

# Cambodia New Vision

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## CAMBODIA IN ASEAN: FACING THE NEXT MILLENNIUM



*Meeting on March 30, 1999 at the residence at Takhmao, Prime Minister Hun Sen and Senior US Senator Mitch McConnell exchanged views on issues of the trial of the Khmer Rouge leaders, the grenade attacks two years ago, and the foreign assistance for Cambodia's development.*

*During the March 15-17 visit to the Republic of Indonesia, Prime Minister Hun Sen delivered a speech with the above title at the Indonesian Council for World Affairs (ICWA) in Jakarta. The following is the extensive excerpt of the speech.*

It is indeed a great pleasure and honor for me to address this special meeting, organized by the Indonesian Council of World Affairs, during my second visit to Indonesia. May I, first of all, take this opportunity to express my profound and sincere thanks to H. E. Mr. B. J. HABIBIE, President of the Republic of Indonesia, for his kind invitation and for the warm welcome and hospitality given to me and my delegation.

The people and the Royal Government of Cambodia have greatly appreciated the instrumental role that Indonesia played during the early Cambodian peace process and more recently during Cambodia's quest for membership in ASEAN.

We have also welcome your ongoing support in contributing to peace, stability and prosperity of Cambodia, in which Indonesia had undoubtedly assisted our country since the Jakarta Informal Meetings (JIM I and II), IMC and other conferences.

Cambodia looks forward to further strengthen and build on the

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## PRIME MINISTER HUN SEN ON ISSUE OF THE TRIAL OF TA MOK *(The Declaration on March 19, 1999)*

Recently, there have been misleading interpretations that Cambodia will try only one Khmer Rouge leader -- that is Ta Mok, while other leaders will be free from any charges by law. At the same time, some circles have said that the national court in Cambodia does not meet the level and standard of an international court. Since the interpretations have brought about confused understandings on the issue, I wish to re-affirm as follows:

First, the arrest of Ta Mok, and the bringing of Ta Mok to the trial by law are neither new issue nor first trial of those responsible of the Khmer Rouge clique. We have proposed a formula for the trial of those leaders of the Pol Pot genocidal regime since before the actual arrest of Ta Mok. The existing national court will take up the responsibility to conduct research and judgement on the case of Ta Mok. As for other charges on other people aside from Ta Mok, it will be a unique jurisdiction of the court to make charges. I myself, as well as other people, have no rights whatsoever to charge this or that person, or to pre-determine how many people will stand trial. I myself never provide guarantee to anyone to be free from the charges issued by the court of law.

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strong relationship that our two countries have cherished thus far.

I would like to take this opportunity to share with you, the great optimism and excitement that the Royal Government feels toward a new political and economic environment that is quickly emerging in Cambodia is based on the recent peace and stability, legal and structural reform, as well as the new political directions of the country.

I understand that you may have followed closely the recent developments in Cambodia. As you know, the recent general elections resulted in the formation of a new coalition government last November, with the participation of the two winning parties — CPP and FUNCINPEC.

Our coalition government, which is known as the “economic government,” is committed to economic and political reform and has received full endorsement from the King and the people of Cambodia as well as the support of the international community.

At the same time, we are in the process of fully establishing a new political institution, the Senate, which was agreed between CPP and FUNCINPEC during the negotiation following the 1998 elections as the best approach to political stability and power-sharing in Cambodia. It is anticipated that the Senate will become a reality in the near future.

In only three months since the new coalition government came into being, major reforms have been undertaken by my Government. These reforms — ranging from political to economic, to administration, justice and armed forces — are comprehensive and far-reaching, and they are in the

best interests of the people of Cambodia and the future of our country.

While these reforms may have been praised by both the Cambodian public and the international community, it remains to be seen how they will continue to evolve. But I must underline that the Royal Government is fully committed to these reforms.

First, the Royal Government has managed to dismantle the political and military organisation of the Khmer Rouge, the main obstacle to peace and stability in the country. For the first time, peace is now prevailing throughout the country. It is expected that with the assistance and support from the international community, Cambodia will be able to further consolidate peace and stability and achieve its full potentials in economic and social development on a more sustainable basis.

