Chapter IV
The United Nations, a non-state international body, provides a mechanism for bilateral and multilateral diplomacy to manage both regional and global crises. In the present chapter, an attempt is made to critically examine the nature of United Nations' efforts in managing/resolving the Afghanistan and Kampuchea problems through negotiations which spread over a long period of time. The study will consider the following themes: the diplomatic activity at the United Nations; the role of the UN Secretary-General and his representative; and the structure and process of negotiations under the aegis of the United Nations. The study covers the period till the signing of the Geneva Accords in April 1988 in the case of Afghanistan which marked the resolution of the external aspect of the crisis; and as regards Kampuchea the signing of Paris Peace Accords in October 1991 which led to the resolution of both internal and external aspects of the problem.

The following basic questions will be placed under scrutiny: (1) How did the negotiating process under the aegis of United Nations begin? (ii) To what extent did it succeed in accommodating the irreconcilable interests and agendas of the parties to the conflict? (iii) How did the negotiating process itself influence the attitudes and positions of the parties? (iv) What were the factors contributing to the prolonged
nature of the negotiation process and, (v) What comparisons can be drawn from the Afghanistan and Kampuchean negotiations?

AFGHANISTAN CRISIS

THE PRE-NEGOTIATION PROCESS

The negotiation phase is said to have set in when various parties to the crisis/conflict have agreed not only to sit together at the negotiating table but also express a common agenda for discussion. And till such a stage is reached, the preceding phase remains a pre-negotiation stage where the commonality of interests is initially not projected. A third party, sometimes, makes all out efforts to push the parties to the table either through international pressure or by way of convincing each party of the benefits it could obtain due to a negotiated settlement. Such a role is usually performed by the United Nations by providing broad guidelines for an acceptable political settlement in the form of UN resolutions and by offering various negotiating techniques to the concerned parties. In the case of the Afghan crisis, there was an utter lack of consensus among the great powers in the United Nations initially and neither the Security Council nor the General Assembly authorised or provided a mandate to the Secretary-General to act upon for resolving the crisis. The UN-sponsored negotiations on Afghanistan, in contrast to other major regional conflicts, did not owe their origin to a Security Council or General Assembly
resolution. Instead, they were initiated by the UN Secretary General.¹ The Secretary-Generals’ decision to act was based on the need to minimise the intensity of the crisis and to bring about a peaceful settlement of the conflict.²

**Debates in the United Nations**

The allegations and counter-allegations made in the strongest terms by various parties at the United Nations left no room for political settlement of the Afghanistan issue. The parties were committed to gain certain political mileage by internationalising the issue and condemning the acts of each other. There was an intense effort to justify their actions and convince the international community of their correct positions.

When the Security Council met in the first week of January 1980 to debate the problem, the Soviet representative at the United Nations Oleg A. Troyansoky, pointed out that the Soviet troops were in Afghanistan on invitation of that country’s government and referred extensively to the Soviet-Afghanistan treaty of 5 December

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¹Report of the UN Secretary-General, A/36/653 - S/14754, 6 November, 1981.

²In accordance with the Article 99 of the United Nations Charter: "The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security".
1978 and Article 51 of the UN charter. The Afghanistan foreign Minister Shah Mohammed Dost also argued that the Babrak Karmal government had requested Soviet assistance to repel foreign-inspired insurgency. A draft resolution calling for the immediate and unconditional withdrawal was vetoed by the Soviet Union on the ground that it constituted a 'flagrant intervention in the internal affairs of a sovereign state.'

With the Security Council becoming ineffective due to the Soviet veto, the General Assembly took up the matter for the purpose of which a special session was convened. The resolution adopted at the special session, reflecting the majority opinion of the international community, strongly deplored "the recent armed intervention in Afghanistan" and called for "the immediate, unconditional and total withdrawal of the foreign troops from Afghanistan in order to enable its people to

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3 Fifty-two members joined Pakistan in demanding the convening of the Security Council, see UN Doc.S/13724, Add.I and 2; Article 51 of the UN Charter States: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations...."


5 UN Doc.S/13729, the vote in favour of the resolution was 13-2, only East Germany joined the Soviet Union in voting against the measure; text of the Council Resolution in New York Times, 8 January 1980, p.6 and for Soviet stand, see New York Times, 8 January 1980, p.1

determine their own government." This resolution which did not mention Soviet Union by name and addressed the issue of intervention, failed to envisage or call for negotiations. Even though the resolution maintained that Afghan people be allowed to determine their government, the credentials of the then Babrak Karmal government occupying the seat of Afghanistan in the United Nations were not brought to question.

The resolution 35/37 of 20 November 1980, adopted at a subsequent regular session, without explicitly deploiring the Soviet intervention, focused on the requirement of withdrawal and outlined the following elements for a political settlement:

(i) Preservation of the sovereignty, territorial integrity, political independence and non-aligned character of Afghanistan:

(ii) The right of the Afghan people to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

(iii) Immediate withdrawal of the foreign troops from Afghanistan;

(iv) Creation of the necessary conditions which would enable the Afghan refugees to return voluntarily to their homes in safety and honour; and

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7General Assembly Resolution ES-6/2, 14 January, 1980.
The exploration of securing appropriate guarantees for the non-use of force against the political independence, sovereignty, territorial integrity and security of all neighbouring states, on the basis of mutual guarantees and strict non-interference in each other's internal affairs and with full regard for the principles of the charter of the United Nations. 8

In a significant move, the phrase 'unconditional' was not mentioned in this resolution underscoring the point that the withdrawal of the foreign troops could be made a part of a settlement. Also, unlike the Security Council, the Assembly's resolution appreciated the efforts of the Secretary-General in the search for a solution to the problem and expressed the hope that he will continue to extend assistance, including the appointment of a special representative, with a view to promoting a political solution, in accordance with the provisions of the Assembly resolution on Afghanistan.

This November 1980 resolution is characterised by a language of moderation and reflected a conscious effort to accommodate the Soviet and Afghan concerns of mutual guarantees of security and non-interference by incorporating the demands or

aspirations of the Democratic Republic of Afghanistan (DRA) as enunciated earlier in the May 1980 proposals. The crux of the 14 May 1980 proposal, was direct bilateral dialogue between the DRA and Pakistan and between the DRA and Iran. The DRA - Pakistan dialogue was supposed to work out "bilateral agreements on the normalisation of relations" on the basis of principles of good neighbourliness and, noninterference, 'appropriate political guarantees' specifically on behalf of the Soviet Union and the United States; and cessation and guaranteed non-recurrence of military invasions and other forms of interference in the internal affairs of Afghanistan were seen as pre requisites for the resolution of 'the question of withdrawal of the Soviet limited contingents from Afghanistan'. The November 1980 resolution gained increasing support every year until the signing of the Geneva Accords for the settlement of the Afghan problem. It is this historic resolution which served as a blueprint for negotiating the settlement of the crisis. The Afghanistan government rejected the resolution stating that it constituted an interference in the internal affairs of a sovereign state, but hinted that it might accept visit by the Secretary General Kurt Waldheim in his private capacity.

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10See Table 1.

### Table 1

**UN votes on the Afghanistan Resolution, 1980-1987**

<table>
<thead>
<tr>
<th>Year</th>
<th>For</th>
<th>Against</th>
<th>Abstention</th>
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<tbody>
<tr>
<td>1980 *</td>
<td>104</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>1980 **</td>
<td>111</td>
<td>22</td>
<td>12</td>
</tr>
<tr>
<td>1981</td>
<td>116</td>
<td>23</td>
<td>12</td>
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<td>1982</td>
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<td>21</td>
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<td>1983</td>
<td>116</td>
<td>20</td>
<td>17</td>
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<td>1984</td>
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<td>1985</td>
<td>122</td>
<td>19</td>
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<td>1986</td>
<td>122</td>
<td>20</td>
<td>11</td>
</tr>
<tr>
<td>1987</td>
<td>123</td>
<td>19</td>
<td>11</td>
</tr>
</tbody>
</table>

* Emergency special session.
** Regular session.

*Source: UN Monthly Chronicle (1980-87)*

In the light of the deliberations in the UN, certain parameters appear to have been drawn for the Secretary-General’s role which are as follows: While the UN body appreciated the independent initiatives taken by the Secretary-General, no clear mandate was given to him by the Security Council. As one of the global powers was directly involved in the crisis, and given the cold-war scenario the UN would not be allowed to apply any kind of pressure or take bold initiatives. Further, even if the UN was determined to play a silent, independent role, it would have to work within the limitation of considering the specific concerns of the superpowers. Also, the continuing occupation of the Afghan UN seat by the Karmal regime (supported by
Soviet Union) pointed out that any negotiation under the auspices of UN would not bring into question the legitimacy of Karmal regime. This, in effect, ruled out the possibility of United Nations dealing with all consulting the Afghan rebels.

As a fallout of the Assembly resolution of November 1980 which voiced the majority opinion of the international community, a significant dialogue developed between Islamabad and Moscow chiefly through the Soviet ambassador in Pakistan Vitaly S. Smirnov, at the bilateral level which eventually paved the way for the acceptance of the UN role.12 Both Pakistan and the USSR had their reasons to explore the UN option. On the side of Pakistan which denied recognition to the Kabul regime, the need to call for a UN role in aid of negotiations became evident as the initiative of the Organisation of Islamic conference - which served as a forum for Pakistan's Afghan diplomacy in the early stages - had reached a dead end and secondly the presence of Soviet troops on Pakistan's northern border with Afghanistan highlighted a precarious geo-political environment and this called for an active diplomacy to protect its security interests.13


13Pakistan President Zia-ul-Haq stated in a press conference as early as January 1980 that "Pakistan must adjust itself to the Soviet presence in the area as a political fact of life. You cannot live in the sea and create enemies
Moscow's interest in negotiations was forced by widespread Afghan resistance and the severity of international criticism as the Organisation of Islamic Conference and the European Community sought to internationalise the situation and also vote against the Soviet Union at the UN General Assembly. Further, the UN modality suited the Soviet Union because the UN framework would treat the then Kabul government led by Babrak Karmal as the sole Afghan interlocutor and this would result in the isolation of Afghan Resistance.

In December 1980, Moscow without mentioning the question of recognition - an issue that most concerned Kabul and Islamabad- told Pakistan that Afghanistan was prepared to talk. The dialogue between Moscow and Islamabad also yielded a tacit understanding on the need to involve the UN Secretary-General. Differences, however, persisted on the format of the talks, whether bilateral (Pakistan and Afghanistan) or trilateral (Pakistan, Afghanistan and Iran), and the specific role of the secretary-general's representative, but the ground for active role of the United


Nations had been prepared.\textsuperscript{16} By January 1981, Afghanistan and Pakistan issued separate statements accepting and urging UN activity in mediating the Afghan problem.\textsuperscript{17}

\textbf{The Initial Efforts of the United Nations}

Even though the Secretary-General Kurt Waldhein appointed Javier Perez De Cuellar as his 'personal representative' in February 1981 to promote 'peace talks between the parties concerned', more than a year elapsed before the parties actually began the negotiations.\textsuperscript{18} The structure or the modality of talks and the agenda for discussion were not clear as the parties held totally divergent views.


\textsuperscript{17}\textit{New York Times}, 7 January 1981, p.4

\textsuperscript{18}\textit{New York Times}, 12 February 1981, p.3. The General Assembly resolution contained the phrase 'Special representative': the term 'personal representative' used by the Secretary-General suggested a subtle nomenclatural nuance, perhaps, to delink the appointment (in explicit terms) to the UN resolution, which was rejected by the Soviet Union and the Democratic Republic of Afghanistan.
Afghanistan reiterated its stand for bilateral talks with Pakistan and with Iran, as mentioned in its proposals of 14 May 1980. Pakistan put forth its demand for trilateral talks between Afghanistan, Iran and Pakistan. For the direct bilateral talks with the Afghan government, Pakistan placed a pre-condition which was the withdrawal of Soviet troops from Afghanistan 'so that such negotiations could take place only when Afghans were free from foreign domination and control and its people were able to exercise their sovereign rights'.

The lack of agreement on the part of Afghanistan and Pakistan on the procedural aspects of talks led to a deadlock which was the first task that the representative of the Secretary-General had to tackle. The issue was very complex as the positions of the respective parties hinged on the sensitive matter of the legitimacy of the Kabul regime vis-a-vis the Afghan Resistance.

