Street, wrote in answer to a question about the reunification of North Korea (DPRK) and South Korea (ROK) (HR Deb 1982, Vol 127, 2222):

There now exists — and have existed for some time — on the Korean peninsula, two separate states and two separate governments, both of which are widely recognized internationally, including by Australia.

It is for these two governments to enter into negotiations. The ROK is prepared to do this and has made a number of proposals for discussions between representatives of the two governments. The ROK has indicated that it would be happy to see the proposal for a Confederal Republic of Korea discussed in such meetings. In contrast, by ignoring the existence of the ROK and refusing to discuss the question of reunification with the ROK government, the DPRK has indicated a desire to set its own terms for the future of South Korea.

The question of reunification is one for Koreans to determine. As it is not a party principal, Australia's role in the settlement of the long-standing differences on the Korean peninsula is necessarily limited. However, judged on its merits, the ROK's approach seems the fairer and more realistic to achieve a satisfactory and peaceful solution to current difficulties.

In all these circumstances, I do not see the point of our urging the ROK to consider the DPRK proposal which the ROK has already said it is prepared to consider in fair and equal discussion with the DPRK. We have, on the other hand, made clear to the DPRK that we are not prepared to consider the re-establishment of Australia-DPRK relations until the DPRK enters into real discussion with the ROK.

**Recognition. Recognition of states. Non-recognition of South African Homelands.**

On 25 March 1982 Senator Dame Margaret Guilfoyle, the Minister representing the Minister for Foreign Affairs in the Senate, said (Sen Deb 1982, Vol 93, 1158):

The Australian Government's opposition to apartheid and to the concept of independent homelands is well known and clearly on record. Australia, along with the rest of the international community, does not recognize the so-called homelands. Following the declaration on 4 December 1981 of the so-called independence of the Ciskei the United Nations Security Council condemned that development and called upon all governments to deny any form of recognition to the bantustans. The Australian Government has complied fully with that appeal. The Foreign Minister realises that there are some who may have been persuaded to the view that the creation of the so-called homelands is akin to the extension of land rights for the black people of South Africa. Regrettably, this is not so.

**Recognition. States. "Hutt River Province" not a state in international law.**

See under Part IX — Individuals-Passports — for the Government's views on the status of a property in Western Australia whose owner purports to claim international status for it.

**States. State emblems. Protection of state emblems.**

For details of Article 6 of the Paris Convention for the Protection of Industrial Property Revised to protect State Emblems, Official Hallmarks, and Emblems of Intergovernmental Organisations, and measures to give effect to it in Australia, see *Sen Deb*, 22 September 1981, 880.

**Recognition. Kampuchea. Derecognition of Democratic Kampuchea.**

Following are extracts from the Report entitled "Power in Indo-China since 1975" of the Parliamentary Joint Committee on Foreign Affairs and Defence which was presented on 11 June 1981 (PP No 124/1981, 88-89):

In April and May 1975, the Australian Government was among the first in the international community to recognize the Governments installed in Kampuchea and Vietnam, following the victory of the communist forces in both these countries. The Australian Government also announced that it was ready to provide economic aid to the new communist Governments, to assist them in rebuilding their war shattered economies and infrastructure.

In 1976, stories told by refugees of atrocities committed by the new Government of Kampuchea began increasingly to gain credibility. However, the then Australian Minister for Foreign Affairs, Mr Peacock, told Parliament that his Government would not withdraw diplomatic recognition from the Kampuchean Government, as this would not aid the return of stable government to that country . . .

In October 1980, it was announced that the Australian Government had decided to withdraw recognition from Democratic Kampuchea, and, on 14 February 1981, it was announced that recognition had been withdrawn as from that date. Australia's position now is that it does not recognize any government in Kampuchea. Despite its decision to withdraw recognition from the DK Government, however, in October 1980, as in 1979, Australia supported the UN Credentials Committee's recommendation that Democratic Kampuchea continue to sit in the General Assembly as the legitimate representative of Kampuchea. To date, there is no indication that the Australian Government intends to alter its policy of support for the ASEAN position of Kampuchea, including the seating of the DK delegation in the UN General Assembly.