Second, within only seven days after assuming the office, the Royal Government, with the support of the King, was successful in regaining its seat at the United Nations after a brief period of diplomatic vacuum. This represented a significant turning point in our efforts to achieving recognition and legitimacy from the international community.

At the same time, Cambodia will officially become the 10<sup>th</sup> member of ASEAN either this month or by April at the latest, thanks in part to the support given by the Indonesian Government. Furthermore, at the Consultative Group (CG) meeting held in Tokyo in late February, the RGC received pledges of financial assistance in the amount of US\$470 million from the international donor community. My Government guarantees that this assistance will be used effectively to improve the

quality of life of the Cambodian people.

Specific areas of greatest needs and priorities that will be targeted include infrastructure reconstruction and rehabilitation, poverty alleviation and human resource development. However, despite the great achievements, much more still remains to be done, particularly if we are to become a more legitimate and credible player within the region and in the larger arena of international politics and economics.

Once becoming a full member, Cambodia will actively participate in the various ASEAN economic initiatives, in particular the ASEAN Free Trade Area (AFTA), the ASEAN Industrial Cooperation Scheme (AICO) and the ASEAN Investment Area (AIA). It is not my intention to go into details now but I think Cambodia's main challenge lies within itself at least for the time being. Cambodia needs to turn its weakness into comparative advantage, and potentials into opportunities.

A core set of reforms that aim to accomplish these strategic goals include the following:

- 1) Reform of civil service and judiciary is the key which aims at strengthening democracy, improving and increasing the efficiency of the public service and enhancing the effectiveness of the rule of law;
- 2) Economic reform is of significant importance, with the focus on fiscal reform measures to ensure sound management of public property and increase public investment in the area of physical and social infrastructure;
- 3) Natural resource manage-

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ment and environmental protection are the other top priority, especially in the forestry-sector management. In this context, the RGC has taken a number of immediate measures and is preparing a comprehensive policy and legal framework in order to permanently end illegal logging and to ensure efficient management of Cambodia's remaining forestry reserves as well as the other natural resources of our country; and

- 4) Reform of armed forces including military and police are critical at this juncture. The current government is seriously committed to undertake for the first time the reduction of the number of soldiers and police force to ensure that we will have only the actual number of forces that we need. The military and police demobilization will help cut cost substantially into the national budget and that the budget will be used more meaningfully to invest in the people—health and education and other social sectors.

The RGC is confident that the above reforms—together with other various measures that we have already undertaken—will help Cambodia to make meaningful contribution to the region, namely with its national resilience, its cultural heritage, its economy, and its people. There is no doubt that Cambodia will confront a number of challenges in ASEAN.

First, with Cambodia's membership into ASEAN, the dream of an ASEAN-10 under one umbrella will soon become a living reality as we are now on the eve of the twenty-first century.

The vision of a united Southeast

Asia at peace with itself and the rest of the world is increasingly being recognized. With Cambodia's membership, ASEAN will become more cooperative and will be more effectively able to deal with external factors, both economically and politically.

Furthermore, with our membership in ASEAN, the region will be better able to address transnational issues such as art theft, drug trafficking and the illegal cross-border trade, human trafficking, and ecological crimes. All of these transnational crimes require greater regional and international cooperation, in which Cambodia can contribute as a member of ASEAN and the international community.

Second, we understand and recognize our limited capacity to participate in all ASEAN activities. Due to its tragic past, Cambodia does not have the institutional or human resource capacity to meet all of the needs of ASEAN. But the RGC is now targeting human resource development as its major priority. It is expected that with Cambodia's membership in ASEAN, bilateral and multilateral cooperation within ASEAN and between ASEAN and its dialogue partners will further be strengthened.

It is our hope that the financial and technical assistance will be granted by the external partners and ASEAN member states to help develop the capacity building of the Cambodian officials. Cambodia is fully committed to the regional cause and will contribute to the regional resilience.