**Shuttle Diplomacy**

The first exploratory visit to the region by Perez de Cuellar in April 1981 elicited little more than reiterations of the respective positions in Kabul and Islamabad. Kabul took up the procedural issue and sought in first instance the

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19 See n.9

20 Pakistan expressed its willingness to engage in talks with DRA in the presence of the UN Secretary-General's representative in the event that Iran would refuse to participate, see *Washington Post*, 31 December 1980.
settlement of the modalities: bilateral talks or trilateral talks with an empty chair for Iran. On this question, the Pakistani side considered the trilateral nature of the talks under the auspices of the United Nations as a fundamental aspect and that the UN Secretary-General or his personal representative must play the role of an organiser and active participant. The outcome of Perez de Cuellars' first contacts in the region was, nonetheless, an indication of explicit acceptance of "UN good offices" and "active participation" in the diplomatic process by the personal representative.21

Realising the rigid and mutually exclusive positions of both the parties and the lack of progress on the procedural aspect, in his second visit to the region in early August 1981, Perez de Cuellar took up substantive issues through the medium of shuttle diplomacy. He identified a four-point agenda, to provide a format for negotiations. The four-point agenda which was in line with the provisions of the Assembly resolutions included:

(i) the withdrawal of the Soviet troops from Afghanistan.

21 The same understanding secured by Secretary-General Waldheim during his visit to Moscow in May 1981. Later, Cuellar observed in September 1981 "The Russians want to do something but Kabul is nervous. What we have is a bridge of straw, and we should not try to run across it too much", quoted in Selig S. Harrison, "Inside the Afghan Talks", Foreign Policy, no.72, Fall 1988, pp.87, 36-37. This article of Selig S. Harrison is based on extensive interviews with the UN mediator, Diego Cordovez.
(ii) guarantees of non-interference in Afghanistan's internal affairs by Iran and Pakistan.

(iii) international guarantees.

(iv) the voluntary return of the Afghan refugees.\textsuperscript{22}

Besides the fact that these four points incorporated the major demands of each side, the move to take up the substantive issues for finalising the agenda by postponing the procedural issue, was quite timely in order to break the stalemate and prepare a ground for serious bargaining and negotiation. Also, it provided an opportunity for the Secretary-General not only to diagnose and define the range of the problem but also to identify the major participants required for the negotiation.

Reacting to the four-point agenda, Islamabad stated that the talks should focus first on the withdrawal of the Soviet forces and then take up remaining issues. It also proposed the inclusion of 'self-determination' as a fifth item on the agenda. Kabul and Moscow) maintained that the withdrawal of Soviet forces could take place only when an agreement is reached on the other elements of the agenda.\textsuperscript{23}


\textsuperscript{23}Morello, n.22
Direct versus Indirect talks

As the four points on the agenda were not rejected by either side and the differences were only one of the priority of issues, the willingness to negotiate was manifested. However, the major hitch on the commencement of talks remained. Kabul now sought to hold direct talks with Iran and Pakistan in the presence of the UN Secretary-General or his representative. Pakistan rejected this demand on the ground that this would be tantamount to recognising the regime. However, Pakistan, while refusing to have direct talks with the Democratic Republic of Afghanistan without Iranian participation, hinted that it was ready to discuss substantive issues in indirect talks through the intermediary of the UN Secretary-General. However, in its 24 August 1981 proposals, Kabul accepted Pakistan's earlier demands for trilateral negotiation between the DRA, Iran and Pakistan, and also endorsed the empty chair formula (should any country decide not to joint the negotiations in the beginning, such country would be free to join the dialogue at a subsequent stage). Kabul further affirmed its acceptance of having the UN Secretary General attend the talks.24 As Iran was refusing to participate since its preconditions were not fulfilled, Pakistan also did not begin the talks in the absence of Iran.

It was finally in the course of the General Assembly session in November 1981, Agha Shahi of Pakistan and Shah Mohammed Dost of Afghanistan held a number of separate meetings with Secretary-General Waldheim and his personal representative Perez de Cuellar during which Kabul agreed to set aside the question of direct talks and to discuss substantive issues. By the end of 1981 the position of the two interlocutors softened. Just as the Afghan side conceded by setting aside insistence on direct talks, Pakistan also decided to drop its earlier demand for inclusion of 'self-determination' as fifth point in the agenda as it recognised that Kabul would not accept self-determination or any reference to internal political adjustment or regime change. Pakistan's public position had already conceded that Soviet withdrawal would itself allow the Afghans to determine their political future.

Diego Cordovez who replaced Perez de Cuellar, immediately undertook a shuttle to the area in mid-April 1982. The major task before him was to clinch an agreement on the commencement of substantive talks. Cordovez started his visit

25 Self-determination was categorically ruled out by Moscow and Kabul as inadmissible in a UN negotiation between number-States; Harrison, n.21, p.37

26 Khan, n.12 pp.40-41; Also, Afghan Foreign Minister Shah Mohammad Dost, during a visit to India, told Prime Minister Indira Gandhi that his government is flexible on procedural matters in search for a political solution to the fighting in Afghanistan, New York Times, 8 September 1981, p.13.
from Islamabad, where he proposed the holding of indirect talks in Geneva. Like his predecessor Cuellar, he identified withdrawal, non interference, international guarantees, and the return of refugees as subjects for a four-part annotated agenda. Cordovez suggested that there should be no order for the items. He received Pakistan's concurrence in the four-point agenda and agreement to the holding of "indirect talks" at Geneva. Later, on his return from Kabul, Cordovez conveyed to Pakistan, Kabul's agreement to the package agenda and to discuss the substantive issues at the indirect talks.

27 Geneva, the European headquarters of the United Nations served as an ideal venue in the sense that the negotiation process could have been insulated to some extent from the pressures of domestic politics and media of the South-West Asian region.

28 Indirect Talks: Pakistan and Afghanistan agreed to participate in the UN-sponsored talks at the level of their foreign ministers (in protocol terms, it implied a high-level negotiation); According to this innovative procedure of indirect talks, the UN representative, Diego Cordovez, held separate meetings with the two delegations led by their respective foreign ministers at Geneva, conferring with one in the morning and the other in the afternoon. In between these meetings, he was informing Iran officially and the Soviet Union unofficially of the progress of the talks. Iran refused to participate as the negotiations excluded the Afghan Resistance which in the view of Teheran was the sole legitimate representative of the Afghan people. Iran did not agree to send a minister but consented to nominate a representative to be available during the talks; see Keesing's Contemporary Archives, Vol.29, July 1983, p.32252

29 In conceptual terms, a package agenda involves the simultaneous settlement of a number of issues forming part of the overall conflict/crisis. The principal advantage with such a method is that widening the number of issues makes it possible to effect some form of 'trading', whereby losses in one area offset gains in others. In other words, it is a process whereby one party trades a concession on one issue for a reciprocal concession by its adversary on another separate issue, thus succeeds in settling a conflict to all parties' mutual
The respective positions of Afghanistan and Pakistan on the direct talks controversy not only delayed the commencement of negotiations but was a case in point of the strong negotiating strategies to seek concessions from the other side without making any reciprocal concessions. Pakistan remained firm against direct talks with Afghanistan and it succeeded. Similarly, Afghanistan wanted to hold talks with Pakistan, and it also succeeded even if it meant indirect talks. The agreement to hold indirect talks itself represented a compromise between direct talks and no talks. The ‘indirect talks’ formula can therefore be seen as an outcome of the personal diplomacy of Cordovez and as an innovative negotiating technique. The UN was able to bring the parties together to the negotiating table without affecting the sensitive issue of recognition of the Kabul regime by Pakistan. The position on the issue of legitimacy of the Afghan Government and rebel groups remained unaltered at the onset of negotiations. Thus the Parties devoid of diplomatic relations were made to relate each other diplomatically.

satisfaction. ‘Package deal’ is an important procedural technique that envisages a pooling together of issues in such a manner that the acceptance of one is conditional on the fulfilment of the entire package.

30Pakistan's Foreign Minister, Agha Shahi admitted that in 1981 he was amenable to direct talks but President Zia told him that Pakistan's backers (implying USA, China, Saudi Arabia and others) were seriously concerned about such a format. Agha Shahi went on to say that the US Secretary of State, Alexander Haig had expressed his deep misgivings to him in April 1981 of starting even indirect talks, cited in Matinuddin, n.16, p.212; for differences between US and Pakistan on the United Nations role in the initial stages, see Harrison, n.21, p.32, pp.36-39.
Geneva Negotiations

At the first round of Geneva negotiations (16-24 June 1982), the challenge for Diego Cordovez was to develop the structure for a settlement from the agreed agenda. The discussions laid emphasis on elaboration of the agreed annotated agenda so that the perspective of each side is made clear. Each side put forth its views on each element of the agenda:

(a) Issue of withdrawal and interrelationships

For Pakistan, the return of refugees was linked to Soviet withdrawal, while the Afghan position linked withdrawal to cessation of outside interference. Kabul also maintained that the issue of withdrawal is an exclusively bilateral matter with Moscow.

31 For an understanding of the evolution of the Texts of the Geneva Accords on Afghanistan, see Table 2, cited from Khan, n.12, pp.36-37.

## Table 2: Evolution of the Texts of Geneva Accords on Afghanistan

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<tr>
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<tbody>
<tr>
<td>(i)</td>
<td>Withdrawal</td>
<td>Section I. Interrelationships elaborated as coincidence of dates for implementation of various elements; a blank time frame for withdrawal; definition of component parts of the comprehensive settlement</td>
<td>Instrument IV. Discussed and finalised in 1986 on the basis of text of Section I; legal format and UN monitoring were the last issues to be resolved, leaving timeframe to be settled later</td>
<td>Agreement on Inter-relationships for settlement of situation relating to Afghanistan (including time frame for withdrawal)</td>
</tr>
<tr>
<td>(ii)</td>
<td>Non-interference</td>
<td>Section II. Obligations drawn from 1981 UN General Assembly (UNGA) Declaration on Inadmissibility of Intervention and Interference in the Internal Affairs of States (At Geneva III, a draft bilateral agreement based on Section II was proposed to supplement the draft settlement)</td>
<td>Instrument I. Draft bilateral agreement on non-interference and nonintervention; Kabul’s reservation on “border formulation” revived</td>
<td>Bilateral Agreement between Afghanistan and Pakistan on Principles of Mutual Relations in Particular on Noninterference &amp; Nonintervention</td>
</tr>
<tr>
<td>(iii)</td>
<td>International Guarantees</td>
<td>Section III. Undertakings to respect provisions of Section II. Later scope was broadened by adding expression of support for the settlement</td>
<td>Instrument II. Draft declaration of guarantees; text finalised and agreed upon in 1985.</td>
<td>Declaration on International Guarantees</td>
</tr>
<tr>
<td>(iv)</td>
<td>Voluntary Return of Refugees</td>
<td>Section IV. Conditions for voluntary return; modalities for UN High Commissioner for Refugees’ (UNHCR) role, etc.</td>
<td>Instrument III. Draft bilateral agreement on voluntary return of refugees. The issue of consultation with the refugees.</td>
<td>Bilateral agreement between Afghanistan and Pakistan on the voluntary Return of Refugees.</td>
</tr>
</tbody>
</table>

Source: Riaz M. Khan, n.12, pp.36-37.
The divergent negotiating positions of Pakistan and Afghanistan could obviously yield no results. Accordingly, the interrelationship between the various elements needed to be further defined.

(b) Non-interference
Pakistan rejected any linkage between non-interference and withdrawal; for the Afghan side, the issue of non-interference was the starting point of the entire process of negotiations and a key to any decision to withdraw.

(c) International Guarantees
While Pakistan expressed the view that an international conference could work out the modalities of guarantees, Afghanistan saw guarantees as meaning third-party commitment to non-interference.

