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Yale-UN Oral History

Anthony Banbury
James Sutterlin, Interviewer
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Washington, DC

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Interviewer: James Sutterlin

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James Sutterlin: Mr. Banbury, I first want to thank you for participating in this Yale University Oral History program on the United Nations. We will be talking about Cambodia this afternoon, where I believe you served in UNTAC. To begin with, I would like to ask you about the background; what were you doing before you went to Cambodia, and how were you selected, how did you get there?

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Anthony Banbury: I was just finishing graduate school when UNTAC started, and I had a particular interest in UNTAC for two reasons: one was its rather unique nature as a peacekeeping operation and in particular the human rights mandate of UNTAC was very unique and unprecedented for the United Nations. I had an interest not only in peacekeeping and human rights but also in Cambodia because I had spent two years working on the Thai-Cambodian border for the UN Border Relief Operation as a protection officer and later head of the Protection and Security Section, which sounds very security-focused but really it was just doing human-rights work in the camps. We didn't call it human-rights work because of Thai sensitivities, actually, but in essence it was human-rights work. Initially I was working just in Site II and subsequently all the border camps the UN was working in including Khmer Rouge camps, and I learned to

speak Khmer and had spent two years doing that type of human-rights work. So, when UNTAC was created I had just finished two years of graduate studies, I had a strong interest in going back to that region of the world, to be part of this novel peacekeeping operation, and to be involved in human-rights work again.

So, I applied for the job, but was initially rebuffed. As you probably know, there were going to be very few human-rights officers in UNTAC. In fact, the first plan was that there be no human-rights officers and that the human-rights work would be done out of the Civil Administration offices. Fortunately that plan was changed because it made no sense whatsoever not to have deployed human-rights officers. But in any case, the numbers of human rights officers were going to be quite small. For whatever reason, I'm not sure, my initial application was rebuffed, but then through a gentleman named Toni Stadler, who was one of my bosses on the Thai-Cambodian border and had been named to be the number two guy in the human-rights component, Dennis McNamara's deputy, he basically got me the job with UNTAC, so I could use my experience, use my language skills. Unfortunately by the time I arrived in Phnom Penh, Toni had moved on to a different job and was no longer with the human-rights component. He went to work with CARERE, the Cambodian Relief and Reintegration operation, I guess it was called, which was a part of UNDP/OPS.

JS: At what stage did you actually get to Cambodia, at what stage of UNTAC?

AB: I got there at the very end of June, 1992. So relatively early on, not as early as some, the UNAMIC crowd, the crowd that had been left over from early in the year, but I

was amongst the first human-rights officers. There were a half-a-dozen or so before me, but we eventually got up to over thirty, I guess. So, fairly early. Thirty-four.

JS: Thirty-four. Which is quite small...

AB: Extremely small, if you look at the size of the operation and the budget, and compared, say, to the number of people doing administration, or doing police work for that matter.

JS: Now, clearly you are one of the few who didn't need training, that you had already been trained on the spot, so to speak. But was any training offered to you? Any orientation? Any orientation in depth, so to speak, either in... Did you go out from New York?

Dag Hammarskjöld

AB: I went straight from Connecticut. I finished grad school in Boston, and went down to Connecticut where I was from, and I didn't even go through New York.

JS: So, anything you got was in Phnom Penh?

AB: Yes, and that was rather minimal. There was some basic training done, but it was geared toward the level of experience of the incoming human-rights officers. It was not done on an individual, case-by-case basis, which I guess would have been practically not feasible, but rather geared toward the whole crowd that we were getting. And since it was

geared toward that level, and I had these two years of experience in human-rights investigations and some program development, the training didn't really help me that much.

JS: And what was your assignment when you got there?

