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# Foreign Policy In Focus

## Cambodia

by Phil Robertson

Cambodia is a country characterized by tragedy, violence, and political complexity that often confounds U.S. policymakers. Though Washington viewed the country as a mere sideshow to U.S. military involvement in Vietnam, U.S. actions in Cambodia were decisive in leading to the destabilization of the neutral government under Prince Norodom Sihanouk and triggering a slow slide into more than two decades of violence. U.S. bombing from 1969-73 contributed to the deaths and injuries of hundreds of thousands of Cambodian civilians. American support for the ouster of Sihanouk (viewed by the rural populace as the father of the country), in a coup by General Lon Nol and the

subsequent invasion of Cambodia by U.S. troops in April 1970 prompted a backlash that strengthened support for the insurgent Khmer Rouge (KR) guerrillas.

Few could have predicted what followed under the radical communist KR regime (1975-78). Forced relocations of the urban population, forced labor, and arbitrary violence and executions were the order of the day. The Cambodian Genocide Program (CGP), which is conducting on-site investiga-

tions, estimates that 1.5 to 2 million Cambodians (including 90% of the educated populace) died unnatural deaths during those years. The KR regime's horror ended when Vietnam invaded in 1978. Initially welcomed as liberators, the Vietnamese Army settled in as occupiers supporting the regime of Hun Sen. The occupation prompted serious security concerns among Thai leaders about Vietnamese aggression and rekindled historic Khmer fears of Vietnamese expansionism. Khmer nationalism and anti-Vietnamese sentiment quickly overwhelmed the moral repugnance of dealing with the mass murderers of the KR, and the Coalition Government of Democratic Kampuchea (CGDK) was formed. The CGDK, composed of two Khmer non-communist groups and the KR, was supported by China, Thailand, and other members of the Association of Southeast Asian Nations (ASEAN) as well as by the

United States. The U.S. claims it provided the non-communist coalition only "nonlethal" assistance and nothing to the KR. Critics say this is either untrue or that battlefield cooperation between the factions of the CGDK rendered the distinction meaningless.

The withdrawal of Vietnam's troops in 1989 set the stage for the international negotiations that ultimately resulted in the signing of the 1991 Paris Peace Accords by all political factions in Cambodia. The U.S. played a key role in those negotiations and signed as a guarantor of the accords. The accords created the United Nations Transitional Authority in Cambodia (UNTAC) with a mandate to restore order by cantoning troops, depoliticizing the civil service, and holding multiparty elections. UNTAC spent \$2 billion but only accomplished the last of these three objectives. The result was an unstable power-sharing arrangement between First Prime Minister (PM) Prince Norodom Ranariddh of the Royalist FUNCINPEC party and Second PM Hun Sen of the Cambodia People's Party (CPP). By 1996 the strains between the two parties were intensifying and there was a rise in incidents of repression. An assassination attempt (using grenades) against opposition politician Sam Rainsy by persons believed to be associated with Hun Sen killed and wounded scores in front of the National Parliament.

The divisions inherent in this co-prime ministership finally broke into full-scale fighting in Phnom Penh on July 5-6, during which time Ranariddh's forces were routed. Hun Sen's extra-constitutional seizure of power in July 1997 clearly violated the Paris Peace Accords, and his government has fostered an atmosphere of political intimidation and violence. The UN Human Rights Commission (UNHRC) office in Cambodia found irrefutable evidence that at least 41 and as many as 60 FUNCINPEC officials were executed in custody by Hun Sen's CPP forces. Prince Ranariddh and over 30 other MPs, journalists, and prominent opposition figures fled into exile after the coup, fearing for their lives. The Hun Sen government is highly dependent on foreign aid. Of the \$792 million in annual revenue received in 1996, approximately two-thirds came from direct grants by foreign donors.

### Key Points

- U.S. political intrigue and bombing campaigns played a major role in destabilizing Cambodia between 1969 and 1975.
- Between 1.5 and 2 million people were killed in the Khmer Rouge genocide from 1975-79.
- The extra-constitutional seizure of power by the second prime minister Hun Sen in July 1997 threatens to reverse Cambodia's progress.

In the year preceding the July 1997 violence, the Clinton administration's policy toward Cambodia was characterized by a concern for maintaining stability at the expense of promoting the rule of law, deepening democratic structures, and increasing respect for human rights. In 1996, as political violence grew, then-Assistant Secretary of State Winston Lord was testifying before Congress about "the impressive endurance" of Cambodian democracy. Rather than directly tackle thorny issues like political violence, corruption, and the nondemocratic patterns of Cambodian politics, the U.S. played it safe with a low-profile approach using foreign aid to support democracy and governance programs by a variety of international and Cambodian nongovernmental organizations (NGOs). Numerous opportunities to condition international aid on efforts to stop political violence were ignored. By failing to address the root problems in Cambodian democracy and refusing to take a strong public stand against widening political violence, the U.S. effectively defaulted on its commitment to protect human rights and promote representative government.