(d) Return of Refugees
Pakistan sought UN sponsored consultations with the refugees and practical plans from Kabul for their repatriation. Initially, Afghanistan dismissed the bulk of the refugees as nomads; later it promised them amnesty, freedom and immunity.
While the Afghan positions on the agenda items and the settlement were rooted in their 14 May 1980 proposals, Pakistan's concern that Moscow might use negotiations as a propaganda tactic to weaken the Afghan Resistance led Islamabad to demand an "equitable, integrated, and comprehensive settlement and simultaneous rather than sequential implementation of various aspects of that settlement." 33

At the end of the first round of talks, Diego Cordovez could only claim that a 'constructive spirit' had prevailed and that a framework for the talks was close to completion. 34 The UN Secretary-General in his report hoped that these discussions would lay the foundation for the promotion of good neighbourly relations and cooperation among the states in the area and for strengthening international peace and security in the region. 35 The first round of indirect talks in June 1982 formalised agreement on the format, the agenda and the broad elements of the comprehensive settlement. Very clearly, Cordovez expanded his own role from one of offering good offices to that of an active mediator and performed the essential task of taking the parties toward a common view of a settlement before the process of bargaining and negotiation even began. Besides devising an agenda and a format for

33 Khan, n.12, p.41

34 Keesing's Contemporary Archives, Vol.29, July 1983, p.32252

35 UN Doc.A/37/482-S/15429, 27 September 1982
negotiations and persuading Pakistan and Afghanistan to hold indirect talks through shuttle diplomacy, Cordovez successfully experimented the sequence of procedural/substantive aspects that enabled him to commence the negotiations. Further, instead of arguing about each item separately which could result in break in talks, he maintained, it was first necessary to accept the concept of a "comprehensive settlement" in which agreement on the withdrawal of foreign forces, on mutual non interference guarantees and on the return of refugees would be interdependent.\(^{36}\)

Even though the talks had begun in Geneva, the first round was still in the nature of exploring the positions of respective parties. Each issue was split further to elicit the views and perceptions of the contending parties and the extent of negotiating spectrum. There was a discussion of broad elements of principles and conditions, measures and modalities, but the process of concession-making was yet to begin. This round of talks can therefore be categorised under the pre-negotiation phase and it also marks the end of such a phase.

**THE NEGOTIATION PROCESS**

The remaining rounds of Geneva negotiations can be broadly divided into three stages: (a) the diagnostic stage (b) the formula stage and (c) the implementation
stage. These stages are not of linear nature. In the present analysis, the diagnostic stage I begins and ends with second round of indirect talks held in April 1983. The formula stage starts when Cordovez expresses in May 1983 the opinion that "ninety-five per cent" of the settlement is "ready" and that the crucial issue yet to be resolved was the question of withdrawal and its time frame. This stage is marked by a search for formula and extends up to December 1987. By then one round of indirect talks in June 1983 and 'proximity' round of talks numbering nine had taken place: One in 1984 (August), three in 1985 (June, August and December), two in 1986 (May and August), two in 1987 (February/March and September). During this stage there is also a parallel running of diagnostic stage-II in the absence of any formula emerging. The implementation stage begins when Soviet Union in December 1987 announces twelve-month time frame for withdrawal. This decision immediately leads to the implementation stage where the details for final agreement are fine-tuned.

The Diagnostic Stage-I

Significant developments took place a little before the second round of negotiations began. In November 1982, when President Zia Ul Haq visited Moscow to attend the state funeral of President Leonid Brezhnev, he was received by the new Soviet leader, Yuri Andropov. The cordial nature of the meeting was viewed by the

Pakistani side as an encouraging gesture/positive signal. The meeting did not address the Afghan issue in any specific details but touched upon a principled plane. Further, the negotiations received a shot in the arm when the Secretary-General Perez de Cuellar and his personal representative Diego Cordovez visited Moscow in late March 1983 and perceived "renewed encouragement" from Andropov to pursue UN mediation.

At the April 1983 Geneva round Cordovez narrated how Andropov raised his hand and counted the damages on his fingers: loss of life; unnecessary financial expenditure; regional tensions; setback to detente; loss of Soviet prestige in the Third World. It was an indication of an evaluation of the crisis situation by the new Soviet leadership in cost-benefit terms and signified a break from the past Soviet attitudes, but Moscow continued to endorse the Afghan position that the Soviet troops

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41 Harrison, n.21, p.42.
would be withdrawn only after "the rebel threat" was ended. Soviet withdrawal was possible, but only after Moscow's and Kabul's security interests in terms of cessation of external interference were guaranteed.

In the light of the assessment of the Soviet stand, Cordovez attempted to deal with the problem in its own terms, i.e. tackling the items of Soviet concerns, which meant discussion on the issue of non-interference for the proposed withdrawal. In order to elicit agreement of Pakistan, Cordovez placed the 1981 UNGA Declaration on inadmissibility of non-intervention and non-interference in the internal affairs of states as the basic framework. Though Pakistan had no serious reservations on the Declaration, it wanted certain provisions to be included which would specify details of the withdrawal. Pakistan, however, express concern as to the absence of time frame for withdrawal in the draft text prepared by Cordovez, that the text of guarantees was limited to non-interference and also that there was no attempt to address the refugee issue.

This round was significant to the extent that there has been a narrowing down of issues with the efforts of Cordovez so that the parties could move from unilateral

43 Khan, n.12, p.42
44 ibid., p.43
to joint strategies. It also indicated the areas of agreement and disagreement of the parties and the possibility of mutual concessions.

The Formula Stage

Cordovez, in his search for a formula, proceeded to discuss the time frame for withdrawal with the Soviet representative Stanislav Gavrilov, in view of certain objection raised by Pakistan on the draft text. Cordovez thus targeted the time frame and Pakistan's commitment to non-interference as the key issues.45 It was just before the June 1983 round that Cordovez, having anticipated the possibility of mutual concessions, declared at a press conference in the month of May 1983 that the settlement was 'ninety-five per cent ready', but the crucial issue yet to be resolved was withdrawal and its time frame. This press statement of Cordovez appears to have been a clear tactical move not only to apply pressure on the parties to secure concessions but also to clinch the issue, if possible. However, the Geneva round held in June 1983 was a failure as it did not result in the acceptance of any formula. This was due to the pressures experienced by Pakistan from its partners like United States and China who wanted Pakistan to agree for guarantees on non-interference only after the Soviet withdrawal.46 Pakistan also felt that Cordovez showed less

45 ibid.

46 Yakub Khan, the Pakistani Foreign Minister later said that the Cordovez statement made it necessary to slow down the process of Geneva negotiation "in order to placate apprehensions among the Afghan refugees and one allies that
sensitivity to its concerns and was pushing for a "quick fix". This was denied by Cordovez later. On the other side, Cordovez could not receive any encouraging signals from the Soviet Union as there was rapid decline in Andropov's health.

A fine opportunity was therefore missed after an euphoria of possible success. The situation further aggravated when the Soviets ascribed the lack of progress to "the hidden U.S. hand" restraining Pakistan.

As Pakistan was insisting that Kabul set a time frame for withdrawal and that this issue be addressed within the legally binding format of a comprehensive settlement, the Soviets and Afghans categorically stated that withdrawal was an exclusively bilateral matter and it would depend on Pakistan's sincerity in adhering to non-interference in Afghanistan. It was further added, that the time frame would not be provided until the very end of the process of Geneva negotiations.

\[ \text{we are going to sell them out behind their backs"}, \text{Harrison, n.21, p.46} \]

\[ ^{47}\text{New York Times, 25 June 1983, Section I, p.4} \]

\[ ^{48}\text{Andropov quoted in New York Times, 24 April 1983, Section I, p.3, and Soviet Ambassador to Pakistan, Vitaly S. Smirnov in an address to Pakistan Institute of Strategic Studies, Islamabad, New York Times, 30 May 1983, p.6} \]
Proximity Talks

As no substantial progress was made since the commencement of the Geneva round of talks, Cordovez introduced a new technique of 'proximity talks' to modify the indirect talks. This was resorted to shelve aside the persistent demand of Afghanistan for direct talks. This new technique though still indirect in nature attempted to reduce the distance between the parties. In practical terms, it meant that the two delegations will sit in separate rooms at the same time with Cordovez shuttling between them instead of holding alternate meetings at different times. This procedure could also reduce the time-lag of consulting with the two parties.

Against this background, Cordovez in the August 1984 round tried to convince Pakistan to show more seriousness on its commitment to non-interference. In this context, he proposed a draft bilateral agreement to supplement the draft comprehensive settlement. Pakistan agreed to the proposal of Cordovez subject to the condition that an acceptable short time frame was given by Kabul. The lack of response from Afghanistan compelled Cordovez to terminate this round of talks.\(^49\) Afghanistan was not ready to discuss withdrawal until the non-interference issue was satisfactorily settled.

\(^{49}\)Cordovez ascribed the predicament to the deterioration in East-West relations. See \(\text{FRIS Daily Report: Near East and South Asia, February 1, 1984}\).
Diagnostic Stage -II overlapping with the Formula stage

Serious attempts were made by Cordovez to reach a formula acceptable to both the parties. However, such an exercise could not show any signs of success as both the sides reiterated their demands without adequate concessions. Each side was expecting the other side to take the first step toward a settlement. In the process, a lot of time has elapsed which only helped each side to test their respective bargaining power and negotiation range. However, their varied objectives and motivations remained uncompromised and this eluded early finalisation of any formula.

While Cordovez was able to communicate and receive the feedback from various capitals through his shuttles before every round to influence the pace of negotiations, no breakthrough was possible as certain new dynamics were emerging in the region, which had a direct bearing on the talks. There was the factor of intense military activity in Afghanistan in the absence of success on the table, with the Resistance maturing into an effective guerilla force assisted by Pakistan and the growing interest of United States in supplying improved weapons to them. Simultaneously, the Soviet military tactics also changed to help Kabul launch military offensives against the Mujahideen. Another important factor was the new Soviet approach towards global problems with the advent of Mikhail Gorbachev in

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March 1985. Even though the sudden changes were not immediately visible, Gorbachev showed eagerness to get into a friendly dialogue with the United States to reactivate negotiations on the Afghanistan issue.

Until the time Gorbachev announced the twelve-month time frame for withdrawal unilaterally, there was constant diagnosis of the relative priorities of each party, and each side put forth various formulae from time to time in order to bargain from a position of strength and possess sufficient diplomatic leverage in concluding any agreement. Various issues which received attention both within and outside the talks have been (i) the linkage of the Soviet withdrawal with the issues of guarantees on non-interference as a pre-condition, (ii) demand for direct talks for conclusion of negotiations, (iii) internal political settlement to precede the pull-out and finally (iv) the intense negotiations over the details of time frame for Soviet withdrawal.

Formula I: ‘Yes’ to Withdrawal, but only after
            Guarantees on Non-interference

The ‘realpolitik’ of the situation, even after the assumption of new Soviet leadership by Gorbachev, dictated that the question of non-interference should be made the guiding factor for deciding withdrawal. This is evident from the importance given to it in the June 1985 Geneva round of proximity talks where Cordovez
presented four separate instruments based on the draft comprehensive settlement. These instruments, enumerated as component parts of the settlement, included:

(a) A bilateral agreement between Afghanistan and Pakistan on principles of mutual relations, in particular on non-interference and non-intervention.

(b) Declaration on international guarantees by the Soviet Union and the United States of America.

(c) A bilateral agreement between Afghanistan and Pakistan on the voluntary return of refugees.

(d) An instrument setting out the inter-relationship between the above instruments and the solution of the question of the withdrawal of foreign troops in accordance with an Afghan-Soviet agreement.\(^\text{51}\)

While Cordovez succeeded in getting Pakistan's approval to the first three instruments of the draft text, the signing of the actual agreements on these three items was not possible as Pakistan insisted that the issue of withdrawal be settled in the first instance.

The Soviet Union and Afghanistan refused to deal with the issue of withdrawal in a manner that would legally appear to commit them to Pakistan or the United

\(^{51}\)UN Doc.A/40/705-S/17527, 7 October 1985, para 9
States. Afghanistan demanded the inclusion of Iran as a party to the Geneva process in order to secure its commitment to the provisions of non-interference.\textsuperscript{52} Both the parties continued to hold on to their positions as a delaying tactic to consolidate the possible gains on the military field. It was further used as a propaganda measure to accuse each other of not being serious about resolving the crisis.

Even as Gorbachev's description of the Afghanistan crisis as a 'bleeding wound' endorsed his sincere approach towards its resolution, he continued his predecessor's formula on seeking guarantees on non-interference prior to withdrawal. In his Vladivostok speech of July 1986, Gorbachev stated that Moscow would be withdrawing six regiments from Afghanistan by the end of 1986, but simultaneously demanded reciprocity through the curtailment of outside interference.\textsuperscript{53} This was an important signal communicating Soviet utmost sincerity on the issue and an effort

\textsuperscript{52}During this period, Iran maintained a strong declaratory policy of demanding Soviet withdrawal and the establishment of an Islamic government by the Afghan Resistance; Soviet officials, however, were in direct contact with Iran mainly over the Iran-Iraq war issue.

\textsuperscript{53}Also, at the 27th Soviet Communist Party Congress on 26 February 1986, Gorbachev stated: "We would like in the nearest future to bring the Soviet forces - situated in Afghanistan at the request of its government - back to their homeland. The schedule has been worked out with the Afghan side for a step-by-step withdrawal, as soon as a political settlement has been achieved which will provide for a real end to, and reliably guarantee a non-renewal of outside armed interference in the internal affairs of the Democratic Republic of Afghanistan", \textit{FBIS}, Daily Report: Soviet Union, 26 February 1986, p.031
at confidence-building with Pakistan. Gorbachev's commitment to withdrawal became the focus of protracted bargaining in subsequent years.