Initially, as is the case with most UN field operations, you apply for a job again AB: and again, and they tend to say "No," or "We don't have any information," or "Maybe," or "We don't know," and they provide you with extremely little information. Then all of a sudden, you get a telegram saying "The Secretary-General is pleased to offer you this position. Please be there in 36 hours or 48 hours." And so you scurry around like mad to get there, and upon arrival, if they know you are coming, you're lucky and you are met at the airport. But as often as not, you get there and they say "We don't know what you are going to be doing; we didn't really know you were coming this soon. We don't have a plan for you right now, so why don't you start reading files and we'll think about what you are going to do." But in some ways that makes sense because it gives the bosses a chance to evaluate you a little bit, even in the short span of a few days. So I spent a couple weeks in Phnom Penh, in the headquarters of the human-rights component, which was separate from the main UNTAC headquarters, reading files and meeting people and talking to people, and then I was assigned to Preah Vihear province initially. That would have been mid-July, late-July, I guess, and they had just chosen a provincial director from Civil Administration for Preah Vihear, a former Soviet diplomat from Georgia by the name of Roland Dzhikiya, who was a very nice and experienced man, but not in great

health, and Preah Vihear was really out there and there were no facilities. There were no UN troops there, there was no UN camp there of any sort, and one other person... well, there were a couple of UN military observers, that's it--there were three, an American marine, and British military officer of some kind, and a Chinese officer. I am digressing a bit but it's a funny story because the American Marine was a quintessential Texan, everything you would expect. And he was the team leader because of his rank. He was very out-going, very boisterous, very domineering, and this poor Chinese captain was absolutely floored by this marine, I forget his rank, a major I guess, and we had some rather funny but all good natured times with that crowd.

We started off going up there in these large Russian helicopters, the MI-26 helicopters that can carry 20 tons, these huge helicopters. The only way into the province, into the capital of Preah Vihear province which was called Tbeng Meanchey, was by helicopter because there was a river on one side with no bridges and the two roads approaching it passed through territory totally controlled by the Khmer Rouge and were mined and there was flooding outside of the city. It was absolutely impossible to get in except by helicopter.

The people there were not exactly used to large helicopters coming in and bringing UN personnel, discharging them with all their fancy gear and having these personnel start telling the local governor and police chief about the Paris Accords and how things were going to be done. We had a pretty slow start, although the Civil Administration provincial director, Mr. Dzhikiya, I think deliberately wanted to go in slowly and not offend our new hosts too quickly and have them shunt us from the beginning, and we focused just on establishing a small office and living facilities. There

was no plumbing, there was very little food. The food we would get we would either bring with us in ration-form, or acquire at the local market. But because the town was really under siege from the Khmer Rouge, they also could only get their supplies from the capital by air. The food in the town was pretty minimal and certainly not what a lot of people were used to, Mr. Dzhikiya in particular. We established our camp in something we called The Blue Moon Hotel, which was a dilapidated old government building, which just had a common hall downstairs, a barely functioning toilet that the British UN military observer was very keen on ensuring would continue to function, and would give indoctrination courses on the use of the toilet, basically, because he had had on more than one occasion the distinct misfortune to be assigned to go in and remove... it wasn't running water, of course, it was just pour water in ... but he had to clear pipes with his hands and I don't think he enjoyed that very much, so he gave us very precise instructions on how to use it. But that was out in the back, and then a couple of bare rooms upstairs where we slept on the floor under mosquito nets. It was very, very rudimentary.

We got a car up there, in the helicopter. We put a couple of land-cruisers in there, and the UN military observers had some, but we could only drive about three kilometers south and a kilometer-and-a-half west, and then around this very small town, which was constructed on a grid system with about twelve or sixteen blocks, or something; very basic. It was very amusing and very entertaining and interesting, but there was nothing going on there. The only dynamics was the Khmer Rouge surrounding the town, and the government maintaining control of the town. The Paris Peace Accords, the UNTAC mandate, the elections, none of that mattered to them. That was so far in the distance and so removed from their daily existence that it really didn't matter. And so we went and

looked in at the prison, and they had about nine to thirteen prisoners in very meager or sparse accommodations also, but equivalent to more or less what the rest of the town was in; it wasn't so bad. And not much was happening. We couldn't get access anywhere, and the closest UN base was a Pakistani base in Kulen which was about twenty-five kilometers due west, but inaccessible because of mines and Khmer Rouge, so we would occasionally fly over there in the helicopter just for a change of scenery and to see our Pakistani UNTAC colleagues, and they would get their supplies flown in from Thailand, and they had great food there. The Pakistani cuisine is very good, and they tended to make their own types of meals, and we would often enjoy their wonderful hospitality and eat very well. But they also were surrounded by Khmer Rouge, and making some very modest contacts with them, but neither group was really able to--by neither group I mean the UN soldiers or us in Tbeng Meanchey--were able to do much to advance the UNTAC mandate.