Following the decision of the Association of South-East Asian Nations (ASEAN) in January 1981 no longer to recognize the Pol Pot-Khmer Rouge as the legitimate Government of Kampuchea (see for example *The Australian*, 29 January 1981, p 4), the Acting Minister for Foreign Affairs, Mr MacKellar, issued the following statement on 14 February 1981 (Comm Rec 1981, 118-119):

*Derecognition of Kampuchean regime.*

14 February 1981 — In accordance with a decision taken by the Minister for Foreign Affairs, the Hon. A. A. Street, the Acting Minister for Foreign Affairs, the Hon. M. J. R. MacKellar, announced today that the derecognition of the Government of Democratic Kampuchea (the Pol Pot regime) would take effect from today.

The Acting Minister said that Mr Street had been concerned that the timing of the announcement of the Government's decision should not cut across ASEAN efforts to further the process of seeking a political solution

in Kampuchea at the Non-Aligned Movement meeting which concluded in New Delhi on 13 February.

Mr MacKellar noted that the decision was in accordance with the announcement by the Government on 14 October last year. The Acting Minister said that in his absence Mr Street had authorised him to make the following statement on his behalf:

This means that Australia now does not recognize any regime in Kampuchea. Australia has no intention of recognizing the Heng Samrin regime, condemns Vietnam's invasion of Kampuchea and calls for the withdrawal of Vietnamese troops from that country.

We are committed to a comprehensive political settlement in Kampuchea, and fully support the provisions of the ASEAN-sponsored UNGA resolutions on Kampuchea.

Australia regarded the policies of Pol Pot and other leaders of his regime as abhorrent, and hopes that its action now in derecognizing that regime will contribute to the emergence in Kampuchea of a Government truly representative of the Khmer people. We would welcome such a development, and hope that leading Khmer personalities will be prepared to work towards this end.

Our decision was conveyed in advance to ASEAN Governments, and I took advantage of my recent visits to Japan and China to inform the Foreign Ministers of those countries personally.

On 24 March 1981 the Minister for Foreign Affairs, Mr Peacock, said in the course of a ministerial statement to Parliament (HR Deb 1981, Vol 121, 831-832):

. . . There should be no misunderstanding about this, either in Australia or outside it, or about the meaning of our derecognition last month of the so-called Government of Democratic Kampuchea. That act of derecognition was based on two considerations, one moral and one practical. Morally, the regime in question was so repugnant that we felt that continuing recognition was unjustifiable; practically, as long as the question of derecognition remained unsettled it would confuse and distract attention from the basic strategic and political questions at issue.

Powerful as these considerations were, the balance of arguments was not clear cut. Against them, the Government had to weigh the opinions and interests of the other countries in the region which share our basic interests. Some of them are much closer to the sharp end than we are and have had to bear a much greater burden as the result of what has happened to Kampuchea. This affected the timing of our act of derecognition. The Government makes no apology for this but I want to make it clear beyond any doubt and ambiguity that our opposition to Vietnam's invasion of Kampuchea remains implacable. We reject outright that that invasion proceeded on the basis of a concern for the welfare of the Khmer people. We reject outright the claim that the Heng Samrin regime, which the invasion installed, is the legitimate representative of the Khmer people. We deplore and oppose the continued Vietnamese occupation of Kampuchea because it denies the independence of the Khmer people, because it affects the security of Thailand and other Asian countries, because it holds the



threat of Vietnamese hegemony in the region and because it imports a Soviet strategic presence into the region. In this last respect, I draw attention not only to the significant strategic presence which the Soviet Union has now achieved in Indo-China, but to the fact that Vietnam launched its invasion of Kampuchea only after it had signed a so-called treaty of friendship and co-operation with the Soviet Union. It was this which gave it the security guarantee against China which was a condition for its attack.