Formula II: *No Direct Talks, No Withdrawal*

As stated earlier, the Afghan government wanted Pakistan to participate in direct talks with the objective of seeking recognition and legitimacy to itself in the community of nations. The insistence on direct talks served as a strong weapon by Afghanistan in order to wean away Pakistan from its control of rebel/resistance groups. As a result the Geneva rounds of talks held in August and December 1985 were dominated by the issue of direct talks. It often happens in negotiations that when an agreement is nearing or when the parties do not require an agreement at that point, important but extraneous and peripheral issues are brought on to the centre stage and tagged on to the earlier negotiations. Afghanistan's insistence on direct talks when the issue of withdrawal and non-interference were sought to be negotiated as a priority is a case in point. At the 1985 UNGA session, the Afghan government waged an all-out campaign to build pressure on Pakistan for direct talks, expressing the view that a settlement was in sight if only Pakistan were to agree to direct talks. The Pakistani Foreign Minister Shahibzada Yakub Khan argued that when three of the four instruments had been completed through indirect talks, it was

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54 The Secretary-General's report of October 1985 confirmed that most of the textual issues were settled except the withdrawal and time frame problem (Instrument IV); see UN Doc.A/40/705-S/17527, 7 October 1985, paras 10 & 11
illogical to ask for a change in negotiating procedure for the fourth instrument. Kabul’s demand, he stated, was aimed at securing for itself a political advantage that had no relevance to the finalisation of the political settlement.55

Afghanistan did not succeed in bringing Pakistan to direct talks as Pakistan feared that direct talks would politically damage the Resistance and bolster the international standing of the Kabul regime. In tactical terms, it was feared that the Afghanistan side would try to turn direct talks into a series of bilateral meetings and at the same time, make propaganda against Pakistan for lack of progress. The fate of the Afghan demand was finally sealed when in November 1985, General Zia Ul-Haq at a meeting in New York with Secretary-General Perez de Cuellar conveyed Pakistan’s rejection of direct talks.

Eventually, Afghanistan decided to drop this demand of direct talks during the Cordove’s tour of 8-18 March 1986 and agreed to the finalisation of the instruments through the existing procedure.

55Statement by the Afghan representative, Farid Zarif, UN Doc.A/40/PV71, p.47 and for Pakistan’s response, see UN Doc.A/40/PV73, p.121
Formula III: Short term v/s Long term Time frame for Withdrawal

One of the main obstacle to the finalisation of the draft of comprehensive settlement was the issue of time frame for Soviet withdrawal. With the United States accepting the text of guarantees in December 1985 on condition that withdrawal and other related issues would be satisfactorily resolved, it focused its attention directly on the single remaining issue, i.e. the time frame for withdrawal. Moscow was in no hurry to take a decision on question of time frame as the issue was one of strategic importance and could be held as a bargaining chip to effect progress on other issues.

Pakistan, supported by the United States, sought a three to four month time frame on the ground that any time frame should be based on purely logistical considerations. The reason for Pakistan to press for this short time frame was that it would give no time for Kabul regime to consolidate its position and it would thereby help in securing military victory for the Afghan Resistance. At about the same time, there were indications of Moscow's willingness to withdraw within one

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56 The Deputy Secretary of State, John C. Whitehead stated United States' readiness to serve as guarantor of peace settlement in Afghanistan to make it viable, *New York Times*, 14 December 1985, p.1
year. In contrast to Soviet signal of one year time frame, Kabul in May 1986 offered a proposal containing a four year time frame for withdrawal. As to the four year time frame offered by Afghanistan it reflected two points: Kabul wanted to employ this time-frame itself as a negotiating position; it also suggested Kabul's fear of uncertainty and political instability in a post-withdrawal scenario and hence such a long period was necessary to consolidate the Najibullah government.

It was now for Cordovez to mediate between Pakistan and Afghanistan for bridging the gap on time frame. In the March 1987 round, Pakistan agreed for seven months and Afghanistan for eighteen months. Later in September 1987 round, Pakistan agreed for eight months and Kabul for sixteen months. In the meantime, Soviet Union linked the issue of withdrawal to an internal political settlement and the bargaining over time frame for withdrawal subsided. It was only later at the Washington summit in December 1987 that Gorbachev publicly announced Soviet acceptance of twelve month time frame which finally broke the deadlock.

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57 The Afghan government informally presented a time-table for withdrawal within one-year period as part of the overall accord, *New York Times*, 1 January 1986, section I, p.4
Formula IV: Withdrawal After Internal Political Settlement,

But No Change of Kabul Regime

As the demand for direct talks remained unfulfilled, the Soviet Union and Afghanistan attempted to bargain for internal political settlement in exchange for the troop withdrawal. The rationale behind this linkage was that since the Soviet Union was keen to withdraw (a decision based on cost-benefit analysis) it wanted to secure a safe position for Kabul regime. Moscow argued that the linkage was necessary to prevent chaos and bloodshed in Afghanistan. This proposal was made by Gorbachev in his Vladivostok speech in July 1986 and subsequently the Afghan President Najibullah announced the policy of national reconciliation to coopt various tribal and ethnic elites with the objective of broadening the base of the government and ensuring regime stability.58

Cordovez was convinced that the Soviets were serious about seeking an internal political settlement before undertaking any withdrawal and this impelled

58 In early May 1986, Babrak Karmal resigned and was replaced by Dr. Najibullah, former Chief of KHAD (Afghan Secret Service), New York Times, 5 May 1986, Section I, p.1; The change in leadership was an increasingly clear signal of Kabul's interest in arriving at a negotiated settlement as President Zia had repeatedly asserted that he would never shake hands with a man who came in riding on Soviet tanks, Harrison, n.21, p.43; Diego Cordovez called this the 'Anyone but Karmal' understanding between Pakistan and the Soviet Union.
him to consider the internal aspect of the Afghan conflict for some time. This was called the second-track diplomacy.\textsuperscript{59}

Pakistan's counter-proposal of an interim government to be headed by a neutral personality - like, the former King Zahir Shah - was rejected by the Soviets on the grounds that the substitution of the established Afghan government of Dr. Najibullah with an entirely new political arrangement was inconceivable.

\textbf{The Implementation Stage}

With Gorbachev declaring to delink the issue of withdrawal of troops from that of internal political settlement unilaterally and announcing the proposal of twelve month time frame for withdrawal in December 1987, the negotiation process shifted from the formula to the implementation stage. The final formula that was arrived at was an acceptable short-term time frame for withdrawal preceded by the commitment to non-interference by the parties as well as the guarantors. This decision marked an important turning point as it directly addressed and reasonably satisfied the persistent demand of Pakistan. While this concession unlocked the stalemate, in the final round (2 March-8 April 1988), the Soviet side attempted for a hard bargain for the stoppage of American aid to the Resistance. In the final stages of negotiations such last minute demands are introduced to gain marginal bargaining advantage

\textsuperscript{59}Khan, n.12, pp.48-49
sometimes losing sight of the central goal. The timing of the decision to withdraw as well as seeking stoppage of aid to the Afghan Resistance is significant as it coincided with the Washington Summit (December 1987) where the intermediate Range Nuclear Forces (INF) Treaty was signed and marked a changed relationship between the United States and Soviet Union. With this development, the Soviet Union was in a position to expect the United States to respond positively and also apply pressure on Pakistan to conclude an agreement at the earliest.

The Soviet demand for a cut-off of aid to the Afghan Resistance created friction between Pakistan and the United States. In view of pressure from the U.S. Senate and the Afghan Resistance, the United States rejected the Soviet proposal during the Soviet Foreign Minister Eduard Shevardnadze's visit to Washington on March 22-23. Washington offered a counter-proposal of "positive symmetry" which allowed a continuation of arms supplies to all Afghan factions, i.e. the Resistance as well as the Kabul regime, which was accepted by Moscow. Such a bargain at the Big Power level emphasised the continuing desire of both Moscow and Washington to exercise leverage over their respective partners even in the post-withdrawal period. More importantly, the nature of Big Power diplomacy at this stage - with political signalling and concession-making outside the UN framework - pointed out to a very significant phenomenon: the diplomatic management of a regional crisis (by virtue

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60 *New York Times*, 1 April 1988, section I, p.3
of its external/global linkages) is a function of the overall bargaining relationship between the Global Powers, namely, the United States and Soviet Union.

End game

On 8 February 1988, Gorbachev reduced the time frame for withdrawal to ten months loading in principle and stipulated a deadline of 15 March for the settlement and 15 May 1988 for withdrawal.61 The powerful pressure tactic on Pakistan which was wavering on a transitional government in Kabul. Pakistan's move to political arrangement was a result of its refusal to sign an accord with the United States which would mean its recognition and damage to the Afghan Resistance. However, the United States refused to support it as Washington's vital interests involved mainly securing the troops from Afghanistan. The deadline placed by Gorbachev to the bureaucracies of both Moscow and Washington to implement the mentor accords.

It was one of the main participants in the Geneva talks found in the new understanding between the superpowers. The focus was on withdrawal of Soviet forces from Afghanistan, see New 3/129-S/19482, 9 February 1988, Ann.p.2-5; for the text of
once again shifted from Afghan-Pak indirect talks to the bargaining at the superpower level. With main issues being resolved, the United States raised certain technical issues like front loading and safeguards to the resistance groups which took care of the Pakistani concerns. Now the task for Cordovez was to bridge the gap between Soviet proposal for ten-month time frame and Pakistan's proposal of eight-month time frame. Not only a compromise was reached for nine months beginning 15 May 1988 but also the issue of front loading was settled with fifty per cent of the troops to be withdrawn in the first three months. The issues of interim government and safeguards were not within the purview of Geneva talks and therefore put aside. Anticipating delay from the United States on this issue, Soviet Union informed the United States that if there was no further progress for signing the Accords, it would go in for the Accords without having U.S. as a guarantor. Subsequently, Moscow went a step ahead to announce that it would withdraw its troops whether Geneva Accords were signed or not.\(^{62}\) This served as an ultimate push-factor for both the United States and Pakistan to sign the agreements on 14 April 1988 in order to maintain their international credibility. These agreements were signed in the following order: (a) Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in particular on Non-Interference and Non-Intervention, (b) Declaration on International Guarantees signed by the USSR and the USA, (c) Bilateral Agreement between the Republic of

Afghanistan and the Islamic Republic of Pakistan on the Voluntary Return of Refugees, (d) Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan signed by Afghanistan and Pakistan in the presence of the guarantors, USSR and USA.63

THE KAMPUCHEAN CRISIS

Unlike in Afghanistan where the parties to the conflict namely the Soviet Union and Pakistan entered into a dialogue at a very early stage and Afghanistan and Pakistan accepted the United Nations' role for the peaceful resolution of the crisis, in the case Kampuchea it was as late as 1985 that Vietnam, one of the main protagonists in the conflict, accepted the United Nations' role (The ASEAN countries showed extreme enthusiasm for UN intervention since very beginning). It is at this stage that the pre-negotiation phase commences. An attempt will be made to account for the considerable delay in the onset of the pre-negotiation as well as negotiation process and the efforts of the United Nations to achieve a negotiated settlement. The negotiation phase begins with the Hun Sen-Norodom Sihanouk talks in December 1987 and concludes with the signing of the Paris Accords in October 1991 relating to the settlement of the Kampuchean problem.

63 For the full text of the Geneva Accords on Afghanistan, see Appendix II.
BACKGROUND TO THE PRE-NEGOTIATION PHASE

Diplomacy at the United Nations

The initial diplomatic activity at the United Nations was dominated by the issue of representation of the Kampuchean seat in the wake of December 1978 Vietnamese intervention in that country. The ousted government of Democratic Kampuchea requested the Security Council to convene an emergency meeting, but simultaneously Vietnam relayed to UN the protest, from what it described as new Cambodian government, against any Security Council hearing of charges brought by the defeated Pol Pot regime.\(^{64}\) The protest note declared that the new Government was in complete control of Cambodia and that hearing would constitute 'flagrant intervention' in Cambodia's affairs and violation of UN charter.\(^{65}\)

The Security Council

However, the Security Council took up the Kampuchean issue early in 1979. At the Council, the Soviet Union and Czechoslovakia tried to halt the emergency meeting, but lacking veto power in procedural matters the Soviet Union was outvoted 13-2. The Council continued debate on the issue and invited Prince

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\(^{64}\) At the time of the Vietnamese intervention, Kampuchea was led by Pol Pot and called the Democratic Kampuchea. And after the intervention it was called the People's Republic of Kampuchea.