That assignment lasted about a month-and-a-half, and around the end of August, the beginning of September, the human-rights officer in Battambang province, which was one of the largest and most populous and most contentious provinces in the country, she had a run-in with the local officials and also with the UN provincial director, and I was asked initially to go help her out because the work was so tough--she had uncovered some secret military prisons, basically--and she was under a lot of pressure. The workload was very heavy, the government was very against what she was doing--or I should say the state of Cambodia, the SOC--and the provincial director, the UN provincial director was also against what she was doing. So she was under a lot of pressure, it was very hard. They asked me to go help her out, initially. Then relations between her and the SOC and

between her and the UNTAC provincial director deteriorated to the point where it was decided that she should not return to Battambang. There was also a question of her safety, because she had uncovered these SOC secret prisons, where prisoners were often tortured. So, I took then over for her at Battambang at the mid-September mark or so.

JS: Let me just ask you some quick questions, before you go further. Where you talk about the provincial director--who is that, from Civil Administration?

AB: Yes, the Civil Administration, in Preah Vihear it was this gentleman named Roland Dzhikiya, who eventually had to be recalled for health reasons, he fainted once or twice up there, but he was in his mid-sixties and had a heart condition and there were no medical facilities around there if something did go wrong, and it was very stressful on him, the living conditions were, although he tried very hard to make it work--so he was reassigned to Kandal province right next to Phnom Penh. And then in Battambang the provincial director was Enrique Aguillar, a Mexican from the... not the OECD but UNIDO, the UN Industrial Development Organization. And his deputy was a gentleman by the name of Goncho Ganchev, a Bulgarian diplomat.

JS: You refer to them as the 'provincial director.' I have a question here about the relationship between you as a human-rights officer and the civil administration head. Was there a hierarchy, or did you report through different channels to headquarters in Phnom Penh?

AB: That issue was debated at great length as a policy issue at senior levels at UNTAC, early on in the operation. Dennis McNamara the head of the human-rights component very much wanted to maintain the independence of the human-rights officers. whereas Civil Administration, headed by Mr. Porcel, very much wanted to have humanrights officers reporting through the Civil Administration chain. Mr. McNamara won that battle eventually, but there was a lot of blood shed during that, and some tensions were generated as a result between the two different components. Subsequently, though, I think relations in the provinces between human-rights officers and provincial directors and their civil-administration colleagues were primarily dependent upon the nature of the individuals involved, and not so much the structure. The structure tended to move the relations a bit toward conflict, although I think the structure was correct. But individuals could overcome that tendency rather easily, depending upon the individuals involved of course. In Preah Vihear, I got along very well with the Civil Administration provincial director, Mr. Dzhikiya. We got along fabulously. He was a former Soviet diplomat, I was a young American man; he was 65, I was 28, I think. We had almost nothing in common but we got along great. I really liked him, I respected him, I worked hard for him, but I maintained my official reporting channel to the human-rights component in Phnom Penh. But we were supposed to keep the provincial directors fully informed of what we were doing, but we didn't take orders from them. We let them know what we were doing, we coordinated with them, but we did not take instructions; we reported directly to our superiors in the human-rights component in Phnom Penh while keeping the provincial director informed of our reports.

In Battambang, I stepped into a situation where the relations were terrible between the human-rights component, the human-rights officer, and the provincial director, and that relationship had affected what was going on in Phnom Penh between those two components for that province. There was already a lot of tension in Battambang between Civil Administration and Human Rights. Part of that was due to the structure of how the division of labor and the reporting channels were arranged; part of that had to do with events in Battambang, in the fact that this human-rights officer was uncovering these secret prisons and she very much wanted to go hard after that subject. These prisons were supposed to have been shut down; these people were supposed to have been released; the authorities had said they didn't exist, and now she was uncovering places where essentially political prisoners were being held.

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JS: By the police?