In the 1993-96 period there was ample evidence that the democratic transition promoted by the Paris accords was breaking down. The National Assembly was transformed from an independent legislature into a rubber-stamp parliament, and the promised Constitutional Council and Supreme Council of the Magistracy (to oversee the appointment and removal of judges) were never created. A date for national elections was set for May 1998, but there was no agreement on the rules and structures to make those elections a reality. Unresolved issues included the establishment of local and national electoral laws, an independent electoral commission, a census, and voter lists. FUNCINPEC's efforts to negotiate for more equitable power-sharing in the provinces have consistently been thwarted by Hun Sen's CPP.

Now that Hun Sen's seizure of power has eliminated the convenient appearance of democracy—which had masked the substructure of the CPP's continued dominance of the national and provincial civil service, police, village militia, and regular military—few observers expect that a neutral political environment free of intimidation will be created for the scheduled 1998 elections. Attempting to generate international support, Hun Sen railroaded through the nomination of Foreign Minister Ung Huot as first prime minister from a pro-CPP faction of FUNCINPEC, but this tactical maneuver violated the constitution and was widely judged as being opportunistic.

Post-July 1997 U.S. policy has focused on five core principles: an end to the violence, freedom for all political parties and personalities (except the KR) to operate in Cambodia, the trial of KR leaders for crimes against humanity, restoration of the guiding role of the Paris Peace Accords, and the holding of free and fair elections in May 1998. Washington has formed a "Friends of Cambodia" group to generate international support for the "constructive intervention" policy of ASEAN, but there still remain important differences among this group's members—the U.S., Japan, the EU, Australia,

New Zealand and other major donor nations—over the most critical source of leverage: foreign aid to Cambodia. Following the seizure of power by Hun Sen, the U.S. cut off approximately \$25.5 million in aid to the Cambodian government, while continuing humanitarian assistance implemented through NGOs. Congress has continually taken a harder line than the administration and will likely further reduce or eliminate what aid remains if elections are not held in May 1998 as scheduled. Without strong coordination with the international community, however, the U.S. risks becoming isolated and ineffective in its effort to restore the foundation of the Paris Peace Accords.

During the recent UN General Assembly session, the U.S. correctly led a successful effort to deny the Cambodian seat to Hun Sen's representatives until after elections are held. Yet, there are few attractive options for U.S. policy toward Cambodia beyond the ASEAN process. At its annual meeting at the end of July, ASEAN suspended Cambodia's application for membership and took the lead in negotiating for an end to violence and the return of Prince Ranariddh and other prominent politicians in the recently formed Union of Cambodian Democrats (UCD). The reliance on ASEAN as the leading wedge for negotiations is practical, but many of the ASEAN nations have a dubious commitment to democratic rule and human rights themselves.

The absence of democracy and accountability in Cambodia has contributed to Cambodia's emergence as a narco/mafia state, where heroin and marijuana smugglers buy the political protection they need to continue their operations with impunity. The U.S. has classified Cambodia as a major drug-transit country and is concerned about the close links between the Hun Sen regime and narco-traffickers. Theng Bunma, president of the Cambodian Chamber of Commerce, has been placed on a U.S. visa blacklist because of his connection with narcotics, but he still holds a Cambodian government passport. In a press conference in July, Bunma said he gave \$1 million in gold to Hun Sen to help finance the CPP's military operations against FUNCINPEC.

Cambodia's weak law enforcement, porous borders, and political opportunism create an atmosphere conducive to smuggling drugs, timber, illegal aliens from China, weapons, and Cambodian women and children for prostitution. Interpol has listed Cambodia as a leading refuge for international criminals. Despite a ban on the export of timber in December 1996, unsustainable logging continues, and proceeds for sales are not remitted to the central government treasury. At current levels of exploitation, the World Bank estimates Cambodia's forests will be gone in ten years, with dire effects for the people of Cambodia, who face the prospect of an intensifying cycle of drought and flood.

## Key Problems

- U.S. policy toward Cambodia prior to July 1997 sacrificed concerns about human rights and democracy in favor of political stability.
- International complacency encouraged Hun Sen to undertake a coup and has allowed political violence to spiral so out of control that it now endangers elections slated to take place in 1998.
- Erosion of the rule of law in Cambodia has moved the country toward becoming a narco/mafia state.

There is little doubt that the U.S. has a morally dubious history in modern Cambodia, but its policies in the 1970s should not result in policy paralysis today. The Paris Peace Accords, signed by the U.S. and other key countries, signified a new opportunity for the U.S. to play a constructive role in promoting peace and respect for human rights after years of war. Washington policy should therefore begin from the premise that the Paris commitments need to be restored and revitalized. Without that step, there is little indication from Hun Sen's track record that his government will voluntarily respect human rights.