\(^{65}\) *New York Times*, 9 January 1979, p. 18
Norodom Sihanouk - the chosen representative of Pol Pot's Democratic Kampuchea - to speak.\textsuperscript{66}

\textbf{Granting of Hearing to Sihanouk}

Speaking from the UN platform, Prince Sihanouk called on the Security Council to withhold recognition of the new regime in Cambodia, and demanded that Vietnam end its aggression and withdraw from Cambodia totally. In a highly persuasive tone, Sihanouk further called on "the specialized agencies of the UN and other international organisations connected with the UN and all Governments throughout the world to cease and refuse any financial, economic, military, material or other aid to the Socialist Republic of Vietnam and its puppets.\textsuperscript{67} By gaining the platform, the Prince achieved a modest success in parliamentary diplomacy, and his Chinese backers gained adequate diplomatic advantage over Vietnam.

\textsuperscript{66} Earlier on the same day, i.e. 11 January 1979, Vietnamese representative at the United Nations, Ha Van Lau, replayed a note from the new regime stating that it was sending Foreign Minister Hun Sen to the Security Council meeting and that Prince Sihanouk should not be allowed to speak, \textit{New York Times}, 12 January 1979, p.4 Also see \textit{Report of the Secretary-General} concerning the credentials of the delegation of Democratic Kampuchea, UN Doc. S/13021, 11 January 1979.

\textsuperscript{67} For Sihanouk's speech, see \textit{SCOR}, Yr. 34, mtg 2108, 11 January 1979, para 92; also, \textit{New York Times}, 12 January 1979, p.1.
Subsequently, owing to the Soviet veto, the Security Council failed to adopt on 15 January 1979 a draft resolution which would have had the council call on "all foreign forces involved in the situation in Democratic Kampuchea to observe scrupulously an immediate cease-fire, to put an end to hostilities and to withdraw from that country."

Reacting to the deliberations on the issue in the Council, the Soviet Union stressed the artificiality and unfounded nature of a discussion on Kampuchea by covering up the crimes of the Pol Pot regime. To Democratic Kampuchea the debate in the council and the vote had clearly shown that its Government was the sole legal and legitimate government of Kampuchea and that Vietnam was the aggressor. Vietnam regretted that the Council had refused to hear the voice of the new revolutionary Government which, it claimed, was in command of the entire territory of the People Republic of Kampuchea.

Meanwhile, the UN Secretary General Kurt Waldheim who could not undertake his scheduled southeast Asian trip, appealed for an end to fighting in

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68 UN Doc. S/13027, 15 January 1979. The draft resolution was sponsored by Kuwait, Bangladesh, Bolivia, Gabon, Jamaica, Nigeria and Zambia.


70 ibid., p.8.
Indo-China.\textsuperscript{71} The appeal was seen as a call to end conflict between Vietnam and Cambodia aggravated by Chinese attack on Vietnam in February 1979.\textsuperscript{72} In the wake of request from U.S.A, Great Britain, Norway and Portugal for an ‘urgent’ meeting of Security Council to consider the situation in Southeast Asia, the Secretary-General offered his services as a mediator stating that he was ready to go to the area or wherever his "good offices" might be useful.\textsuperscript{73} Incidentally again in 1979, the USSR vetoed the UN security council resolution on the situation in Southeast Asia which was supported by Council majority and had called for withdrawal of ‘foreign forces’ from Cambodian soil and asked ‘all the parties’ to withdraw.\textsuperscript{74} Thus the deadlock in the Council inhibited the Secretary General’s active role in resolution of the Kampuchean crisis as in the case of Afghanistan.

The Issue of Kampuchean Representation

The issue of Kampuchean representation was high on the agenda of the General Assembly in 1979 as there were two Kampuchean contenders claiming to

\begin{itemize}
  \item \textsuperscript{71} \textit{New York Times}, 31 January 1979, p.7 and 19 February 1979, p.10.
  \item \textsuperscript{72} The People's Republic of China launched in February 1979 a 'punitive' attack on Vietnam to teach Hanoi a lesson' for its intervention in Kampuchea which was until then under Pol Pot, a friend of China.
  \item \textsuperscript{73} \textit{New York Times}, 23 February 1979, p. 10.
  \item \textsuperscript{74} \textit{New York Times}, 17 March 1979, p.4. The resolution was formulated by the regional countries: Indonesia, Malaysia, the Philippines, Singapore and Thailand.
\end{itemize}
represent the country: People’s Republic of Kampuchea (PRK) in power and Democratic Kampuchea (DK), which was the ousted Khmer Rouge government. The credentials committee accepted the credentials of the delegation of Democratic Kampuchea.\(^7\) This was later adopted as a resolution on the agenda item by seventy-one votes in favour and thirty-five votes against, with forty-five countries abstaining or not participating in the vote.\(^6\) Thus the democratic Kampuchea (DK) was allowed to represent the state of Kampuchea as a ‘government-in-exile’ in the General Assembly from 1980 to 1982, and it was replaced by Coalition Government of Democratic Kampuchea (CGDK) in 1982.\(^7\)

\(^7\) UN Doc. A/34/500, 19 September 1979, p.4. The proposal moved by Belgium was adopted by six votes to three. The Credentials Committee consisted of representatives from Belgium, China, Congo, Ecuador, Pakistan, Panama, Senegal, the Soviet Union and the United States. The Soviet Union and Panama argued for the rejection of the credentials of DK, Congo took the position that neither of the two Kampuchean parties should be accepted, and the others argued in favour of DK; for accepting credentials of DK, also see GAOR, session 34, Plen. mtgs. 1-32, UN Doc. A/34/PV. 1-32.


\(^7\) Formed in June 1982, the CGDK included Democratic Kampuchea’s Khmer Rouge, Sihanouk’s United Front for Co-operative, Independent and Neutral Cambodia (FUNCINPEC) and Son Sann’s Khmer People’s National Liberation Front (KPNLF). the latter two are non-communist groups in contrast to the Maoist Khmer Rouge.
The decision to grant diplomatic recognition to the DK and its successor CGDK by seating it at the General Assembly has had long-ranging effect on the situation in and around Kampuchea. Diplomatically, the CGDK's three groups have been able to use all UN fora for the purpose of propaganda, to gain international support for their cause. While the Kampuchean Resistance received the bulk of UN non-military, humanitarian assistance, the international economic embargo championed by the member-states of Association of Southeast Asian Nations (ASEAN), China and the United States against PRK led to its economic and diplomatic isolation. A major fall out of the same has been that Kampuchea and its allies were never receptive to UN involvement in Kampuchean peace process as long as the General Assembly seat was occupied by the DK/CGDK. One of the chief requirements of third-party intervention is that the parties should perceive it to be neutral. By granting recognition to Democratic Kampuchea, Hanoi and Phnom Penh considered the UN as partisan, thus limiting the possibility of an active role by the UN. This limitation is evident in the persistent Vietnamese stand that it would not accept UN role to mediate the Kampuchean problem.78

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78 At this stage, it is possible to speculate that the idea of a vacant seat (as proposed by India) held some merit.
The General Assembly Resolution

Later, the General Assembly considered the Cambodian question at its regular session of 1979 and adopted a resolution mainly sponsored by the ASEAN countries, which:

(i) called for the immediate withdrawal of all foreign forces from Kampuchea and called upon all states to refrain from all acts or threats of aggression and all forms of interference in the internal affairs of states in South-East Asia;

(ii) appealed to all states in the region to refrain from any interference in the internal affairs of Kampuchean in order to enable its people to decide their own future and destiny free from outside interference, subversion or coercion, and to respect scrupulously the sovereignty, territorial integrity and independence of Kampuchea;

(iii) resolved that the people should be enabled to choose democratically their own government without outside interference, suppression or coercion;

(iv) requested the Secretary-General to follow the situation closely and to exercise his good offices in order to contribute to a peaceful solution of the problem;

(v) also requested the Secretary General to explore the possibility of holding an international conference on Kampuchea as one of the means for implementing the present resolution; and
(vi) called upon all parties to the conflict to observe fully the fundamental principles of human rights.\textsuperscript{79}

The General Assembly passed identical resolutions on the Kampuchean question with majority of nations supporting the demand for withdrawal of all foreign forces as the first component of any lasting peace in Cambodia.\textsuperscript{80}

As in the Assembly resolution on the Afghanistan crisis, this UNGA resolution too considered the issues relating to (a) withdrawal; (b) neutral and non-aligned status, (c) refugee problem and (d) self-determination. But unlike the resolution on Afghanistan, the resolution on the Kampuchean problem dealt with the additional issues of (e) elections and (f) an possible international conference. Also, the resolution gave a clear mandate to the Secretary-General to follow the situation closely and to exercise his good offices in order to contribute to a peaceful solution of the problem. This November 1979 resolution defined the range of the problem and

\textsuperscript{79} Resolution 34/22, as proposed by thirty powers, was adopted by Assembly on 14 November 1979, meeting 67, by recorded vote of 91 to 21 with 29 abstentions. See GAOR, Session 34, Supplement no.46, UN Doc. A/34/46; for the text of the resolution, see Yearbook of the United Nations: 1979, Volume 33 (New York), pp. 306-7 and New York Times, 15 November 1979, p.12.

\textsuperscript{80} See Table 3.
broadly outlined the task of the Secretary-General to consider both the internal as well as the external aspects of the Kampuchean crisis.

Table 3

UN votes on the Kampuchean Resolution, 1979-1990

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* The resolution was passed unanimously

Source: UN Monthly Chronicle (1979-90)

Conferencing for Propaganda

Pursuant to the UNGA resolution, the Secretary General convened the International Conference on Kampuchea (ICK) in New York on 13 July 1981, "with
the aim of finding a comprehensive political settlement of the Kampuchean problem.\textsuperscript{81} The conference, inter alia, called for negotiations on the following elements:

(1) an agreement on a cease-fire by all parties to the conflict in Kampuchea and withdrawal of all foreign forces from Kampuchea in the shortest time possible under the supervision and verification of a United Nations peacekeeping force/observer group.

(ii) Appropriate agreements to ensure that armed Kampuchean factions will not be able to prevent or disrupt the holding of free elections, or intimidation or coerce the population in the electoral process; such arrangements should also ensure that they will respect the result of the free elections:

(iii) Appropriate measures for the maintenance of law and order in Kampuchea and the holding of free elections, following the withdrawal of all foreign forces from the country and before the establishment of a new government resulting from those elections; and

(iv) the holding of free election under United Nations supervision, which will allow the Kampucheans people to exercise their right to self-determination and will

\textsuperscript{81} General Assembly Resolution 35/6, GAOR, Session 35, supplement no.48, UN Doc. A/35/48, pp. 13-14; The conference (13-17 July 1981) was attended by ninety-three countries: seventy-nine as full participants and the rest as observers. Twenty-seven countries, including the USSR, Vietnam, People's Republic of Kampuchea and India declined participation. Prince Sihanouk too did not attend the conference and instead sent an open letter to the conference.
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elect a government of their own choice; all Kampuchean will have the right to participate in the elections.\textsuperscript{82}

The conference established a seven-nation Ad Hoc committee (comprising of Japan, Malaysia, Nigeria, Senegal, Sri Lanka, Sudan and Thailand) to explore future bargaining and to maintain contact with parties to conflict, to undertake peace efforts on behalf of the conference and to act as an advisory body to the Secretary-General.\textsuperscript{83}

At the conference, there could not be any negotiations as People's Republic of Kampuchea, Vietnam and Soviet Union among other countries boycotted the meeting and reiterated that the current government in Kampuchea is an irreversible fact and that no negotiations can remove it.\textsuperscript{84}


\textsuperscript{83} Res. I(I), in report of the International Conference on Kampuchea, Ann.II, p.10.