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AB: By the SOC. And Civil Administration wanted a much more go-slow approach, they wanted to be much more deferential to the SOC, they didn't want to upset relations with the SOC, they had different interests than the human-rights component, different political interests. And I understand their perspective, but it certainly wasn't ours. This was a tension that made relations worse. And then lastly the relations were quite bad because of the personalities of the human-rights officer on the one hand and the provincial director and one or two of his assistants on the other. The human-rights officer was very strong-willed, a young woman, very gung-ho. She was quite bright and very committed to human-rights ideals and principles but didn't care so much about

diplomatic tact, either with the local authorities or with her UN colleagues. So, it was, "I am going after my mandate, damn the consequences."

JS: Was she from the Secretariat?

AB: No, I think she had worked prior to UNTAC... I'm not sure--she was half-Egyptian, half-Swedish, with a legal background. I think she had had some UN experience but I am not sure exactly what. She subsequently went to continue working for the UN. But there was a huge personality clash. So I stepped in to that situation and I believed that if I were going to succeed in Battambang I had to at least have good relations, even if we didn't always agree, with my UN colleagues. That had to be a starting point, otherwise we would just be clashing constantly and we would be diverted from our main mandates. So, I tried very hard to repair the relations, and show that I was a different person and develop good working relations with Civil Administration, without sacrificing in any way the importance of pursuing the human-rights mandate. I also tried to pursue it very hard, and that did create some clashes with the Civil Administration, but I managed I think to keep them at a policy-level and they didn't degenerate to the personal level. But it was very clear, even throughout my time there and not just during my predecessor's time, that the Civil Administration in Battambang--and I think this was common in many other provinces--did not want to rock the boat, basically. They wanted to survive; they wanted to get by without big clashes with the local authorities. And the nature of our human-rights work was going to be such that, if we did it correctly, it would create a lot of problems with the SOC. Those were the people who were creating or

carrying out the human-rights abuses. They had the most to win by violating human rights, in terms of the elections and intimidating political opponents or worse. And they had the most to lose if they didn't violate human rights, in a sense. So, we went after them quite strongly. But, while not having perfect relations with my Civil Administration colleagues, I think we managed to have professional ones at least.

JS: And how did you carry out your duties there in protecting human rights? The first question is what happened to the prisoners?

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AB: The prisoners of the prisons that my predecessor found?

JS: Yes.

AB: They were released. The government had denied their existence, and when it was proven beyond any doubt they had... Well, I shouldn't say they were released: the ones we know about were released; there was a prison that had people in it that by the time we got there and a raid was organized, basically, that information that the raid was going to occur was leaked to the SOC and the prison was emptied. I say 'prison;' this wasn't like a prison in the woods with bars and big fence around it. These were homes; they were houses, structures in town, that you would think were houses that were used as prisons. Because of crime and other reasons a lot of houses in Battambang had bars on them, iron grates so they very effectively could be used as a prison. So, some prisoners disappeared, actually, we don't know what happened to them. We don't know how many were in there

beforehand. Some of the prisoners we know were released; some unfortunately we don't know what happened and we always feared the worst, but we just weren't able to confirm it, and the SOC just went on denying that anyone was there or they said that they released them.

JS: When you got there, before you go on with how you did your work, did you find greater awareness in Battambang, with the larger population and so forth, of the Paris Agreements, of UNTAC, of what was going on?

AB: Much, much greater awareness. The provinces couldn't have been more difference, really: Preah Vihear being totally cut off, Battambang being in the northwest with the main route between Phnom Penh and Thailand passing through it, it was a very large and populous province, it was a province to which many of the three hundred thousand or so returnees from the border were returning to. There was a very large UN military presence there, the Malaysians had a battalion and were responsible for the most of Battambang, but there was a Thai engineering battalion there as well. There were a lot of other UN agencies there as well, UNHCR and UNDP. There were a lot, a lot, of NGOs. I think after Phnom Penh, Battambang had probably the highest population of international relief workers, aid workers, and UN staff as compared to any other Cambodian city. In Theng Meanchey we were it, and we were small. Because of this presence of people, because there was a TV station there, because of the education of the people living there, because of the route to Thailand, the presence of returnees, there was a much higher level of understanding--not necessarily of 'understanding' but a higher

level of awareness of the Paris Accords and the fact that UNTAC was there and had this mandate. People generally weren't too sure what the mandate was but they knew that it had to do with elections, knew it had to do with political reforms, knew it had to do with human rights.

