Chapter Five

ASEAN’s Role in Conflict Resolution

The Association of the South East Asian Nations (ASEAN) formed on 8 August 1967 by Indonesia, Malaysia, Thailand, Singapore and the Philippines played a seminal role in the Cambodian conflict resolution. Vietnam invasion of Cambodia and overthrow of Khmer Rouge Regime in December 1978 was a direct challenge to the principles of Treaty of Amity and Co-operation that ASEAN claimed to represent. For the next twelve years, removing Vietnam from the Cambodia became the central focus of the ASEAN international diplomacy and internal activities and the most important test of its ability to manage its regional security environments. ASEAN had attempted to combine political, economic and diplomatic efforts to pressurize Vietnam into withdrawing from Cambodia. From this experience ASEAN gained a reputation as an important and effective international actor; its member states learned to co-operate at a level they had not achieved before.

ASEAN’s founders did not create the association as a mechanism for resolving disputes between countries. However, some sort of conflict prevention role was in built in ASEAN’s foundation. In fact, since its inception, it has been extremely successful at reducing tensions and averting military confrontation between member states despite sharply diverging interests on many matters. It was supposed to actively create those conditions which will minimize the occurrences of conflicts. Its aim was, from the very beginning, to reduce tension among South East Asia’s non-communist states; thereby freeing their weak post colonial government to tackle their internal communist challenges, and to address developmental priorities. It was only when the external relations among them was stable and friendly, then only they can concentrate wholly on the internal challenges and tackle them more successfully. Decolonization had left a number of territorial disputes behind. The most serious demonstration of the tension was the undeclared war- the konfrontasi or confrontation- waged by Indonesia.

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1 Shaun Narine, “ASEAN and Management of Regional Security”, Pacific Affairs, October 1997, p. 204
against the new Federation of Malaysia between 1963 and 1966. ASEAN was an attempt to institutionalize the rapprochement between Indonesia and Malaysia and to create a framework to build certainty and trust into relations within South East Asia.

The declared objectives of ASEAN, as embodied in Bangkok Declaration, was to strengthen the economic and social stability of the region and ensuring their peaceful and progressive national development without external influence. Though it deliberately omitted political co-operations, nevertheless, almost from the very beginning, ASEAN represented a political solidarity, which arose from the formation of a group of non-communist states in a region threatened by communist pressures. It was their collective will to check the spread of communist insurgencies in their countries, which brought them together. Also it was probably perceived that ASEAN would grow to act as some form of "collective political defense", which would eventually replace the American alliances. In other words, ASEAN would later emerge strong enough to lessen its members' dependence on outsiders to provide security and protection.

As we have analyzed in the previous chapter, ASEAN played the role of conflict promoter in Cambodia. After all, it helped in the formation of the Coalition Government of Democratic Kampuchea (CGDK), supplied it with financial and armed assistances, lobbied in the United Nations for the denial of seat to Vietnamese backed People's Republic of Kampuchea and continued representation of CGDK in U.N., and built international pressures on Vietnam for withdrawal of troops from Cambodia. However, what is more interesting is that it also simultaneously played the role of peace broker. While furthering conflict in Cambodia, it, nevertheless, kept its door open and often took the initiative for the negotiated political settlement of the Cambodian conflict.

The first ASEAN initiative at Cambodian conflict resolution began with the formulation of the so-called 'Kuantan Principle', formulated in March 26-28, 1980, following the discussion between Indonesian President Suharto and Malaysian Premier Dato Hussein Onn held in the town of Kuantan on Malaysia's east coast.

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3 Ibid, p. 15.
Kuantan principle called for a resolution to the conflict in Indochina in order to forestall the possibility of serious regional destabilization and great power intervention. It was indicative of the prevailing belief in some quarters of the ASEAN that if reconciliation was not effected, Vietnam would become so weakened by protracted conflict and costly confrontation that it would fall into increasing dependence on the Soviet Union. The corollary to this view was that if Vietnam did not assert suzerainty in Indochina, then China almost certainly would. Both these outcomes were abhorred by the ASEAN.

Kuantan principles reportedly consisted three elements which would guarantee that neither of those scenario materialize. Those principles were: (1) for the sake of stability in Southeast Asia, Vietnam should be independent of the influence of both China and Soviet Union, (2) Vietnam’s influence in Kampuchea could be tolerated provided the security of the Thai-Kampuchean border was guaranteed. In other words, it proposed quid pro quo- acceptance of the Heng Samrin regime for easing Vietnamese pressures on Thailand. What is more important, it neither press for the reinstallation of the ousted Khmer Rouge regime, nor the possibility of fresh election, (3) rather than calling flatly for the complete withdrawal of the Vietnamese troops, they proposed, in the first instance, only a partial pullback.

ASEAN was also a principal participant at the International Conference on Kampuchea (IPK) held from 13 to 17 July 1981 in New York under the auspices of U.N. and attended by 93 member states. Maintaining that U.N. had no business on Cambodian issue which should be solved at regional level, Vietnam and several other states from the Eastern bloc declined to take part. In fact, ASEAN had sponsored a resolution calling for the convening of such international conference. The conference aimed at finding a comprehensive political settlement of the Kampuchean problem. The conference adopted a declaration, the central elements of which were those contained in the UN General Assembly resolution of 1979 and in the proposals for Cambodian peace announced by the ASEAN countries in October 1980. The declaration called for the withdrawal of all foreign forces in the shortest possible time under the supervision and the verification of a U.N. peacekeeping-observer group; for

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arrangements to ensure that armed Cambodian factions would not prevent or disrupt free elections; for measures to maintain law and order during the interim before free elections could be held and a new government established; for free elections under UN auspices; for the continuation of Cambodia's status as a neutral and non-aligned state; and for a declaration by the future elected government that Cambodia would not pose a threat to other countries, especially to neighbouring states. The declaration also called on the five permanent members of the UN Security Council (China, France, the Soviet Union, Britain, and the United States) and on all other states to pledge to respect Cambodia's independence, its territorial integrity, and its neutral status and to declare that they would neither draw Cambodia into any military alliance, nor introduce foreign troops into the country, nor establish any military bases there.  