\textsuperscript{84}In the pre-conference stage, the official cambodian news agency called the conference 'illegal and arbitrary' and said that "it is an abuse of the United Nations to involve itself in the internal affairs of Cambodia, to perpetuate the clique of Pol Pot and to serve the interests of Peking expansionists in Southeast Asia", cited in \textit{New York Times}, 12 July 1981, p.6; for Vietnam's rejection of the declaration of the so-called ICK, see UN Doc. S/14611, 22 July 1981.
ASEAN, the chief architects behind convening the conference, wanted to invite a representative of the Phnom government as a gesture demonstrating their willingness to negotiate with all Cambodian factions but this was strongly opposed by China. The problem of incomplete participation was thus compounded by a lack of consensus between ASEAN and China. Apart from blocking an invitation to the PRK and Vietnam, China also rejected the draft resolution's call for the disarming of all Cambodian factions; and for the setting up of an 'interim government during the UN supervised elections, China simply urged 'uncoerced' elections. The final declaration, a product of long bargaining between China and ASEAN only urged 'appropriate measures to ensure that armed factions will not disrupt elections'. The declaration made no reference to 'interim administration', an issue which China opposed on the ground that it would prevent its ally (Pol Pot's Khmer Rouge) from moving into Phnom Penh if and when Hanoi pulls its troops out. Further, the absence of Prince Sihanouk at the conference pointed out to the failure of the three Cambodian factions to unite and present a serious negotiating proposal to the Phnom Penh regime. However, to the sponsors of the

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85 The diffident nature of the Secretary-General's invitation is reflected in that he never directly invited any country but merely asked whether a nation regarded itself as "concerned". (The Secretary-General, perhaps, realised the limited usefulness of the conference), New York Times, 12 July 1981, p.6 and 16 July 1981, p.3.

86 For the detailed reporting of the controversies surrounding the conference, particularly the differences over the draft resolution, see New York Times, 16 July 1981, p.3.
conference, the five countries of ASEAN—Singapore, Malaysia, Indonesia, the
Philippines and Thailand—this conference served as an useful political and public
relations exercise by internationalising the Vietnamese presence in Kampuchea.
The conference served more as a forum for member-states to air their views then
finalise the objective terms for a settlement, as it appeared that the parties
attending the conference came with no specific negotiating proposals. Hanoi did
not rule out talks with the Ad Hoc Committee but suggested that the group must
somehow divorce itself from the conference if it wanted to conduct talks with
Vietnam. The conference on the whole could not launch any initiative aimed at
resolving the Kampuchean problem.

87 Not surprisingly, an Asian diplomat called it "a conference that claps with
one hand". To Alexander Haig, the US secretary of state, the conference
provided Vietnam the best opportunity to escape the dead end of international
reproach and economic repression, New York Times, 14 July 1981, p.8; At the
conference, the United States sided with China than with the ASEAN when it
came to China-ASIAN differences.


89 In the opinion of one scholar, the ICK was notable for (i) the conflicting
interests of ASEAN and Communist China, (ii) the boycott of Vietnam, the
USSR, and most of the Soviet bloc, (iii) the abstemious role of the U.S., and (iv)
the last-minute, vaguely worded, compromise phraseology proposed by France
which saved the gathering from a humiliating failure, see Justus M.Van der
Kroef, "The United States and the Cambodian Problem: Political Realities and
the Cambodian Problem: Political Realities and Policy Options", Asian Affairs:
Secretary General's Initial Efforts

Utilising the mandate given to him by the General Assembly, the Secretary-General undertook serious efforts to ease tension and reduce the chances of major armed conflict in the region. The Secretary-General adopted various techniques such as good offices, shuttle diplomacy, fact-finding and mediation to bring about a peaceful settlement of the regional crisis. The Secretary-General Kurt Waldheim visited Peking and Hanoi in May 1979 as a part of his tour to several Asian countries: at Peking, he was told that China reserved the right to act against Vietnam and would "teach them another lesson" if Hanoi continued, what Peking called, provocation. At the conclusion of Mr. Waldheim's talks in Peking and Hanoi, the position of each side toward the other apparently remained as hard as ever, and the Secretary-General described Hanoi-Peking relations as one of "crisis of confidence". While the Chinese proposed no immediate role for UN or even personal initiative of Waldheim, the Vietnamese Prime Minister, Pham Van Dong, said that the "good offices" mission for Mr. Waldheim was ruled out, although he acknowledged the usefulness of his visit for conveying Vietnam's view to Peking.90 Waldheim stated that he conveyed Vietnam's views to Peking. He added that China "is very skeptical about Vietnam's future intentions toward neighboring states, especially those of Association of South East Asian Nations (ASEAN)". He

90For details about the Secretary-General's visit to Peking, Hanoi and Bangkok, see - New York Times, 2 May 1979, p.8 and 14 May 1979 p.4.
predicted that, "we are faced with a very serious situation with long, drawn-out negotiations in prospect." He further opined: "We will have to see how the bilateral talks between China and Vietnam go for the time being realizing that it will be a slow process". 91.

This visit of Secretary-General to the region was significant and timely for the following reasons: (i) The Secretary General was able to receive the feedback from China and Vietnam - chief regional protagonists - that they were not enthusiastic about any UN role at the present stage; (ii) both the countries who had no diplomatic relations between them found the visit useful to convey each other their viewpoints through the good offices of the Secretary-General; and (iii) the Secretary-General was convinced that any settlement of the Kampuchean problem required the co-operation of these two regional actors.

The ASEAN countries who sought a more active UN role along Thai-Cambodian border which became a battle ground for rebels and PRK forces. The Secretary-General Kurt Waldheim visited Hanoi and Bangkok in early August 1980 but little progress was made in his efforts to start talks between them. 92 The Secretary-General made an attempt to arrange a dialogue without forcing Thailand

91 Ibid.

to recognise the government in Phnom Penh. Vietnam proposed the establishment of the demilitarized zone (DMZ) on both sides of the Thai-Cambodian border under international control and cessation of the flow of international relief aid from the Thai side to soldiers of the Pol Pot regime. Thailand informed Waldheim that it would consider any agreement in which it had to withdraw troops from its border as an infringement on its sovereignty. The Thai leaders advanced a proposal that called for the establishment of a demilitarized zone inside Kampuchea to ensure the safety and feeding of refugees. The Vietnamese rejected the Thai proposal. Vietnam was determined to reject any formula that put in doubt the legitimacy of the Phnom Penh regime and its sovereignty over all Kampucheian territory. Neither side indicated flexibility for serious negotiations.

The Secretary-General appeared to have acted primarily on his own to encourage discussion on establishing a possible demilitarized zone which can be seen as a conflict-limitation and confidence-building measure to reduce the tension in the region to pave way for negotiations on the withdrawal issue. Waldheim's attempts to persuade Thai and other South East Asian countries to consider the Vietnamese proposal was not well received in the ASEAN capitals who charged the Secretary General of siding with Vietnam's proposals.93

93 For instance, Singapore's Deputy Premier for Foreign Affairs, S. Rajaratnam, charged Waldheim with having failing to discuss with Hanoi UN General Assembly's own 14 November 1979 resolution calling inter alia for the
Following the failure of ICK, Secretary-General Javier Perez de Cuellar renewed his offer to good offices. He requested his Special Representative for Humanitarian Affairs in South East Asia, Rafeeuddin Ahmed, to establish contact with the principal countries concerned in order to assess the position of the parties and encourage the gradual reconciliation of viewpoints. Accordingly, Mr. Ahmed undertook a mission in February and March 1982 to consult the governments in the region and to encourage them to consider the convening of a limited international conference to bring together the parties to the conflict, regional countries concerned and the five permanent members of the Security Council. At the same time, the Secretary-General continued his own contacts with the Governments, both at UN Headquarters and at the capitals around the world and especially in the region.

The deliberations at the United Nations and the initial efforts made by the Secretary-General did not have any impact on the contending parties to agree to a negotiated settlement of the crisis. The situation was further compounded not only by the lack of direct communication between the regional powers but also the absence of consensus among the Big Powers on the issue of Kampuchea. However, the Secretary-General by his visits attempted to impress upon the parties the need for initiating talks for peaceful settlement of the problem.

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total withdrawal of Vietnamese forces from Kampuchea, FBIS, 8 August 1980.
THE PRE-NEGOTIATION PROCESS

Vietnam’s expression of willingness to accept the United Nations role in 1985 set the stage for the pre-negotiation (PNE) process to begin. This PNE process was characterised by the preparation of an agenda by the secretary-general detailing areas of convergence, the suggestion to adopt a technique of a limited international conference, and the responses of various parties to the conflict by way of signaling and offering various concessions - mainly symbolic, all pointing to the possibility of a dialogue. Though such a dialogue could not occur in this phase, immense ground work was done which added momentum to the proper diplomatic management of the problem.

In January-February 1985, the Secretary-General visited the region (Thailand, Vietnam, Malaysia and Indonesia) and called for negotiations to end "suffering destruction and agony" in Cambodia and held consultations with the Vietnamese Foreign Minister Nguyen Co Thach on the Cambodian issue.94 At a Bangkok news conference, Perez de Cuellar said that he was "gratified at the Vietnams’ acceptance of my demarche".95 The Vietnamese acceptance of a UN role was a significant


95 ‘Demarche’ is a French word meaning a political step or a diplomatic representation (to a foreign government).
development in the five years of diplomatic and military stalemate. This coincided with Vietnamese Foreign Minister's statement of impending high level talks with U.S. and Hanoi's military successes when its forces set fire to Phum Thei, which had served as a capital for Cambodia's resistance coalition led by Prince Norodom Sihanouk.96

A Comprehensive Agenda

As a result of several discussions held with the countries of the region, the Secretary-General began to notice a reasonable degree of agreement on the main elements of a comprehensive political settlement. He pointed out the following elements in his report to the General Assembly in 1985:

(i) withdrawal of all foreign forces from Kampuchea;
(ii) non-return to the universally condemned policies of a recent past;
(iii) promotion of national reconciliation;
(iv) exercise by the Kampuchean people of the right to determine their own destiny;
(v) respect for the independence, territorial integrity and non-aligned status of Kampuchea;
(vi) ensuring the security and sanctity of all states in the region;

(vii) international guarantee for and supervision of the implementation of the agreement reached; and
(viii) establishment of a zone of peace, freedom and neutrality in southeast Asia.\textsuperscript{97}

The Secretary-General also stated that a limited international conference involving parties concerned, the five permanent members of the Security Council and other mutually acceptable countries had been found implicitly acceptable among the various alternatives for the dialogue format. This limited international conference was to be preceded by exploratory discussions aimed at achieving a common understanding on the elements cited above as significant differences still existed on the interpretation of those goals and the modalities for achieving them.\textsuperscript{98}

The significance of the Secretary-Generals' 1985 report lay in that it recorded for the first time a degree of convergence on the objectives that should constitute the main elements of a comprehensive political settlement. His efforts over the next three years centered on identifying and creating suitable conditions in which these objectives might be achieved.


\textsuperscript{98} ibid.
Diplomatic Signaling

Following the 'agenda' set by Secretary General, the years 1986 and 1987 were marked by one of diplomatic signaling, probing exercises and symbolic concessions. In one significant move, the Cambodian National Assembly decided in February 1986 to postpone until 1991 the national elections that were to be held in 1987 hinting that the door would be open for settlement through an election. This was an important re-evaluation of the situation by Phnom Penh in the light of the fact that the UNGA resolutions on Kampuchea and the Secretary General's Report of 1985 had envisaged elections and national reconciliation. The People's Republic of Kampuchea's Prime Minister Hun Sen stated in an interview that the constitution under which the election would be held was open to negotiations.\(^99\)

Meanwhile, after a meeting of the coalition partners in Beijing, the CGDK unveiled on 17 March an eight-point proposal which showed unusual flexibility toward Vietnam. Dropping the consistently-held demand for total withdrawal of Vietnamese troops from Cambodia as a precondition for talks, the resistance groups now called for a two phase (i.e. gradual) pullout under international supervision/UN-supervised cease-fire. The proposal also suggested the formation of an interim government with Prime Norodom Sihanouk as the head and Son Sann as Prime Minister without insisting on a Khmer Rouge personality in the top position.

\(^99\)Newsweek (New York), 24 February 1986.
It also agreed for the first time to include the Heng Samrin group (so long denounced as 'traitors') as part of a four party coalition government.\textsuperscript{100} While Vietnam and the PRK did not reject the eight point proposal, Phnom Penh steadfastly held on to its earlier demand for the 'elimination of Pol Pots' supporters' as a 'political' and military organization.\textsuperscript{101} For the resistance groups, the militarily strong Khmer Rouge, despite its infamous human right record, was their only hope of forcing Phnom Penh and Hanoi to the negotiating table.