JS: They knew it had to do with human rights?

AB: Eventually they did, yes. They didn't know what human rights were. Basically they thought that human rights were a good-bad thing, and human rights were good and if you were against human rights you were bad. And if you had something happen to you that was wrong, then human rights should protect you, so that could mean you were fired from a job, even with cause, "Well, human rights should save me." Or that could mean that a chicken was stolen--"Well, human rights should save me; they should buy me a new chicken." So, they had this misperception of what *sathit manu*—the Khmer term for human rights—but almost everyone eventually knew what *sathit manu*—was.

JS: How did you go about that, what was the educational program in a place like that?

AB: There were several ways in which UNTAC went about that. A lot of the approaches were run out of Phnom Penh, the information component that created a radio station that broadcast education pieces on the radio station. Those education pieces were produced in Phnom Penh, and I didn't have anything to do with that. There were also videos produced to be run on TV, again for mass appeal. I was involved in that. In terms

of local education initiatives, the approach of human-rights officers varied from province to province, and ideally we had four main areas where we were supposed to work our human-rights mandate: one was investigating alleged abuses and seeking recourse; two was an information campaign, bringing very basic general information to the population at large; three was education, bringing a higher level of understanding, human rights education to targeted population groups, police, civil servants, teachers, doctors; and then four was working with the courts system, and helping prosecutors and judges have a better understanding of human rights and making them apply that understanding to a properly functioning judicial system. That's ideally how it was supposed to work.

In Battambang it didn't work that way. I made a conscious decision, which was subsequently supported by my two bosses, the director and deputy director of the humanright component, to focus most of my time and energies to human-rights investigations because we had such a high level of serious human-rights abuses in the province. Another reason was high-level awareness in the province, or another reason it was somewhat unique is that it had a lot of political opposition parties open offices there, which was rather rare. They started in Battambang before elsewhere. Battambang was the first place that FUNCINPEC opened an office after Phnom Penh. And a lot of political people were getting killed by bullets. So, this wasn't just heart attacks. It was very clear that there was a concerted, deliberate, planned campaign to intimidate political party members from campaigning, from speaking out, from engaging in political activities, which were perfectly in line with the Paris Accords and the upcoming elections. Because of this high level of abuses I thought that it was more important to pay attention to those, to try and seek redress for those abuses, but more importantly try and

identify what was going on, who was responsible, and prevent it from continuing so that the elections could eventually be held in a free and fair atmosphere. If a political party can't send someone out to stand on a soapbox and say "Vote for me, I'll do a better job in government than the current guy;" if they can't do that, if that person gets killed, not only is it bad for that person, but it sends a very chilling message for a hundred other people who might be thinking of going out there and campaigning. That was my major concern, the chilling effect of all these killings, and tortures and arrests and everything else.

There were also some very serious problems in the prison, in Battambang, and with subsequent prisons that I discovered after my predecessor had left. So, I unfortunately could not spend as much time as I wanted on information and education. I did do some. We had some great folks in Phnom Penh who prepared very detailed education curriculum and handouts and stuff, so once in a while I would go and give a class in a *wat*—a Buddhist temple—or I would go and talk to the police or to senior police officials, or to the courts, but it was more on an ad hoc basis.

On the information side, I didn't do that much, but it was some of the most enjoyable work I would do. The human-rights component had a great idea, which was to give every human-rights officer a TV, a video, a generator, and a bunch of human-rights videos. They produced a series over time; I think eventually there were thirteen or fifteen human-rights videos on different aspects of human rights. Very basic introduction, what's the right to assembly, what's the election going to be about, what's a secret ballot about. And so once in a while, I and my Cambodian colleagues, these three fellows I hired to work with me, would jump in my car, my four-wheel drive car, with the 2.5kw generator, the TV, the video, and these videos, and we'd just drive somewhere. We