The conference's declaration on Kampuchea stressed the need to restore Cambodia's sovereignty and territorial integrity. The conference activities were not limited to issuing pious declarations. Rather it believed in follow up actions and created an ad hoc committee to undertake peace efforts on behalf of the conference. The committee met throughout the 1980s but made little progress towards a settlement. Again, Vietnam rejected the IPK declaration on the ground that it focused on the Vietnamese invasion and not on the atrocities of the Khmer Rouge which was one of the reasons of Vietnamese intervention. Vietnam had also problem with the term 'comprehensive' and 'Vietnamese withdrawal'. Its main concern-Chinese threat- was also not addressed. However, it seems that ASEAN's intension was to use the IPK as a major forum from which to send conciliatory signal to Hanoi, and in doing perhaps lay the groundwork for the resumption of dialogue.

Though Vietnam boycotted IPK and rejected its resolution, it started sending feelers to ASEAN for the settlement of the Cambodian problem. 1982 witnessed the flexibility in the Vietnamese attitude towards Cambodian problem. The communiqué issued at the end of the Indochinese Foreign Ministers Conference held on 7 July 1982 stated for the first time at the partial withdrawal of the Vietnamese troops and they would consider the withdrawal of more troops later, in accordance

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with safety and stability along the Thai-Kampuchean border\textsuperscript{12}. In other words, while ASEAN maintained that the presence of Vietnamese troops was the very reason for an insecure Thai-Cambodian border, Vietnam maintained that the security of the border should be ensured first, and then only it will withdraw its troops partially from Cambodia. The meeting proposed a limited international conference the group had previously advocated and stated that it was prepared to discuss the question of whether or not to include the Kampuchean problem in the agenda and who should participate (whether PRK should be present or not)\textsuperscript{13}. In their joint statement also, the Indochinese countries changed their existing policy of asserting the right of the PRK government to U.N. representation to one of demanding a vacant seat for Cambodia. The Prime Minister of Vietnam, Cambodia and Laos, in 1983, broadened the proposals and made them more concrete for restoration of peace. According to their new proposal, all Vietnamese ‘volunteers’ would be withdrawn after ensuring that the threat from Peking and the factions along the Thai border cease to exist\textsuperscript{14}. The ‘volunteers’ would be withdrawn annually and the Heng Samrin government had the right to seek advice of Vietnam at any given point. Further, elections were to be held and could be observed by the foreigners in which the former Khmer Rouge members could also participate\textsuperscript{15}.

ASEAN also put forward a new formula for settlement of the Kampuchean question at the seventh Conference of Non-Aligned Nations held in New Delhi on March 1983. This initiative came from the Malaysian Foreign Minister, Ghazali bin Shafie after an informal meeting with his Vietnamese counterpart Nguyen Co Thach. He announced an agreement that Vietnam and Laos would participate in direct discussions with ASEAN. This proposal came to be known as the ‘Five plus Two Formula’, because it called for only Vietnam and Laos- and not the Vietnamese backed regime in Phnom Penh- to participate on the Indochina side\textsuperscript{16}. The two Ministers had agreed to omit any Khmer participation in this proposed encounter. This Formula did not give legitimacy of recognition to either of the Khmer parties to the conflict. Ghazali added that he would obtain agreement from other ASEAN Foreign Ministers as to the exact agenda, time and place of the meeting with Hanoi’s

\textsuperscript{13} Kessing’s Contemporary Archives, 1983, p. 31888.
\textsuperscript{14} Kessing’s Contemporary Archives, vol. XXX, 1984, P. 32670.
\textsuperscript{15} Ibid, p. 32670.
\textsuperscript{16} Yoneji, Kuroyanagi, Spring/Summer 1989, no. 8, p. 69.
and Vietnamese representatives and that ASEAN foreign ministers would soon meet separately in Bangkok to that end\textsuperscript{17}.

Both Indonesia and Singapore expressed approval of the Five plus Two Formula as a face saving approach on both sides. In July the Heng Samrin government of PRK accepted this formula and at the beginning of 1984, Indochinese Foreign Ministers, meeting at Vientiane, accepted the formula and also agreed that China should also take part\textsuperscript{18}. China rejected the proposal on the ground that it would tantamount to bestow de facto recognition of the regime in Phnom Penh by the ASEAN states. Thailand also opposed what it called the ‘Thach Proposal’ as a scheme to capitalize on the discord in ASEAN and obliquely showed its rejection of the actions of the three non-aligned ASEAN countries by stressing the principle of unanimous agreement\textsuperscript{19}. Thailand and Singapore refused to negotiate with Vietnam until it withdrew its forces from Kampuchea. Since this did not conform to the ASEAN policy of consensus decision making, the five plus two formula met with little success.

In order to patch up the discords within ASEAN without sacrificing the peace initiative, in September 1983, the five nations of the ASEAN launched a joint appeal for the independence of Cambodia. The association referred to the will of the international community and for the first time called for a staged withdrawal of troops, not by gradual decrease formula, proposed by Vietnam on a region-by-region basis. The whole operation was to be carried out with the help of United Nations High Commissioner for Refugees and U.N. Peace Keeping forces would ensure that the ceasefire was respected. The communiqué once again stressed that an ‘international conference on the reconstruction of Kampuchea should be organized at an appropriate time\textsuperscript{20}. However, the very mentioning of the U.N. involvement and international conference elicited negative Vietnamese reactions as it had always stressed on the regional aspect of the Kampuchean issue.

These various ASEAN proposals and their continuous rejections by Vietnam resulted in some kind of deadlock. Both sides took intransigent positions and were unwilling to give any concessions or adopt a flexible stand on any of the


\textsuperscript{19} Nation Review, May 1983.