As events further unfolded by the end of October 1986, Vietnam submitted to Prince Sihanouk, through the Austrian ambassador to the UN as intermediary, a proposal that representatives of the tripartite coalition (CGDK) and the PRK could meet in Vienna. Only Pol Pot would not be accepted as an interlocutor.\textsuperscript{102} Prime Norodom Sihanouk in a surprise move announced his leave of absence of one-year duration in 1987 from the presidency of CGDK citing the brutality and violations of human rights by the Khmer Rouge against the Khmer people, and especially the


\textsuperscript{101}\textit{FBIS}, 3 January 1986, p. E I

\textsuperscript{102} Chanda, n.100, p.123.
refugees under their control. This symbolized Sihanouk's efforts to distance himself from the Khmer Rouge and China, without causing Beijing to lose face as well as to clear way for direct contact between himself and the PRK regime. In July 1987, when Hun Sen was visiting Moscow, he attempted secretly to approach Sihanouk via the Palestine Liberation Organization (PLO) representative in Pyongyang for a meeting with the Prince in the North Korean capital.

Subsequently the PRK softened its stand on the national reconciliation when Hun Sen said: "we will allow the Khmer Rouge party to have a role to play in the negotiations and a role to play in the solution" - but without accepting any role for Pol Pot. Later it announced a five point peace plan in which it offered Sihanouk a high position in the government and also agreed to hold elections with foreign observers to set up a government to build a peaceful, independent democratic neutral and non-aligned Cambodia.

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104 Cited in Nayan Chanda, "Cambodia in 1987: Sihanouk on Center-stage", Asian Survey, Vol.28, no.1, January 1988, p.113. For unspecified protocol reasons that meeting was not possible.


In this ‘talk about talks’, Hun Sen not only made substantial concessions (however symbolic), but kept up the pressure on the Resistance to accept the proposal for direct talks. By focusing on the Pol Pot factor, Phnom Penh sought to divide the resistance and mobilise support both at home and aboard. The Pol Pot factor seemed as a good example of employing propaganda to influence or shape its negotiating position.

The increasing pace of initiatives from various Cambodian parties was matched by similar initiatives at the regional and global level. The remarkable changes on the diplomatic scene concerning Cambodia occurred as a result of Soviet General Secretary Mikhail Gorbachev’s keen interest in normalising relations with China and as a part of his overall Asian initiative which dealt in detail with the question of regional conflict resolution.107 President Najibullah of Afganistan during his visit to Hanoi and Phnom Penh suggested that Soviet Union may be moving toward broad policy for trying to end conflicts in the third world where its allies were involved, including Cambodia, and stated that elements of policy of ‘national reconciliation’ would include negotiated end to resistance-government conflicts within a year or two,

107 Gorbachev’s Asian initiative enunciated in the Vladivostok speech of July 1986; the Chinese leader Deng Xiaoping rejected Mikhail Gorbachev’s proposal for summit meeting, linking talks with Soviet Union to progress on Vietnamese pull out from Kampuchea, New York Times, 12 January 1988, p.14
withdrawal of foreign troops and establishment of broad-based coalition governments.\textsuperscript{108}

In the light of such changes, the sustained quiet diplomacy of the Secretary-General resulted in bringing about a mutual understanding among the various parties to the conflict and his efforts to identify areas of convergence to initiate negotiations is evident in the detailed agenda presented by him in his 1985 Annual Report. The Report enumerated the participants and the agenda suggested that the negotiations would take place at various levels in an integrated way. By suggesting ‘integration of negotiations’ the Secretary-General emphasised the need to bargain over several issues - withdrawal, national reconciliation, elections, human rights, etc... - between various parties simultaneously and this resulted in putting pressure upon the parties to enter into a serious bargaining process that called for flexibility and concession making.

THE NEGOTIATION PROCESS

In view of the long-drawn pre-negotiation process and also due to the Secretary-General’s initiatives, various parties gradually agreed upon the withdrawal and holding of elections in Kampuchea. What was yet to be resolved was the circumstances or conditions in which the withdrawal and elections should take place.

Diagnostic and Formula Stage

The turning point in the transition from pre-negotiation to the negotiation phase was provided by the Hun Sen - Norodom Sihanouk meeting in December 1987 which marked the first instance of direct dialogue between the parties to the conflict. The tete-a-tete in Paris between Hun Sen and Prince Norodom Sihanouk (though not arranged by UN) can be seen as representing the onset of the diagnostic and the formula phase. There is not only evaluation of each other's position and demands but also a search for formula to bring about an acceptable settlement.

Formula I: *With drawal and Elections in Exchange for elimination of Khmer Rouge*

The Vietnamese as well as the Kampuchean sides made Khmer Rouge their main target since the crisis began as they considered it to be a strong ally of China and also for its violation of human rights exemplified in the genocide during Pol Pot's regime. Both Hanoi and Phnom Penh refused to hold dialogue with Pol Pot. The objective of targeting the Khmer Rouge was not only to eliminate the Chinese influence on negotiations and also in the region, but also to weaken the opposition militarily. This strategy also led to discord in the ranks of the opposition and helped mobilise Kampuchean people to some extent. Vietnam was able to accept Prince Norodom Sihanouk as the main spokesman of the opposition factions minus Khmer Rouge. When the two leaders, Hun Sen and Norodom Sihanouk, held a second
round of talks, Hun Sen reiterated that there can be no withdrawal of Vietnamese forces until Sihanouk agreed to eliminate Khmer Rouge from his three-party coalition.\textsuperscript{109}

Amidst these discussions, the international community implicitly expressed the view that Pol Pot should not be allowed to regain power in Kampuchea. This was evident in the November 1988 General Assembly resolution which called for 'non-return to the universally condemned, policies and practices of a recent past', besides (i) the creation of an interim administrating authority; (ii) national reconciliation under the leadership of Prince Sihanouk; (iii) the restoration of Cambodia's independence, sovereignty, territorial integrity, neutrality and non-aligned status; (iv) the right of Cambodian people to determine their own destiny free of outside interference; (v) effective guarantees that these were achieved, and (vi) effective supervision and control by an international commission of troop withdrawal.\textsuperscript{110}

The non-return formulation was added to the Assembly's resolution in 1988 to meet the concerns of numerous states that human rights were a fundamental aspect

\textsuperscript{109}New York Times, 21 January 1988, p I1

\textsuperscript{110}General Assembly Resolution 43/19, GAOR, Session 43, Supplement no.49, UN Doc. A/43/49, 3 November 1988, p.24
of any settlement and that the Khmer Rouge should not regain power. The Khmer Rouge is deliberately not mentioned to gain the support of Democratic Kampuchea's allies, especially China, which could interpret the wording to apply to PRK human rights abuses. The resolution eliminated all reference to the ICK which had been established by the UN in 1981 as a forum for peace negotiations. In its place, it offered support to "any other conference of an international nature under the auspices of the UN Secretary-General".

Subsequently Vietnam and PRK made a concession when Sihanouk insisted that the Khmer Rouge be allowed to participate in the dialogue: Khmer Rouge minus Pol Pot was the acceptable compromise to both and the issue of Khmer Rouge was thus settled.

Formula II: Withdrawal for cessation of foreign interference.

With the military successes against the rebels by 1985, Vietnam was able to strengthen the Kampuchean government which acquired sufficient stability under Hun Sen. It began to set deadlines for the withdrawal of its troops provided non-interference was guaranteed. Vietnam announced in May 1988 that it would withdraw 50,000 troops from Kampuchea by end of 1988, beginning June in the presence of international observers.111 But there was no response from the other

111 New York Times, 26 May 1988, p 11
side. Later, the Vietnamese announcement on 6 April, 1989 of an unilateral total withdrawal of its forces from Kampuchea by end of September, 1989 subject to an end in foreign interference and all foreign military aid to all Kampuchean parties served as a powerful pressure tactic on the interested parties to reciprocate.\textsuperscript{112} It also put the opponents in disarray: ASEAN and U.S. officials expressed fears that such a more (unilateral withdrawal) will leave Kampuchea open to return to Khmer Rouge.\textsuperscript{113} And China was faced with the dilemma of abandoning the Khmer Rouge as such a decision would reduce its bargaining power and that of Khmer Rouge which is the main counter-weight of Vietnamese influence. Hanoi insisted on an end to all foreign military aid to the Cambodian resistance and to foreign interference by end of September 1989 as a precondition for its withdrawal. It however added that the PRK would reserve the right to seek assistance from other countries if foreign military aid or interference in Kampuchean internal affairs continued after the Vietnamese withdrawal. On this note, Vietnam began withdrawal of its forces but the opposition factions were skeptical about the genuineness of the withdrawal and sought UN monitoring and supervision of withdrawal. According to Vietnamese diplomats, the Vietnamese offer of troop

\textsuperscript{112}New York Times, 6 April 1989, p I1

\textsuperscript{113}New York Times, 11 July 1988, p I1
withdrawal by September 1989 was a concession offered by Hun Sen to Prince Sihanouk.\textsuperscript{114}

Formula III: \textit{Installation of Interim Four-Party Government}

\textit{to precede guarantees of Non-Interference.}

Prince Norodom Sihanouk was pressing for withdrawal as a precondition for any talks on the resolution of the Kampuchean problem. This was mainly to remove Vietnamese influence over Kampuchean government while discussing the issue of future government in Phnom Penh. Further, Sihanouk maintained that guarantees on non-interference could be given only after total withdrawal of Vietnamese troops. The other important demand was related to the nature of interim government during the UN-supervised elections. Sihanouk had proposed that the three-party coalition as well as the Hun Sen government should form a four-party coalition to head the interim government. Since the time-table for withdrawal was announced and it later began on time, the central focus shifted to the question of power-sharing.

The issue of power-sharing was complex and it required tremendous groundwork to hammer out various opinions and intentions. Not only modalities, participants and levels of talks were to be decided, but also the direction and momentum. This was provided when the Secretary-General asked his Special

\textsuperscript{114}\textit{New York Times}, 6 April 1989, p 15
Representative, Rafeeuddin Ahmed to travel to Southeast Asia to relay to the four Kampuchean parties and concerned Governments of the region, certain concrete ideas based on the agenda prepared by Secretary-General in 1985 which might serve as a framework for a comprehensive plan. It proposed integration of the various elements into a comprehensive scheme, in particular, the framework provided for "an overall time-frame of all foreign forces from Cambodian armed elements; self-determination through free and fair general elections and the formation of a national reconciliation administration in Cambodia pending those elections, all with international supervision and verification; the repatriation and reintegration of refugee and displaced persons; and the implementation of measures, including a human rights education programme, to ensure the non-return to policies and practices of the past."\(^{115}\) The Secretary-General clarified that this integrated approach was intended only as a focus for dialogue between the parties concerned. By proposing an integration of the various elements into a comprehensive scheme, the Secretary-General was giving it shape of a package agenda, as done in Afghanistan by his personal representative. The idea of, "integration of negotiations" of the various elements listed by the Secretary-General has some important implications: Concession-making/compromise in one of the issue-area (for example,\(^{115}\) See Background Note on the Negotiating Process, p iii, in *Agreements on a Comprehensive Political Settlement of Cambodia Conflict, 23 October 1991, Paris*. Published by the United Nations Department of Public Information, January, 1992.
non-interference etc.).\textsuperscript{116} Although the meeting ended in a deadlock, as Hun Sen and leaders of the CGDK were unable to agree on how to share power until the new government is elected, or how to prevent return to power of one of the rebel factions i.e. Khmer Rouge, the positions of the various parties to the conflict became better known.\textsuperscript{117} The resulting communique outlined those areas that could be the key components of a comprehensive solution.\textsuperscript{118} The JIM met again on 19-21 February 1989, further elaborating the terms of a settlement.\textsuperscript{119}

JIM-I and JIM-II achieved a limited success in at least bringing the parties together on certain issues such as the need for an effective international control mechanism to supervise the withdrawal of Vietnamese troops; the issue of ending

\textsuperscript{116}Thach Reng, "A Diplomatic Miracle: The Settlement of the Cambodian Conflict", \textit{Indochina Report} (Singapore), no.29, October-December 1991, p.3: General Thach Reng is a senior member of the Khmer People’s National Liberation Front (KPNLF). As an advisor to the KPNLF leader, Son Sann, Thach Reng followed closely the negotiations on the settlement of the Kampuchean problem. His above-mentioned article gives an exhaustive account of the negotiations between 1988 and 1991.