Following his resignation as Foreign Minister, Mr Peacock said in the course of a statement to Parliament on 28 April 1981 (HR Deb 1981, Vol 122, 1611):

In the early part of 1975 the Whitlam Government recognized the regime of Pol Pot as the legitimate Government of Kampuchea. Soon after disturbing reports of the atrocities perpetrated by this regime began to filter to the outside world. More horrific information about Pol Pot emerged after the invasion of Kampuchea by Vietnamese forces in December 1978. As a result, I sought and obtained Cabinet approval to review the question of Australia's recognition of the Pol Pot regime. On information provided by the Department of Foreign Affairs and other sources, in July 1980 I concluded that withdrawal of recognition was imperative. Having reached that conclusion, I said as much in the course of an interview on the television program *Sixty Minutes*. At the time the Prime Minister was out of the country. On the day following the interview I cabled to him a transcript of the interview. He sent me a request for a submission to Cabinet to be considered immediately after his return on the following day. On 15 July 1980 Cabinet made a decision rejecting my submission. The minute reads:

The Cabinet considered the question of the recognition of the Pol Pot regime and decided that there should be no change in the Australian Government's present policy.

I should explain that the question of recognition of the Pol Pot regime involved questions of principle that were to me of the gravest importance. On moral grounds, on political grounds, on legal grounds, recognition gave an impression of support to a butchering regime which had no effective control of the territory. Recognition was unacceptable to the overwhelming majority of Australian citizens. If Australia was to maintain a credible foreign policy and its government to retain the respect of its people, recognition had to be withdrawn. It is axiomatic that Australia has a vital role in Asia. In my view the integrity of Australia's foreign policy should not be compromised.

Following this statement, the Prime Minister, Mr Fraser, replied (*ibid*, 1616-1617):

This might be an appropriate time to say something about the issue of Pol Pot. The honourable member for Kooyong has spoken about it at length. Let me emphasize one point which is of great significance. I believe that it is a point of view that will be shared by all honourable members in this House. The only issue in relation to Pol Pot was the issue of timing. Because of the nature of the Pol Pot regime, derecognition at some point was inevitable. It was a brutal regime. It was perhaps the worst regime since the time of Hitler in the last world war. Cabinet had received a number of submissions from

the Minister or the Acting Minister for Foreign Affairs suggesting that recognition be continued, that the policy be kept under review and that derecognition be deferred. In the months before the period about which the honourable gentleman spoke, the issue had come forward. On those occasions Cabinet accepted the recommendations. At all times the matter was kept under continuing review. In July the Minister indicated publicly that his own view may have changed. He indicated that the matter came to Cabinet but, because of its concerns for co-operation with the Association of South East Asian Nations, Cabinet reaffirmed the view that had earlier been recommended by the honourable gentleman. But it was still a question of timing, not one of principle. It was only a question of timing. Nobody in this House has a monopoly on moral repugnance. We believed that we should offer further support to ASEAN countries.

On 29 April 1981 the Minister for Foreign Affairs, Mr Street, said in answer to a question (HR Deb 1981, Vol 122, 1691):

... At the time I made a distinction between recognition of a government and the question of credentials at the United Nations. To the best of my knowledge, the honourable gentleman's party, when in government, adopted the same attitude as this Government has in relation to credentials. The Credentials Committee brings forward technical recommendations as to whether the credentials presented on behalf of a country are in accordance with the procedures and so on of the United Nations.

... The Australian Government has always drawn a distinction between the recognition of a government and the question of credentials brought forward by the United Nations Credentials Committee. The Australian Government has made its position quite clear. At present it recognizes no regime in Kampuchea — neither the installed Heng Samrin regime nor the previous Pol Pot Administration. That is where the nation is at the moment. When the issue of credentials arises in the United Nations we will take an attitude according to the circumstances at the time.