\textsuperscript{20} BBC, SWB, 23 September 1983, FE/ A3/ 1.
contentious issues, which would have allowed negotiation to take place. ASEAN proposals were contingent upon Vietnamese troop's withdrawal from Cambodia. In other words, ASEAN supported any settlement, which would be preceded by Vietnamese withdrawal from Cambodia. There were few attempts at troop's withdrawal in July 1982 and again in May 1983, the authenticity of which were contested by both parties as it was not conducted under the supervision of any neutral party. In July 1983, there was doubt about the sincerity of the Vietnamese offer of partial withdrawal and Thai officials claimed that it was merely "another routine rotation of disengaged troops". In fact, it had been stated that reports from the guerilla sources claimed that Vietnamese forces had been reinforced by new arrivals. The second withdrawal was witnessed by foreign journalists. However, Thai sources again claimed it as false statement and that in actual fact the forces were reinforced. Thus, while Vietnam claimed that it was fulfilling the ASEAN’s condition of troops withdrawal albeit in stages, ASEAN continued to question the authenticity of those Vietnamese actions. Vietnam could not provide any authenticity of its desire and actions and all its efforts came to a naught.

At their biannual conference held in Ho Chi Minh City in January 1985, the Foreign Ministers of the Indochinese countries reiterated, in the Communiqué issued, its willingness to have negotiation with the parties concerned. They issued a Six Point Proposal that included the withdrawal of the Vietnamese troops and the isolation of Pol Pot clique; the right of self determination, freedom from the threat of genocide and holding of free election in the presence of the foreign observers, promoting the concept of peace and stability leading to peaceful co-existence in South East Asia, respect by the external powers of the national rights of the South East Asian countries and finally the establishment of guarantees and supervision on implementation of proposals. The conference communiqué also announced that Vietnam forces would be withdrawn from Cambodia within five to ten years even in the absence of a negotiated settlement. Shortly afterward, Hanoi stressed that the question of foreign military bases in Cambodia was an issue that could be negotiated only between Vietnam and Cambodia. Hanoi also signalled that the Khmer

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21 Kessing's Contemporary Archives, vol. XXIX, 1984, P. 31889
22 Ibid.
Rouge regime could participate in the process of Cambodian self-determination only if it disarmed itself and broke away from the Pol Pot clique.

ASEAN rejected the six point proposal as the reiteration of the Vietnamese stand and did not offer anything new. Rather, Malaysian Foreign Minister Tengku Ahmad Rithauddeen hinted that Malaysia would propose at the forthcoming ASEAN Foreign Ministers Conference that ASEAN should act as a mediator and arrange a meeting between Vietnam and CGDK. It was proposed that ASEAN should shed its passivity and rather than airing proposals from on side, should show some activism. Indonesia and Malaysia, with the full concurrence of their ASEAN partners, proposed in April 1985 at a meeting which commemorated the 30th anniversary of the Afro-Asian Bandung Conference, what came to be known as the "Proximity Talks". This plan envisaged using ASEAN as an intermediary to put the Heng Samrin government in touch with representatives of the CGDK for the purpose of discussing the basic elements of a compressive and lasting settlement of the Kampuchean problem. In contrast to the 'Five plus Two Formula' it accepted that it was for the Khmer parties to resolve the conflict by themselves. The talks proposed the withdrawal of foreign troops, a U.N. Control and Supervisory Commission, national reconciliation and U.N. supervised elections and self determination. Thach also reiterated Vietnam’s readiness to withdraw much earlier than 1990, but that move should be matched by withdrawal of ASEAN support to Pol Pot group so that the military balance between the opposing parties remained intact. On 30 April, Indonesia also suggested that it should intervene to restore normal relations between U.S.A and Vietnam. This idea was approved by China, and on 3 May, the Soviet Union agreed to serve as an intermediary and transmit the proposals for proximity talks to Vietnam. Indonesia had also previously offered its help in arranging a meeting between Vietnamese Prime Minister Pham Van Dong and Democratic Kampuchea’s President Sihanouk at the sideline of this meeting, which could not materialize.

In response to the objections by both China and U.S., the procedure for the proposed negotiations was modified so as not to involve any recognition of the government in Phnom Penh. After various consultation, Thailand proposed a formula

27 ASEAN, Joint Statement by ASEAN Foreign Ministers on the Kampuchean Problem, (Kuala Lumpur, July 8, 1985), p. 72.
for 'indirect proximity talks' between, on the one hand, one member of the CGDK recognized by the U.N. and, on the other, representative of the Heng Samrin regime who would form part of a Vietnamese delegation. Thus, while the CGDK got independent representation, PDK had to be represented as a part of the Vietnamese delegation. This was rejected by both the Hanoi and Phnom Penh, but it was nonetheless brought forward again in the communiqué issued by the Indochinese Foreign Ministers Meeting in August 1985. That communiqué maintained that the proposal was worthy of consideration and also added that the PRK was willing to meet the Khmer opposition groups, in other words, CGDK. Thus, the three states of the Indochina had reverted to the initial idea of 'proximity talks' and the notion of direct contacts between the different Cambodian factions were gaining ground. In addition, ASEAN had agreed to mention Heng Samrin by name for the first time and the Soviet Union had made it clear that it intended to see the conflict brought to an end.

Pressures for a Negotiated Settlement:

From 1985 onwards, various events occurred which changed major elements of the Cambodian conflict. The most significant of these was undoubtedly the appointment of Mikhail Gorbachev to the leadership of the Soviet Communists Party in March 1985. After taking the reins of the government in Soviet Union, announced a review of the Soviet foreign policy as it related to Eastern Asia. The reform minded Soviet leader, confronted with the economic problems at home, saw an opportunity to achieve a number of objectives. First, changing the degree of Soviet involvement in Indochina would release revenue that might be better used domestically. After all, although the Soviet Union had gained in prestige from the success of its ally- Vietnam, these gains have occurred in a region which was not of vital importance to the Soviet Union. Southeast Asia, in this respect, cannot compare with Northeast Asia, the Indian Subcontinent, or the Middle East. Moreover, the very increase in the Soviet presence in Southeast Asia- through its military, political and