Third, in 1995 Cambodia acceded to the Treaty of Amity and Cooperation in Southeast Asia (TACSEA) and admitted as a full member of the ASEAN Regional Forum (ARF). The "ASEAN

framework" for interstate relations among its members was emphatically stated in this Treaty of Amity and Cooperation, as it is known as the Bali Treaty, which was signed in 1976. This is a non-aggression pact which sets out the guiding principles for ASEAN interstate relations which upholds the respect for political independence and territorial integrity, non-interference in domestic affairs and renunciation of the threat or use of force as well as measures for peaceful settlement of conflicts between signatory countries. This is one of the reasons behind our rationale for seeking the membership in this regional grouping. Considering the principles of the Bali Treaty, Cambodia's concern with respect to its borders will be assuring and that all the problems will be settled in a peaceful manner. Peace with neighbors is significantly important, and therefore more resources can be channeled to development of the economy and welfare of the people. Finally, while we anticipate that our nation's long-term future will be strengthened further promised by our integration into ASEAN and the world, we recognize that there are short-term costs.

In the long run, Cambodia's success in participating in ASEAN economic initiatives will depend on our ability to build a stable, transparent environment for investment, and upon which the initiatives of our people can take advantage of the potentials and the opportunities that it offers. I have no doubt that both Cambodia and ASEAN will prosper in this mutual partnership.

The RGC is committed to and will continue to uphold its various programs of institutional, socio-economic and political reforms. It will also continue to address the

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**Samdech Hun Sen's Letter on March 24, 1999  
to HE Kofi A. Annan, Secretary General of the United Nations**

His Excellency Kofi A. Annan  
Secretary General of the United Nations,  
New York, UN Plaza

Excellency,

Allow me to draw your kind attention on the issue of the trial of the Khmer Rouge leaders and to clarify the principled position of the Royal Government of Cambodia on this matter as follows:

- 1) As explained in the Aide-Memoire dated 12 March 1999 handed over to Your Excellency by the Foreign Minister HOR Namhong, and my declaration dated 19 March 1999, an existing national tribunal of Cambodia should take up the case to charge and convict Ta Mok and other Khmer Rouge leaders, if found guilty of crimes of genocide committed in Cambodia, whose victims are Cambodian population, according to Article 33 of the Constitution of the Kingdom of Cambodia and Article VI of the Convention on the Prevention and Punishment of the Crimes of Genocide.
- 2) To ensure that the fore-said trial by the existing national tribunal of Cambodia meets the international standards, the Royal Government of Cambodia welcomes the assistance in terms of legal experts from foreign countries. It is, however, up to the tribunal to determine the number of these legal experts. The Royal Government of Cambodia does not have any power to impose anything on the competent tribunal.
- 3) The issue of whether to try Ta Mok alone or any other Khmer Rouge leaders depends entirely on the competence of the tribunal. The Royal Government of Cambodia will not exert any influence on or interfere, in any form, into the normal proceedings of the judiciary that will enjoy complete independence from the executive and legislative powers.
- 4) May I request your kindness in circulating the present letter as an official document of the 53rd United Nations General Assembly Session.

With the above clarification, I do hope that there will be no more misleading interpretations which do not serve the cause of peace, stability, national reconciliation, and justice in Cambodia.

May I avail myself of this opportunity to reiterate to Your Excellency my sincere thanks for your kind understanding, and to renew to you the assurances of my highest consideration.

**HUN SEN**  
Prime Minister

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needs of the Cambodian people through the promotion of comprehensive strategies that build on the gains that we have already achieved thus far and further seek the opportunities to build a greater future of Cambodia in the region and the world. The future is in our hands. ■

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Second, if there were the understanding that the existing national court of Cambodia did not meet the international standard, the Royal Government of Cambodia welcomes assistance, including legal experts, from various countries to be able to assist the court of Cambodia in order to try the Khmer Rouge leaders in accordance with the international standard for the sake of justice for all the victims.

Taking this opportunity, I wish to re-affirm that seeking justice for the people of Cambodia should be conducted in a strict manner by the existing national court of Cambodia, while safeguarding independence, sovereignty, peace, and national reconciliation./ . ■