On 28 May 1981 he issued a statement which read in part (Comm Rec, 583):

In regard to the question of voting on Kampuchean credentials matters in international forums, it should be noted that, since February last, the Government has recognised no regime in Kampuchea.

Earlier this month there was the possibility of a vote on Democratic Kampuchea credentials at the World Health Assembly in Geneva. In the event a vote was not taken. Had it been taken, Australia would have abstained.

The Government hopes that a coherent and effective regime truly representative of the Khmer people will emerge from current diplomatic activity. If it does, we will be prepared to reconsider our position in the light of circumstances at the time the issue comes up for a vote.

On 5 June 1981 a written answer along similar lines was provided to the Senate: see Sen Deb 1981, Vol 90, 2743-2744. On 10 September 1981 Senator Guilfoyle, the Minister representing the Minister for Foreign Affairs in the Senate, said in answer to a question (Sen Deb 1981, Vol 91, 640):

The Government's attitude towards the Democratic Kampuchea regime is clear. The Government withdrew recognition of that regime on 14 February

last. Since then the Government has recognized no regime in Kampuchea. The decision to derecognize Democratic Kampuchea was based on the attitudes of the Australian public and Government towards an abhorrent regime. Our attitude to that regime has not changed and we do not wish to see the Democratic Kampuchea regime returned to power in Phnom Penh. Australia hopes that a coherent and effective regime truly representative of the Khmer people will emerge in Kampuchea. We have no intention of recognizing the Heng Samrin regime and remain completely opposed to Vietnam's military occupation of Kampuchea. The Government believes the Kampuchean situation should be settled by peaceful, not by military, means. We have received no request to provide material support to Khmer Rouge forces.

On 16 September 1981 the Minister for Foreign Affairs, Mr Street, said in answer to a question (HR Deb 1981, Vol 124, 1375):

As I have said in this place more than once, the Government will decide its position on voting on the Democratic Kampuchean credentials issue in the light of circumstances at the time. Since I last answered a question on this matter there have been two developments. One is the international conference on Kampuchea held in New York, which I attended, and the other is that following that conference there have been efforts to form a coalition government from the various anti-Vietnamese factions in Kampuchea. A preparatory meeting was held in Singapore a few weeks ago. I understand that further meetings are planned. The Government has always said that it hopes a truly representative coalition of forces opposed to the Heng Samrin regime will emerge in Kampuchea.

On 23 August 1983 the Minister for Foreign Affairs, Mr Hayden, replied to the question: which governments recognized the coalition government of Kampuchea led by Prince Sihanouk (HR Deb 1983, Vol 132, 101-102):

There are no universally accepted criteria by which we could assess whether countries have recognized the Coalition Government of Democratic Kampuchea, either in its own right or as the successor to the Democratic Kampuchean Regime. However, six governments have accredited ambassadors to the Coalition Government of Democratic Kampuchea led by Prince Sihanouk. These are: Malaysia, China, Bangladesh, The Democratic People's Republic of Korea, Mauritania and Pakistan.

Since 14 February 1981, Australia has recognized no government in Cambodia.

On 26 October 1983 Australia's Permanent Representative to the United Nations in New York, Mr Woolcott, said in the course of discussion on the situation in Kampuchea (A/38/PV., 7-8):

The Australian public was appalled at the atrocities committed by the former regime of Pol Pot. Faced with incontrovertible evidence of that regime's brutal record, Australia withdrew recognition of the Democratic Kampuchea Government in exile in February 1981 and has since abstained in votes regarding the credentials of delegations of Democratic Kampuchea at international meetings, including the United Nations General Assembly. I might add that this is a bipartisan Australian policy. I should also add that the Australian Government has no intention of recognizing the Heng Samrin

regime, which was installed by the Vietnamese and is kept in power by Vietnamese military forces.