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30 Ibid.
economic involvement in Vietnam and Laos, and no doubt later in Cambodia—made
the non-communist governments in the region more wary and distrustful of the Soviet
Union’s presence. Second, by such a pragmatically driven approach, a key obstacle in
the political economy of Sino-Soviet and Soviet-U.S. relationship would be removed.
By withdrawing from the Cambodia, Soviet Union might get an opportunity to
improve its relations with America and China. This might then in turn encourage
acceptance from the key capitalists states and integration into the world economy

Gorbachev also showed keen interest in normalizing relations with
China. Since his July 1986 Vladivostok speech, China had made Soviet Union’s
support for the Vietnamese occupation of Cambodia the primary obstacle to Sino-
Soviet political normalization. The two side had developed economic relations and
conducted frequent normalization negotiation, but China repeatedly insisted that
before it would agree to regularized diplomatic exchanges and to a Sino-Soviet
Summit, Moscow would have to cease supporting Vietnam’s Cambodia policy. Deng
Xiaoping personally insisted that Moscow would have to resolve this issue before
China would agree to a summit. Hence, beginning in 1988, the Soviet Union made a
number of important concession on Indochina designed to elicit PRK’s reciprocity. In
bilateral negotiation, Moscow accepted Beijing’s contention that Indochina was a
legitimate issue for discussion and it agreed to open a separate set of negotiation on
the Cambodian civil war. By conceding so many grounds to China, Moscow
encouraged Vietnam’s flexibility by creating concerns in Hanoi over Sino-Soviet
collusion and the potential for Soviet abandonment of Vietnamese interests. Vietnam
had to rethink its Cambodian policy in the event of rapprochement between Soviet
Union and China and withdrawal of support from the Soviet.

Gorbachev’s foreign policy towards the U.S. was also growing more
accommodative. The Soviet leader had realized that the quest for genuine strategic
superiority over the U.S. was a futile exercise. He now seemed to prefer negotiations
with Washington on arms control. The new initiative was supported by President
Regan, based on the awareness that both states were facing internal problems and in
need of visible success in foreign policy to gain public support for their regimes. As

33 Ibid, p. 17.
there were first sign of the thaw in the cold war, its legacy- Cambodia conflict came nearer to the solution.

There were also visible changes in the regional dynamics of the Cambodian conflict. The hardliner, frontline state sensing the inevitability of Vietnamese withdrawal from Cambodia and hence ASEAN borders, changed their stance vis-à-vis Cambodian conflict. Thailand Prime Minister Chatichai Choonhavon expressed interests in turning Indochina from a battlefield to a trading ground. He opened bilateral relations with Hun Sen, the Cambodian Prime Minister, on an independent initiative and by December 1987, a Hun Sen- Sihanouk alliance brokered by Bangkok looked likely. The gulf between the ‘moderates’ and the ‘hardliners’ narrowed when Thailand decided in 1988 to reassess its Indochina policy. By bridging the division within ASEAN, it gave more credence to ASEAN efforts to broker a peace. It also redefined its security interests in Indochina by acknowledging Vietnam’s interest in Cambodia.

These momentous changes in international and regional scenario compelled Vietnam to rethink its Cambodian policy. The Sino-Soviet and Soviet-U.S. rapprochement and consequent Soviet Union’s reduction in economic and military aid to Hanoi severely affected its capacity to fund an expensive military deployment and war in Cambodia. Vietnamese Foreign Minister Thach during a talk with his Indonesian counterpart on the sideline of NAM Conference, voiced for the first time the possibility of Vietnam getting bogged down in Cambodia should its forces stated there long and stressed the imperative of Vietnamese troops withdrawal. While militarily Vietnam remained the predominant power in Cambodia, its weakened political and diplomatic position and its disastrous economy forced it to modify its intransigence. The Sixth Party Congress of Vietnam was held in 1986 at which more reform minded leaders began to replace the orthodoxists in the Vietnamese Politburo. In the mid 1980s, the country was in economic crisis, the gravity of which was further felt as a result of economic hardship in Soviet Union, its major benefactor and the American led embargo. Hanoi’s response to its economic woes, Doi Moi (economic renovation) stressed economic liberalization, which necessitated closer links with capitalist economies, including ASEAN, but which was hampered by

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38 David W. Roberts, 2000, no. 32, p. 17.
Cambodian conflict\textsuperscript{39}. In order to make a success of Doi Moi, it had to elicited cooperation from all the capitalist countries by solving the Cambodian conflict amicably. There was also restiveness among People’s Army of Vietnam (PAVN) generals stuck with ‘no win’ military policy in Cambodia. Their morale was at the ebb and there was the fear of discontentment among the troops.

Thus, Vietnam was also looking for ways out of Cambodia. In its foreign policy also, it send conciliatory signals to its adversaries- China and U.S. In January 1985, the communique of the Conference of Indochinese Foreign Ministers noted that the three countries “looked forward to restoration of friendship with China”, and called for a reopening of negotiations between Vietnam and China. This appeal was reiterated a few days later in a speech by Secretary General Le Duan commemorating the 55\textsuperscript{th} anniversary of Vietnamese Communist Party\textsuperscript{40}. Insist of branding China as hegemonist and aggressor and demanding it to take first step, the Indochinese countries extended the hand of friendship to China.

Similarly, Hanoi also through Jakarta, attempted to normalize its relations with U.S. In an interview, before his departure for Canberra Kusumatmadja said that “American-Vietnamese relation- their development and progress will play a key role in solving the Kampuchean issue, as it will give Vietnam some incentives- the beginning of normalization talks with U.S. for leaving Kampuchea”\textsuperscript{41}. For years, the establishment of full diplomatic relations between the two countries had been stalled by two key issues- the Vietnamese occupation of Cambodia and a full accounting of U.S. Missing in Actions (MIAs) in the SRV. For the first time in July 1985, Vietnam indicated that they no longer linked a solution of the MIAs issue with the establishment of diplomatic and trade relation and gave an apparently unconditional pledge to complete the search for MIAs with in two years, which pleased Regan administration tremendously\textsuperscript{42}. After removing one hurdle, it tried to tackle the next tricky issue- Cambodian conflict.