usually wouldn't decide in advance, or we'd decide a region, and we'd eventually see a village and we'd say "OK, let's stop here." And we'd stop the car, and as soon as we'd stopped the car we'd get a small crowd, and when we pulled out the TV, video, and generator, we'd very quickly get anyone around to come. We'd crank up the generator and I would give a little talk-well, early on in this process, usually I would give a talk and one of my Cambodian colleagues would translate. Later, they... these guys were great and they knew better how to address the crowd than me... I would give a very short introduction, which would be translated. Or I would actually, because I spoke Khmer, once I wasn't doing technical teaching. I would speak to the crowd in Khmer, which they would always find entertaining and amusing and pique their interest. Then I would hand it over to a Cambodian colleague to give the human-rights spiel, and then we would show videos for an hour or two, depending on how much time we had. And the response was great--the people absolutely loved it. Most of these villages didn't have any TVs, any electricity, they had no idea who, at least early on in the process, we were, why we were doing this, but they absolutely loved watching these videos. It didn't make anyone a human-rights expert, but it gave them some basic understanding. It wasn't methodical. We wouldn't go back to a village to show them the second video and then the third; it was very ad hoc. But it helped spread the word, I think. And it sure was fun.

JS: What about the NGOs? Did they work on this, did they work with you, and did you try to coordinate them?

AB: The human-rights NGOs, the indigenous ones, the Cambodian ones, there were four main ones, and really two. They were mainly active in Phnom Penh. It took them quite some time to open offices in Battambang. When they did, they had very meager resources. They themselves didn't know that much about human rights and they knew even less about public advocacy or working with the community or spreading the word. They never played a very large role in Battambang. They also could be very easily intimidated by the local authorities if they got involved in investigations. They had to be very careful for their own security, whereas we at the UN were more immune to those types of intimidations. When two human rights offices opened in Battambang, they came and introduced themselves, I offered whatever support I could, but they never really got off the ground running that much. They also wanted to get involved in investigations; I said "That's up to you if you feel comfortable," but I encouraged them to try and spend more time doing teaching and advocacy because they would be less intimidated and more effective there. They gradually got stronger and were able to start--one of them was able to start a pretty decent education program, but they just didn't have the resources or the training to be that effective in the province.

JS: What about external NGOs, were they active?

AB: No, although we got some visits from Amnesty, from Human Rights watch. But they came to do reports, assessments of the human rights situation there. They weren't doing advocacy or weren't really investigating that much themselves.

JS: Did you distinguish, or were there organizations that did, between human rights as we generally understand them and what we now think of as institution building, democratization, teaching about democracy?

AB: Yes, I did. But again that's because of the nature of the situation in Battambang. Had I stayed in Preah Vihear, I probably would have spent a lot more time on institution building. In Battambang, I was a fire-fighter, putting out one crisis after another, going investigating one murder after another. I simply did not have the time to focus on institution building. Fortunately, this great education component of the human rights program we had in Phnom Penh put together a roving human rights education team led by an Irish woman named Ann Campbell, but staffed by Cambodians whom she trained very well and who were very competent. She would go to different provinces and do the indepth, thorough human-rights education work on institution building. And she came with her team and spent quite a lot of time in Battambang, which addressed that short-coming in my ability to fulfill the entire mandate.

JS: Tell a little bit about your living conditions there, and also your security situation as an UNTAC human-rights representative. And also, what was your staff? I judge it was small.

AB: Yes. First, the staff: the staff was small. There was one fellow working there when I arrived, from my predecessor. And then I hired a subsequent two.

JS: These were locals?

AB: Right, local Cambodians, all three of whom were returnees. I wanted to avoid that, unfortunately there weren't that many Cambodians who had not left the country who could speak English, which was a pre-requisite of the position. All three had come from the border. They were all really great. One just did translation, written translation. He was an elderly gentleman who had been around for a long time, had seen a lot, and wasn't so much a field person. The other two were highly trained medics, actually, very, very well-trained medics from the border who couldn't get jobs in the medical field in Cambodia. They ended up... from my time in the camps I had always wanted to be on as equal level as I could with them and give them as much responsibility and authority as I could while at the same time providing them with a shield in the case that a local authority would decide that these guys were doing too much, and I could say "No, they are just translators; they don't know what's going on. It's all me." And that worked pretty well, mainly because they were so bright and understood exactly what we could and could not do, or what role I should do and what role they should do. It was really a great team.