On 7 December 1983 the Minister for Foreign Affairs, Mr Hayden, said in the course of a statement on Australia and Indo-China (HR Deb 1983, Vol 134, 3409):

I do not accept that the present regime in Phnom Penh is any guarantee of Khmer survival. It is too clearly a regime dependent on Vietnam; the Government itself and its administrative apparatus is too fragile; too much of the talent which should be at its disposal is dead, politically alienated, or has fled the country; and the political basis of the regime is too narrowly founded on a simple fear of Pol Pot's return. Australia will give what reasonable assistance it can to the Khmer in ways that will help them to get on their feet economically and to revive their agriculture. Sadly, however, they are far from that goal. This is the tragic kernel of the Cambodian and indeed the Indo-Chinese problem. We will use our ingenuity to address it but will not, in the process, sanction the regime of Heng Samrin.

This Government, as did its predecessor, has made it clear that it will not take any action which could be seen as recognizing the claims to legitimacy of the Khmer people, the major part of the coalition resistance. We cannot support any strategy based on the Pol Pot forces, whose ruthlessness and disregard for democratic values and human rights are virtually unrivalled. I see much to admire in the nationalist aspirations of the non-communist Khmer leaders, Prince Sihanouk and Mr Son Sann, and respect their role in serving as rallying points for Khmer opinion, but it is regrettable that they have locked themselves into a military situation which relies on, and can only be sustained by, the co-operation of the Khmer Rouge.

**Recognition. National liberation groups. Palestine Liberation Organisation.**

On 15 October 1981 the Minister for Foreign Affairs gave the following answer to the respective question (HR Deb 1981, Vol 125, 2071):

Mr McLean — My question, which is directed to the Minister for Foreign Affairs, refers to the communique of the recent Commonwealth Heads of Government Meeting regarding the Middle East and the status of the Palestinian Liberation Organisation. Can the Minister assure the House that this Government will continue not to recognize the PLO as a responsible negotiating body on Middle East disputes until such time as the PLO publicly and officially acknowledges the right of Israel to exist in peace within secure and recognized boundaries?

Mr Street — Yes.

On 26 November 1981 Senator Carrick, the Minister representing the Prime Minister in the Senate, said in part in answer to a question (Sen Deb 1981, Vol 92, 2606):

Australia's policy on the Middle East dispute is based on Security Council Resolution 242 which recognizes the right of all states in the region, including Israel, to live in peace within secure and recognized boundaries and calls on Israel to withdraw from territories occupied in 1967, and on the legitimate rights of the Palestinians including their right to a homeland alongside Israel. Australia does not, and will not, recognize the Palestinian Liberation Organisation until it recognizes Israel's right to exist.

On 28 March 1982 the Minister for Foreign Affairs, Mr Street, said in the course of a speech at a dinner in Tel Aviv hosted by the Foreign Minister of Israel (AFAR, April 1982, 183-184):

Australia's policy, as you know, is not to recognize the PLO unless they recognize Israel's right to exist. But, we believe that the failure to proceed any distance in two years towards a solution which might meet the aspirations of the Palestinians has been a major contributing factor to the growing tensions. As you know, we believe that the legitimate rights of the Palestinian people includes a homeland alongside Israel and the right to participate directly in decisions affecting their future.

On 31 March 1982 he said at a dinner in Cairo hosted by the Deputy Prime Minister of Egypt (*ibid*, 189):

We will not recognize the PLO while it refuses to recognize Israel's right to exist. Such an act on their part would represent a major step towards the search for peace.

It has long been Australian policy that the legitimate rights of the Palestinian people include a homeland alongside Israel and that they have a right to participate directly in decisions affecting their future.

We recognize that reassurances are needed to allay anxieties associated with the risks which are taken for peace, but we fear that a failure to move forwards towards a solution which meets the aspirations of the Palestinians has even greater risks.