\textsuperscript{40} Vietnam Courier, p. 3-7.
\textsuperscript{41} BBC, SWB, 17, December 1985, FE/8136/A3/3.
Final Phase of Negotiation:

From 1986 onwards, the peace process entered a new phase and probably marked the beginning of the end.

The 12th Conference of the Ministers of Foreign Affairs of Kampuchea, Laos and Vietnam was held in 23-24 January, 1986 in Vientiane. They issued a communiqué, which stated that two aspects of the political solution to the Cambodian question had to be distinguished: the internal and international. The Kampuchean people themselves without external interference must settle the internal affairs of the Cambodia. The PRK declared itself prepared to enter talks with the opposition Khmers in individual or in groups to achieve national reconciliation on the basis of removal of the Pol Pot cliques and the holding of free general election following the complete withdrawal of Vietnamese volunteer forces from Cambodia. The settlement of international aspect of the Kampuchean question would imply an agreement on withdrawal of Vietnamese volunteer forces along with the cessation of all material and military help to Pol Pot and other reactionary Khmer forces, of the utilization by the latter of the Thai sanctuary, of all intervention from the outside in the internal affairs of Cambodia as well as of military hostilities by foreign countries against the PRK.

The offer of the Indochinese countries was scorned by CDGK on the ground that they had no right to demand the inclusion or exclusion of any group, including Khmer Rouge. It was for the Kampuchea to decide, through election, whether Khmer Rouge should be or not a part of government machinery. Further CDGK itself unveiled, after a meeting of the coalition partners in Beijing, on March 17, 1986, an ‘Eight Point Proposal’, which showed unusual flexibility towards Vietnam. The eight-point proposal included: (1) a phased withdrawal of Vietnamese troops, (2) a ceasefire after the agreement on the process of withdrawal, (3) supervision by an U.N. Observer group of the withdrawal of Vietnamese forces and ceasefire, (4) establishment of four party coalition governments, (5) free election.

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44 Ibid.
45 Ibid.
under international supervision (6) reconstruction of an independent, neutral and non-aligned Kampuchea. It dropped the previous demand for a total withdrawal of Vietnamese forces from Kampuchea as a precondition for talks and also suggested formation of an interim government with Sihanouk as Head and Son Sann as Prime Minister without insisting Khmer Rouge personality in the top position. It also agreed for the first time to include Heng Samrin group- so long denounced as ‘traitors’- as part of the four party coalition government. This proposal was rejected by Vietnamese who were unwilling to accept any proposal that included the Khmer Rouge. Any plan which accepted the possibility of Khmer Rouge as a part of future government was simply unacceptable to Vietnam. More ever, Hanoi claimed that the proposal’s plan was to cover up the CGDK military losses.

The year 1987 was a turning point of the war. Vietnam had adopted a new policy since the end of the previous year to improve its distressed economy while at the same time Soviet Union under Gorvachev had begun reassessment of its economic and military aid to Vietnam. On the battle field, Vietnam and Heng Samrin’s People’s Republic of Kampuchea had maintained a great advance since the successful sweeping of the enemies’ bases in 1985, and the PRK survival without the Vietnamese forces seemed possible. By making PDK self reliant, Vietnam was checking the military expenditure incurred in Cambodia and lessen its economic burden. In this context, Hanoi and Phnom Penh, supported by Soviet Union, began efforts to negotiate with the CGDK in late 1986, but did not succeed at first.

By July 1987, the ASEAN increased the pressure for negotiation. Following the visit of the Indonesian Foreign Minister Mochtar Kusumadja to Hanoi in July 1987, an agreement was reached between him and his Vietnamese counterpart Thach, on the holding of a “cocktail party” meeting. This was to be informal talk with no pre-conditions and no political labels attached to the participants. This round of talk suggested by ASEAN was to be held in two stages: the first round between PRK and CDGK, followed by the second meeting in which

48 Nayan Chanda, January 1987, no. 46, P. 122.
Vietnam could also participate. ASEAN viewed the proposal as one meeting initially among the Cambodian factions, followed immediately by the participation of Vietnam. Hanoi and Phnom Penh interpreted them as two separate meeting\textsuperscript{52}. The CDGK under Sihanouk reacted favorably to the idea of an all Cambodian conference. It was believed that this carried the implication that the Cambodian question was essentially for Cambodian to settle.

However, at a special Foreign Ministers' Conference held in Bangkok on 16 August, ASEAN revised the Mochtar-Thach agreement, stipulating that the CDGK’s Eight Point Plan should be the basis of discussion and demanding that Vietnam should attend immediately upon the commencement of talks between the Kampuchean factions. Those revised proposal was rejected by Vietnam and Phnom Penh, which made the proposal a non-starter. Also within ASEAN, both Thailand and Singapore opposed the idea of involving Vietnam only during the second stage of dialogue. They believed that this would reduce it to a civil was rather than a war of aggression by Vietnam.

In September 1987, Hun Sen stated for the first time that the Khmer Rouge may have a role to play in the solution of the conflict and expressed a willingness to hold talks with Khieu Samphan, the Foreign Minister of CDGK\textsuperscript{53}. The next month, the PRK put forward a five-point peace proposal. According to this, the PRK agreed to (1) meet Sihanouk and other leaders of CDGK, with the exception of Pol Pot and his immediate associates. Sihanouk was to be offered a prominent position in the government set up, (2) the PRK was willing to allow Vietnamese withdrawal from Cambodia which was to occur simultaneously with the cessation of support to the resistance; (3) after the Vietnamese withdrawal election was to be held under foreign supervision; (4) it expressed its desire to start negotiation with Thailand regarding the transformation of the Thai Cambodian border into one of peace and friendship, which would allow for orderly repatriation of refugees; and (5) it sought to convene an international conference consisting of the conflicting parties, the Indochinese nations, ASEAN, China, the USSR, USA, India, France, the United Kingdom and others\textsuperscript{54}.