\textsuperscript{117}\textit{New York Times}, 28 July 1988, p I1


military aid to the warring factions; the holding of national elections; and appropriate role for the United Nations and the convening of an international conference.\textsuperscript{120} Further, Hun Sen made a concession to Sihanouk relating to constitutional issues as a multiparty political system and elimination of reference to Communist Party's 'leading role' in the constitution.\textsuperscript{121} In a message the UN Secretary-General on 5 April 1989 the permanent representative of Vietnam to the UN noted that "the first and second informal meetings of the Southeast Asian countries and the Kampuchean Parties held in Jakarta (JIM-I and JIM-II respectively) have reached a basic agreement on the substance of a settlement of the Kampuchean question in its international aspect, linking closely the withdrawal of Vietnamese volunteer forces from Kampuchea with the prevention of the return of the genocidal Pol Pot regime, with the cessation of foreign interference, the cessation of foreign military aid to all the Kampuchean parties... and the convening of an international conference to guarantee the independence, neutrality and nonalignment of Kampuchea and the agreements reached... the fulfillment of those resolutions and commitment will stimulate the settlement of the Kampuchean question in its internal aspect".\textsuperscript{122}

\textsuperscript{120}Keesing's Record of World Events (Bristol, U.K.), Vol.35, no.2, 1989, p36465.

\textsuperscript{121}New York Times, 6 April 1989, p I1 and 5.

\textsuperscript{122}UN Doc. A/44/214 - S/20572, 6 April 1989, p3
PARIS CONFERENCE ON CAMBODIA

The two JIM meetings were designed to start a process of national reconciliation between the PRK and the Kampuchean resistance at the local level initially, and later it would be endorsed on the international level at an international conference. But the issue of power-sharing still needed to be resolved. Accordingly, the conference jointly sponsored by France and Indonesia, commenced in Paris within the framework of UNGA Resolution of 3 November 1988 which avoided reference to the ICK convened by the UN in 1981 to satisfy Vietnam and in its place, offered support to any other conference of an international nature under the auspices of the UN Secretary-General. The Paris conference held a month-long session from July, 30 to August 30, 1989 adopting the following mandate at its ministerial opening:

to reach, through a consistent, balanced and coordinated approach, a comprehensive agreement providing for the internationally supervised withdrawal of foreign troops, restoring the independence of Cambodia, guarantee its sovereignty, territorial integrity and neutrality, promoting peace and national reconciliation in the country, ensuring self-determination for the Cambodian people, through internationally supervised elections, arranging for the voluntary return of the refugees and displaced persons to their countries and paving the way towards the economic reconstruction of Cambodia.123

123 Organisation of Work, Text Adopted by the Conference at its Fourth Plenary Meeting on 1 August 1989, Paris Conference on Cambodia Document, CPC/89/4. The participants to the conference included the four Kampuchean factions and all other countries with a strong political or historical interest in the Kampuchean conflict: the six ASEAN states, the five Permanent Members
To accomplish these ends with the optimism to settle the Kampuchean issue once for all at the highest level, the conference worked in depth by setting up five committees: four working committees and a coordinating committee. The first committee chaired by Canada and India, was set the task of drawing up cease-fire terms and defining the mandate of and effective "International Control Mechanism" to oversee the settlement, including military and electoral aspects; a second committee chaired by Laos and Malaysia, was to address the task of defining guarantees for Kampuchea's independence, sovereignty, territorial integrity and neutrality through the cessation of all foreign interference and external arms supplies and the prevention of the recurrence of genocidal policies and practices - in other words the committees' task was to secure legal commitments by the participating states to ensure the durability of the settlement; the third committee chaired by Australia and Japan was to consider refugee matters and to formulate the main elements of an international plan for Kampuchean economic reconstruction, the fourth was an Ad-Hoc committee, composed of the four factions, France and Indonesia, was to tackle the most difficult question of establishing "a quadripartite interim authority under the leadership of Prince Norodom Sihanouk with responsibilities of organising... internationally supervised face elections. The Ad Hoc Committee was to examine the internal aspects of the conflict. The concept of

of the UN Security Council, Vietnam, Laos, Japan, Australia, India and Canada. Zimbabwe was invited as the presiding member of the Non-aligned Movement, the UN Secretary-General and his special Representative also attended.
a quadripartite interim authority was a compromise that would include an interim coalition government (as sought by the [CGDK] or an advisory council subordinate to the existing regime (as sought by PRK). The Coordinating Committee was charged with preparing a draft final document for presentation at the ministerial level.124

The various committees ended their deliberations on 28 August having failed to formulate a draft agreement and the conference was eventually suspended on 30 August with the concluding statement noting that while progress had been made in elaborating a wide variety of elements it was not yet possible to achieve a comprehensive settlement".125

At the Paris conference, the Secretary-General put forward a number of working documents designed to facilitate bridging some significant substantive differences that surfaced at the conference. In particular, he addressed the military aspects in some detail and pointed out that further information on the situation inside Cambodia would be necessary for the deployment of an international control mechanism, and that a fact-finding mission would go to Cambodia to gather the necessary technical information. The conference agreed, and a mission was

124 For the details on various Committees see Keesing's Records of World Events, Vol.34, no.7-8, July/August 1989, pp.36848-49 and Reng, n.116, p.3-4.

125 New York Times, 31 August 1989, p A12
dispatched by the Secretary-General to visit the area from the 6 to 19 August 1989.126

At the conference, the issues that could not be resolved by consensus included:-

- the level of participation of the Khmer Rouge in any future Kampuchean political structure: while Sihanouk insisted that the incorporation of the Khmer Rouge in a future government was essential to avoid a civil war, Hun Sen maintained that the Khmer Rouge leadership had no role to play in any Kampuchean regime.

- mention of the word 'genocide': which PRK and Vietnam emphasised genocide to make clear that the non-return to power of the Khmer Rouge was as important as a Vietnamese troop withdrawal, the Khmer Rouge rejected the use of the word and instead focused on the question of Vietnamese settlers in Kampuchea (which was denied by Hanoi).

- the role of the United Nations in an international control mechanism: the PRK was generally vary of the mechanism being under UN auspices, on the ground continued to maintain its recognition of the CGDK.

126 See Background Note on the Negotiating Process n.115, p.iv, also see Far Eastern Economic Review (FEER), 24 August 1989.
- the timing and sequence of cease-fire
- withdrawal of Vietnamese forces and termination of external assistance.\textsuperscript{127}

The central question on which no headway was made was that of power-sharing among the factions. The collapse of the Paris Conference in late August 1989 meant that no international supervision mechanism was established to verify the Vietnamese withdrawal. Nevertheless, the PRK Prime Minister Hun Sen, on 27 September 1989, conveyed to the UN Secretary-General Perez de Cuellar, a message inviting the UN to verify the withdrawal.\textsuperscript{128}

**Implementation Stage: The P-5 Process**

The Paris conference clearly indicated that the factions were unable to show flexibility as their supporters, namely, the big powers did not encourage them fully. However the changing perception of the big powers due to emerging new

\textsuperscript{127}See n.124.

\textsuperscript{128}Keesing's *Records of World Events*, Vol.35, no.9, September, 1989, pp.36881-82. In the telegram Hun Sen claimed that the withdrawal had been completed the previous day in the presence of over four hundred journalists and one hundred and six international organisations. However, as the comprehensive settlement was far from being ready, the UNGA resolution of 1989 took no account of the withdrawal of Vietnam's forces from Kampuchea in September 1989, reiterating its call for "the withdrawal of all foreign forces from Kampuchea, under the supervision and control of the United Nations".
relationships provided certain impetus to offer mutual concessions. To resolve the deadlock over the power-sharing issue, Australia made a timely intervention. In response to an Australian proposal for a UN administration of Cambodia, the five permanent members of the Security Council met in Paris 15-16 January, 1990 to discuss the role for the UN prior to elections. The Australian Peace Proposal stated that the first stage of its plan would be UN verification of Vietnamese withdrawal in September 1989 from Cambodia, the implementation of a cease-fire, and the cessation of all external arms supplying to the warring factions. Once this had been achieved, the plan envisaged a transitional period leading to "full and fair elections" during which the UN would play "an enhanced role", although the level of UN involvement was not specified. The plan suggested that Cambodian sovereignty would be vested in Supreme National Council, possibly composed of prominent figures from the Phnom Penh regime and the tripartite resistance (CGDK). Once formed the council would delegate executive powers to the interim UN administration. The deliberations of the Permanent Five throughout 1990 resulted in a series of communiques that defined the fundamental components of a solution: the need for a comprehensive settlement; free and fair elections under direct UN administration with participation by all Cambodians; UN verification of

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the withdrawal of foreign forces and UN Peace Keeping to oversee a cease-fire; cantonment of forces and termination of foreign military assistance; establishment of a "Supreme National Council" to embody Cambodian sovereignty prior to the election; creation of a United Nations Transitional Authority in Cambodia; protection of human rights, and guarantees for the independence, sovereignty, territorial integrity and neutrality of Cambodia. Throughout the process, the five maintained regular contacts with the secretary-general. They welcomed the decision to establish a secretariat task force to facilitate contingency planning for an eventual UN operation in Cambodia. Several fact-finding missions were dispatched under the auspices of the secretary-general. The permanent five (P-5) announced late in August 1990 that they had reached an agreement on a framework for a comprehensive political settlement of the Cambodian Conflict.¹³⁰ This represented, for the first time, that all five states had agreed on all aspects of ending the conflict. The Plan called for establishing a Supreme National Council, composed of twelve "representative individual of authority" who had to be mutually acceptable. The SNC would embody cambodian sovereignty and would turn over most of its powers to the UN until a new Cambodian Government was elected. The Framework document also provided for the creation of a transitional authority of the UN in Cambodia (UNTAC) - under the chairmanship of the Secretary-General -

administer the country during elections which run from the date of agreement to the date of general elections for the formulation of the national government.

Diplomatic activity then intensified when on 10 September 1990, the four Kampuchean factions met in Jakarta and agreed to accept Framework Document in toto as the basis for a settlement and to establish a SNC consisting of twelve members - six from the State of Cambodia (as the PRK had renamed itself in 1989) and two from each of the three resistance factions. This meant that the final formula accepted by the parties was abnegation of power by the PRK in exchange for UN-sponsored elections and a neutral Cambodia.

Soon after the Jakarta meeting, in the spirit of sustaining the momentum to expedite faithfully the process forward in conformity with the Framework Document of the P-5 and of achieving a genuine national reconciliation among all Cambodians, it was decided to keep the seat of Cambodia at the UN temporarily unattended pending the election of the chairman of the SNC to complete and its formation as the unique legitimate body and source of authority in

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131 Sihanouk announced in February 1990 that the CGDK would henceforth be called as National Government of Cambodia.
Kampuchea.\textsuperscript{132} The framework was subsequently endorsed by the Security Council in September, 1990.\textsuperscript{133}

Elaboration of the texts into legal agreements commenced in September, and was followed by a meeting of a working group of the Paris Conference (consisting of the P-5, the co-chairman of committees I, II and III, Indonesia and UN officials), which prepared the body of the settlement agreement. The P-5 and Indonesia, assisted by UN experts, released a set of proposed texts in November 1990.\textsuperscript{134} These texts proved acceptable to the Resistance groups but raised significant problems for the State of Cambodia, especially as regards the military arrangements (cease-fire, disarmament of factions etc.) and the precise nature of UN authority. In a meeting with the SNC, the co-chairman of Paris conference presented formally and the November draft text and it resulted in concurrence on most of the fundamental points. Hun Sen raised the earlier objections which were dealt with in the final round of negotiations held in Beijing Pattaya (Thailand), New York and Paris.\textsuperscript{135} At these meetings, the P-5, Indonesia, and the four factions (attending


\textsuperscript{134}For the P-5 Draft, see UN Doc. A/46/61 - S/22059, 26 November 1990.

\textsuperscript{135}For an exhaustive discussion on these meetings see Reng, n.116.
as SNC) assisted by UN officials made certain revisions to the November texts to respond to the concerned members of Paris Conference.\textsuperscript{136} This led to the signing of the comprehensive agreements on 23 October 1991.\textsuperscript{137}

As to the structure of the settlement documents, the Paris accords included: the Final Act of the Paris conference in Cambodia; the Agreement on a comprehensive political settlement of Cambodia conflict; the Agreement concerning the sovereignty, independence, Territorial integrity and inviolability, Neutrality and National unity of Cambodia; and the Declaration on the Rehabilitation and Reconstruction of Cambodia. The two agreements have treaty status, whereas the declaration on Rehabilitation is not legally binding.

In contrast to the Geneva Accords on Afghanistan, which were a result of mutual gains, the Paris Accords were a product of mutual denials of the parties.

\textsuperscript{136} Communique issued on 30 August 1991 by the Co-chairmen of the Paris Conference on Cambodia and the P-5, UN Doc. A/46/418 - S/23011, 30 August 1991.

\textsuperscript{137} For the agreements on the comprehensive settlement of the Cambodia conflict, see Appendix.IV. The Agreements were fully supported by the Security Council in its Resolution 718 of 31 October 1991.