(through an election or by negotiations between the CPP and its opponents in exile) have been met. Both the International Monetary Fund (IMF) and the World Bank have suspended loans to Cambodia. The U.S. should continue to use its clout with these and other international financial institutions to link future loans to progress in returning Cambodia to democratic rule. On the trade front, Washington should immediately suspend the trading benefits granted Cambodia under the Generalized System of Preferences (GSP) as a signal that there will be no business as usual until human and labor rights are respected.

Meanwhile, ASEAN diplomacy could aim at seeking safety guarantees for exiled MPs to return to Cambodia and campaign freely in the elections scheduled for May 1998. Other benchmarks for progress could include the passage of electoral and political party laws (drafted in collaboration with local NGOs and the international community), the establishment of an independent electoral commission with NGO representatives among its members, and a policy encouraging extensive involvement by the international community in official observation of the election. An incentive for compliance could be included by providing greater amounts of election-related assistance to Cambodia should the Hun Sen government meet the benchmarks in a timely way. On the international stage, the U.S. should consider convening a conference to discuss the role of the international community in Cambodia. Issues to be discussed could include: ways the international community could support the ASEAN diplomatic initiative, increasing support for the UNHRC and independent human rights NGOs, and facilitating a dialogue between Hun Sen and the UCD.

Finally, now that it is clear that Pol Pot is alive in Anlong Veng, the U.S. (acting in concert with the UN) must make it a priority to bring him and the remaining KR leaders to trial for genocide before the International Court of Justice or another appropriate tribunal. The trial should not only focus on Pol Pot's crimes between 1975 and 1978, but should also freely address the issue of the support he has enjoyed from different quarters since 1979. Without such a trial, the memory of the Khmer Rouge horror will remain an open wound in the psyche of Khmer society.

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## Key Recommendations

- Washington policy should begin from the premise that the Paris commitments need to be restored.
- The U.S. must initiate an active policy to condition its foreign aid on clear progress toward the holding of procedurally fair elections.
- The U.S. should work closely with the United Nations and other governments to bring those Khmer Rouge leaders responsible for genocide to trial.

An important first step would be to persuade Hun Sen to enter into a ceasefire with FUNCINPEC. An immediate next step should be to disband the armed village militias, which currently act as auxiliaries of local CPP leaders. International actors then need to prod, drag, encourage, and assuage the CPP government of Hun Sen to take concrete actions to guarantee that all exiled opponents (including Prince Ranariddh and Sam Rainsy) can return safely, that any electoral

exercise will be credible and conducted fairly, and that a transfer of power will result if the CPP loses. The U.S. should be prepared to play the role of a protagonist, building international pressure for the Cambodian government to make changes, and coordinating this role with ASEAN. For its part, ASEAN could take a softer line, seeking to facilitate an accommodation between Hun Sen and the opposition MPs in exile, with the inducement of membership in ASEAN as the reward for cooperation. Though Hun Sen's grip is unchallenged on the ground, to consolidate his rule he still needs international legitimacy and continued foreign aid.

Foreign aid is one of the few sources of leverage available to encourage Hun Sen and the CPP to cease political intimidation, to permit opposition media to operate without interference, and to allow investigations of the political killings reported by the UNHRC. It is important, however, that a distinction be made between humanitarian aid and democracy-promotion/rule-of-law assistance implemented by NGOs, both of which should continue, and government-to-government assistance, which should cease until clear benchmarks for restoring a legitimate government

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# Sources for More Information

## Organizations

### Amnesty International/USA

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### Global Witness (Cambodian Environment)

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## Publications

Global Witness, *A Tug of War: The Struggle to Protect Cambodia's Forests* (London, March 1997).

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Statement of Stanley O. Roth, Assistant Secretary of State for East Asian and Pacific Affairs, before the Senate Foreign Relations Committee (September 4, 1997).

U.S. General Accounting Office, *Cambodia: Limited Progress on Free Elections, Human Rights and Mine Clearing* (Washington, DC; GAO/NSIAD-96-15BR, February 1996).

## World Wide Web

### Cambodian Information Center

<http://www.cambodia.org>

### Royal Embassy of Cambodia to the USA

<http://www.embassy.org/cambodia>

### Cambodian Genocide Program

<http://www.yale.edu/cgp/>

### Phnom Penh Post Newspaper

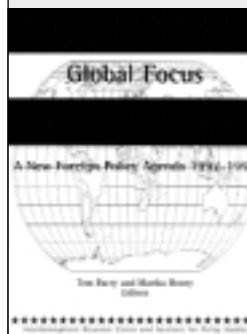
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