\textsuperscript{53} Kessing's Contemporary Archives, Vol- XXXIV, June 1988, p-35968.
\textsuperscript{54} Ibid.
One of the most significant diplomatic breakthroughs, through the good office of ASEAN, in the conflict, was the meeting between Hun Sen and Norodom Sihanouk. The first round of talk between them was held on the outskirts of Paris on 2-3 December, 1987. The talks led to the agreement on four items: (1) the need for the political solution to the Kampuchean conflict; (2) efforts by all involved in the conflict to rebuild an independent, neutral and non-aligned Kampuchea; (3) an international conference to guarantee the peace and stability of Southeast Asia and Kampuchean independence; and (4) a second round of talks in Paris and a third conference in Pyongyang\textsuperscript{55}. What was really epoch making was not the content of the agreement, however, but the fact that the barriers among the different Kampuchean factions had broken down sufficiently to allow the talks between Hun Sen and Norodom Sihanouk to take place at all.

The second meeting took place in Paris on 20-21 January, 1988 and five principal issues were discussed: (1) the timetable for Vietnamese withdrawal; (2) the establishment of a coalition government (3) the future political system in Cambodia; (4) the principles upon which an independent, neutral and non-aligned Cambodia was to be based; and international guarantee to ensure its security and independence\textsuperscript{56}. With regard to Vietnamese withdrawal and coalition government, opinions were divergent. Consensus was reached over other three issues. Though Sihanouk initially asked for an immediate and complete withdrawal, he later accepted Hun She’s plan for a 24-months phased withdrawal\textsuperscript{57}. However, Sihanouk wanted the formation of coalition government to precede the election, whereas Hun Sen felt it should be after the election\textsuperscript{58}. Further, while Sihanouk asked for the dismantling of PRK, Hun Sen termed such move as ‘suicidal’.

The Hun Sen- Sihanouk meetings acted as a prelude to the Jakarta Informal Meeting (JIM). Indonesia had long assumed the role of interlocutor between Indochinese states and ASEAN countries. It was ASEAN’s diplomacy through Indonesia, which was instrumental in evolving JIM Meetings. The outside actors to the conflict – China and Soviet Union did not participate. However, all the ASEAN members attended the talks in their individual capacity and not as a regional organization.

\textsuperscript{55} Yoneji Kuroyanagi, Spring/Summer 1989, no. 8, P. 75.
\textsuperscript{56} BBC, SWB, 22 January 1988, FE/ 0055/ A3/ 1.
\textsuperscript{57} Kessing’s Contemporary Archives, vol- XXXIV, June 1988, p. 35968.
\textsuperscript{58} Ibid.
The first JIM was held at the city of Bogor from 25-28 July, 1988. The
meeting was held within the framework of an agreement reached in Ho-Chi-Minh
City between Vietnam and Indonesia. It took place in two stages. During the first
stage, the four Cambodian factions participated. At the next stage, they were joined by
Vietnam, Laos and other ASEAN members. It recognized two important factors,
which were linked to an overall settlement. These were the withdrawal of the
Vietnamese troops, which was within the framework of a political solution and
preventing the 'recurrence' of genocidal policies. Other than this, the meeting
agreed on four main matters- an immediate end to the Cambodian issue, an end to the
suffering of the Cambodian people, a political solution to Cambodian issue and
establishment of an “independent, sovereign, peaceful, neutral and non- aligned
Kampuchea on the basis of self determination and national reconciliation." The
concrete follow-up to the JIM was the formation of a ‘working group’, consisting of
senior officials of all parties taking part in the meeting, for further study of the aspects
of political solution to the Cambodia issue.

The first JIM was astute and sensitive diplomacy. It created a complex
politico-cultural framework that permitted the four Cambodian factions to meet in the
unofficial presence of Sihanouk, without any of the Cambodian parties losing face
from the implicit assumptions of political recognition of an enemy otherwise derived
from such meeting. Despite this diplomatic event, there was no agreement among the
Khmer leaders regarding some of the most fundamental elements of the proposed
solution. A significant role for the U.N. was envisaged in the peacekeeping capacity
of sorts, which irked Phnom Penh. Correspondingly, the timetable for the withdrawal
of Hanoi’s forces from Cambodia frustrated Khmer Rouge. There were also
disagreements on the nature of political organization in the interim transitional
period.

The JIM-II was held in Jakarta from 26 February to 28 February. The
parties involved reiterated their common stand on various issues. Hun Sen and Khieu
Samphan agreed on the U.N.’s involvement in restoring peace in Cambodia but
remained sharply divided over the formation of provisional government towards that

60 List of Documents, Statement by the Chairman of the First Jakarta Informal Meeting. July 28,
goal. Hun Sen flatly rejected the suggestion of Khieu Samphan for the dissolution of his Vietnamese-backed government. Samphan felt it necessary to set up a provisional government embracing all four major groups under the leadership of Sihanouk.

JIM I and JIM II were probably the most significant of the peace initiatives that were taken by ASEAN. The achievements of JIM I and JIM II culminated in the Paris International Conference on Cambodia (PICC) in July/August 1989. It was co-chaired by Indonesia and France and other participants included: Permanent Five of U.N. six countries of ASEAN, 3 Indochina countries, 4 intra Khmer factions, Japan, Canada, Australia, India and Zimbabwe, representing NAM. U.N. General Secretary Javier Parez de Cueller was also present. It started with three day Ministerial Meeting followed by meetings of various committees. There were some major differences among the contending parties, which stalemated the signing of an agreement. The discord centered on the role of U.N. and its International Control Mechanism, the role of the genocidal Phnom Penh regime, the ceasefire, the Vietnamese settlers in Cambodia and national reconciliation, including the formation of a provisional coalition authority during the transition between the withdrawal of Vietnamese forces and the organization of general election under international supervision. The conference established five committees to iron out the differences and to reach a compromise solution.

Meanwhile, wide ranging discussions continued throughout 1990. Australian promoted an idea to Sihanouk and U.S. Congressman Stephen Solarz, and evolved a new peace plan, which became the blueprint for the Peace Treaty of October 1991. The proposal envisaged that, instead of a quadripartite power-sharing arrangement, the U.N itself would temporarily take over the administration of Cambodia, canton and demobilize the armed forces of the various parties and conduct the election, after which it would transfer the power to a new Cambodian government. This plan “not only presented the U.N. with an extra ordinary and unprecedented role but also was of significance since it would maintain Cambodia’s sovereign status, which by no means, could be infringed upon. The Australian fashioned this idea in to “Red Book”, which gave a detailed account of the role of the United Nations

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64 BBC, SWB, 1 August 1989, FE/0523/A3/1.
65 Ibid.
66 BBC, SWB, 31 August, 1989, FE/0549/ C1/1.
Transitional Authority in Cambodia (UNTAC), complete with cost and personnel estimates of the election process. In June 1990, Japan convened the Tokyo Conference on Cambodia, which was its first major effort to become involved in the Cambodian peace process. Tokyo’s initiative failed when the Khmer Rouge representative invited to attend as an observer began to demand equal status.

In August 1990, a proposal known as ‘Framework Document’, which had grown from an Australian Red Book was adopted voluntarily by all except Phnom Penh, which was forced into signing the deal and had few other viable options. It provided for a quadripartite body and ASEAN and P-5 of U.N. took initiative on the establishment of Supreme National Council (SNC), the only legitimate body in Cambodia and the sole authority in the transition period, to represent Cambodia’s independence, sovereignty and national unity and to co-operate with U.N. in the administration in the interim period until the Cambodia’s people achieve their right of self determination through free election under U.N. control. The SNC consisted of 12 members- 6 from the State of Cambodia (as PRK had renamed itself in 1989) and 2 from each of the three resistance factions. It was also envisaged that Sihanouk would chair it. ASEAN also stated that no one Cambodian party would be allowed to seize or maintain power through the force of arms, no one party could dominate other Cambodian parties and that no party was to be discarded. The early formation of SNC, in advance of the peace settlement being finalized, was indented to bring the parties into a working relationship to help maintain the peace process and, in particular, to enable them to select a unified Cambodian delegation to U.N. General Assembly.

A draft settlement of the Cambodian problem was adopted by the P-5 members of U.N. Security Council and Paris Conference Co-Chairmen on 26 November. The draft solution was worked out on the basis of the previous Five

69 BBC, SWB, 4 August 1990, FE/ O834/A3/ 4
Chapter Framework Document of the P-5. It proved acceptable to the resistance but raised significant problems for the State of Cambodia, especially as regards the military arrangements and the authority of United Nations. Heng Samrin regime did not accept wholly the draft solution as it argued that some of its points violated Cambodia’s independence and sovereignty, the people’s right to self determination and U.N. Charter, which would pave the way for the genocidal Pol Pot regime’s return. As negotiation continued through secret and official channels, the fundamental questions remained the ability of the Khmer factions to coalesce in a process of national reconciliation. Despite the gesture of goodwill, it was evident at JIM II that none of the factions trusted the others enough to initiate a pre-emptive move.

The final round of negotiations began in the summer of 1991. In meetings in Beijing (at which Sihanouk was elected President of the SNC), Pattaya, New York and Paris, the P-5, Indonesia and the four factions (attending as the SNC), assisted by the U.N. officials, made revisions to the November 1990 text to respond to the concerns of the State of Cambodia and other members of the Paris Conference. These modifications were completed by the middle of the October 1991. The SNC also met the P-5 and co-chairmen of Paris conference, as well as all other members of Paris conference, in order to make preparation for the reconvening of the Paris conference. Their efforts bore fruit and the Paris conference was held from 21 to 23 October, which led to the signing of the Agreements on a Comprehensive Political Settlement of the Cambodia.

Paris Conference on Cambodia:

The Paris Peace Accords were signed on 23 October by four contending Cambodian factions acting together under the rubric of Supreme National Council (SNC). They were also signed by the Permanent Five and other 12 other

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states involved in the Paris Conference. The participants had to sign four documents— not one— on the comprehensive political settlement. Those were— 'The Agreement on the Comprehensive Political Settlement of the Cambodian Conflict', 'The Agreement Concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality and National Unity of Cambodia', 'Document on Rehabilitation and Reconstruction of Cambodia', and 'The Final Act of Paris Conference on Cambodia'. The main points of the Peace Treaty were:

The Final Act of Paris Conference on Cambodia was a seven page preamble. "In view of the tragic recent history of Cambodia", it said, "the states participating in the conference commit themselves to promote and encourage respect for the observance of human rights and fundamental freedom in Cambodia". It also urges the "international community to provide generous economic and financial support to the improvised country".

The Agreement on the Comprehensive Political Settlement of the Cambodian Conflict, 40 pages in its English version, was the main centerpiece of the treaty. It had chapters on; (1) arrangements during the transitional period dealing with United Nations Transitional Administration in Cambodia (UNTAC), the SNC, the ceasefire and end of outside military assistances; (2) election, which it said, should be free and fair; (3) human rights; (4) refugees and displaced persons who should have right to return to Cambodia and to live in security, safety and dignity, free from intimidation and coercions of any kind; (5) release of prisoners of war and civilian internees; (6) rehabilitation and reconstruction and (7) final provision which said, among others, that the agreement will be open to accession deposited with the government of French Republic and Republic of Indonesia, co-hosts of conference.

The Agreement Concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality and National Unity of Cambodia, 7 pages in its English version, comprised undertakings by Cambodia to maintain the tenets listed in the document's title and by other parties to respect them. It calls on the United Nations Commission on Human Rights to monitor closely the human rights situation including, if necessary, by appointment of a special rapporteur, who would report.

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74 Australia, Brunei, Canada, India, Indonesia, Japan, Laos, Malaysia, Philippines, Singapore, Vietnam and Yugoslavia which had replaced Zimbabwe as the Chair of NAM.
75 BBC, SWB, 23 October 1991, FE/ 1210/ AE/ 1.
77 Ibid.
annually to U.N. General Assembly. In the event of violation or threat of violation (of the principles set forth in the agreement), the parties undertake to consult immediately and may refer the matter to the U.N. Security Council.\footnote{Ibid.}

Document on Rehabilitation and Reconstruction of Cambodia, 2 pages in its English version, had no binding value, but enumerates the principle of reconstruction, saying its main responsibility should rest with the Cambodian people and its government. International, regional and bilateral assistances should be co-coordinated as much as possible, complement and supplement the local resources, adding that such aid should benefit all areas of Cambodia, especially the more disadvantaged and should reach all levels of society. It underlined the important role of United Nations in reconstruction efforts and noted that the implementation of an international aid effort would have to be phased in over a period that realistically acknowledges both political and technical imperatives.\footnote{Ibid.}

On 16 October, U.N. Security Council unanimously adopted a resolution on the dispatch of the first batch of the U.N. forces in United Nations Advanced Mission in Cambodia (UNAMIC) as proposed by Sihanouk. According to the draft of the comprehensive agreement, this U.N. mission would conduct a comprehensive supervision in Cambodia, including the ceasefire and a cessation of foreign military aid to Cambodia, particularly the total withdrawal of the Vietnamese aggressor troops and forces from Cambodia. It would ensure that the withdrawn Vietnamese troops and forces do not return to Cambodia.\footnote{BBC, SWB, 23 October 1991, FE/1210/ AE/1} Headed by Ataul Karim of Bangladesh and the military component under French Brigadier-General Jean-Michael Loridon, the UNAMIC was established in Phnom Penh on 9 November, 1991. It was also to act as a liaison between the various factions and concentrate on the issue of mine clearance.\footnote{United Nations, The United Nations and Cambodia 1991–1995, Blue Book Series, vol II, (New York: Department of Public Information, 1995), p. 10-11.}

The Crux of the Deal: The Supreme National Council and UNTAC:

The two critical, intertwined and unprecedented features of the Comprehensive Settlement Agreement were the Supreme National Council (SNC) and the United Nations Transitional Authority in Cambodia (UNTAC).
The concept of SNC originated in the deliberations following the breakdown of the 1989 session of the Paris conference, as policy makers in Australia and United States contemplated the possibility of a U.N. administration of Cambodia. In the absence of single government accepted by all states as politically legitimate and legally able to delegate power, the idea emerged of a Supreme National Council (SNC) that would include representatives from all the factions and serve as a unique and legitimate source of authority. The Permanent 5 raised the possibility of an SNC after their first meeting on Cambodia and elaborated its core functions at their third meeting and in the Framework Document. After the issuance of the Framework Document, which called for the establishment of SNC, the factions created it at their September 1990 meeting. In view of the seemingly irreconcilable differences between the PRK and the Coalition Government, the SNC’s primary purpose, as envisioned in the Framework Document and the Agreement, was to delegate the authority needed to implement the settlement to UNTAC.

The Agreement defines the SNC as the “unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence and unity of Cambodia were enshrined”; it further states that the SNC would represent Cambodia externally during the transitional period, including by occupying Cambodia’s seat at U.N. The SNC “delegated to the United Nations all powers necessary to ensure the implementation of this Agreement. The Agreement first granted the SNC a special legitimacy as embodying Cambodia’s sovereignty; from that premise flowed the SNC competence to represent Cambodia externally; and from that basis the SNC derives its authority to agree to legal grant of powers to the U.N. The Agreement also contained the essential political acknowledgement by all parties to conflict, within and outside Cambodia, that the SNC can delegate governmental functions, politically and militarily to UNTAC.

The other substantial innovation of the Settlement Agreement was the establishment of UNTAC, whose mandate pervades the Agreement and stands at the core of the settlement. The signatories invited the Security Council to create UNTAC “with civilian and military components under the direct responsibility of the Secretary General of U.N”, “to provide UNTAC with the mandate set forth in this agreement”.

84 Ibid.
and to keep its implementation under continuing review." SNC delegated to UNTAC all powers needed to ensure the execution of the Agreement.\footnote{85}

In order to ensure that a neutral political environment prevailed, the UNTAC took over certain administrative functions including the handling of foreign affairs, national defense, finance, and public security and information departments. Among its several tasks, the UNTAC was to verify the withdrawal of all foreign forces along with their stacks of ammunition. This was to be achieved through the implementation of a ceasefire among the factions who were expected to demobilize and disarm 70 percent of their forces, thus enhancing the stability and confidence necessary for a conducive political environment.\footnote{86} Recognizing the need to give the Cambodian people the right to determine their own political destiny, the UNTAC was to ensure the conduct of free and fair elections. It also had to maintain a firm and lasting commitment to ensure human rights and fundamental freedoms. Another area of the UNTAC's focus was the issue of refugees and displaced persons. Thus, the responsibility endowed and functions given to UNTAC were all pervasive and included all the areas of governance, thereby making it one of the central components of the Agreement.

Table 1. ASEAN Member States Contributing Uniformed Personnel
(Number of personnel at peak strength, June 1993)

<table>
<thead>
<tr>
<th>Country</th>
<th>Military component</th>
<th>Civilian component</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indonesia</td>
<td>1,779</td>
<td>224</td>
</tr>
<tr>
<td>Malaysia</td>
<td>1,090</td>
<td>224</td>
</tr>
<tr>
<td>Philippines</td>
<td>127</td>
<td>224</td>
</tr>
<tr>
<td>Singapore</td>
<td>35</td>
<td>75</td>
</tr>
<tr>
<td>Thailand</td>
<td>716</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3747</strong></td>
<td><strong>759</strong></td>
</tr>
</tbody>
</table>


\footnote{85}{Ibid.}

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Thus, ASEAN played a prominent role in the Cambodian conflict resolution. Though towards the end of conflict resolution the limelight was shifted to United Nations, all the efforts of the international community would have been fruitless had ASEAN not prepared the ground initially through its astute diplomacy. In other words, though it was the Paris Peace Conference which formally brought Cambodian conflict to an end, that conference itself probably would not have occurred without some prior contacts and understandings among the rival Cambodian factions mediated by ASEAN. ASEAN showed tremendous patience and tireless efforts for resolving the Cambodian conflict for which, it undoubtedly deserve all kudos.