And then eventually I hired a fourth guy, who was not a returnee, who could not speak English. I hired him as a driver, who had been trained by the Vietnamese army, spoke Vietnamese, and I think even had served in the Vietnamese army before the army invaded Cambodia. He had a strange background. But he was a very nice guy too, a very responsible guy, very conscientious guy, who just wanted to please; hard-working. And so I had that staff of four. One office gentleman, one driver, and then two guys who were

basically my equals as human-rights officers even though we called them... I forget... language assistants or something.

In terms of my living conditions, I was quite fortunate. Around the time when I was finishing my grad school in Boston, my girlfriend at the time was finishing her grad school in Boston and she decided, or we decided, that she would come to Cambodia as well. She got a job with an NGO in Battambang when I was still in Preah Vihear, and then I was called to Battambang. Plus I had some great friends in Battambang with whom I had worked on the border and really hadn't seen for two years, including two of my former bosses and one of my best friends. So, all these guys were in Battambang, my girlfriend got a job there, and then I was transferred there. So, she and I found a place to live right on the water, Stung Khiev, the Blue River that went through Battambang, and there is a row of shop-houses along the river. And we rented a shop-house, which was very open downstairs, and we could even drive our car into it, which was a security concern because cars would get stolen or fuel stolen, or vandalized. So, we could drive our car inside, we had a little guest room right next to where the car's hood sat, a kitchen in the back, and then upstairs we had a living room area, our own bedroom, and a back porch and sort-of bathroom/shower facility out-doors with just some basic wood doors around it. It was great. It was very rudimentary but the tiles were very cool, we had ceiling fans; we didn't have air-conditioning or windows--we had shutters but no windows. We had a maid and a cook, which sounds somewhat indulgent but we paid them each \$50 a month and they were absolutely ecstatic over what was essentially three times the monthly wage of a teacher, and they made our life so much easier and they were great and good friends. We didn't have to worry about things that maids and cooks do. It was really a very, very nice living arrangement.

JS: And security-wise?

AB: In terms of crime or...? We never had any problem at all with crime. I don't know any Westerner or international official or aid worker or whatever, who had any problems with crime of a personal nature, except at check-points maybe. No one ever broke into our house. We had very strong locks and these big metal doors down below, so we were pretty secure, but we didn't have any problems.

JS: Your work, as you say, was very heavily investigative and corrective. What could you do when you found an instance of human-rights violation? To whom could you turn in order to bring about correcting the situation?

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AB: Well, prior to deciding to where we'd turn, we had to first identify the party responsible. And that was extremely difficult, for a number of reasons. One, I was only one person, plus my Cambodian colleagues. Two, a lot of these crimes were committed in out-lying areas, not in Battambang city but outside, in areas that were very firmly controlled by the SOC. People understood very well who was in control and who was capable of doing what. Potential witnesses were very reluctant to talk, even if they could be identified. So, investigating a murder was extremely hard; it was hard to get information, it was hard to get witnesses. We didn't have anything like ballistic stuff, we

didn't have any police resources. I worked with the UN civil police but those guys basically didn't have any interest. There was one exception, a French gendarmerie... actually two, subsequently a Norwegian police office-- who were real interested in doing a good job. And there was an investigation cell created in Civpol. Those two guys, when I got them to work with me, they would try and work.

But most of the human-rights investigation of these political murders, I was doing myself. It took a long time to get witnesses to have faith and confidence in you in order to speak freely. And then you had... even if you could get them to tell you, you had to always give them the option "Don't worry, I won't ever use your name unless you allow me to," but in order to make real good use of that information you needed to be able to identify the witness but usually that was impossible. So we had that limitation on the testimony that we could get. But even walking into someone's house--it didn't go unnoticed when this big white truck pulled up in a small village and some *barang*, as they called us, which was technically 'a Frenchman' but used to refer to any Caucasian, would walk into someone's house and spend an hour there. So, we had to find devious means to talk to people in secure settings. Then, let's say... and plus it was often an hour away. The logistics of investigation were hard. But let's say we could finally get a sufficient number of people to talk...

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[side 2]

AB: ... so if we could build a case, even if not against an individual, perhaps against the local police, then it was a question of "what do we do?" Depending upon the nature of the crime--and our preference was always to start at the lowest level and work with the local police but if it was a political murder, that wasn't going to get us anywhere. In the case of a sensitive case, a murder, say, of a FUNCINPEC official, the only way we were going to get any positive result, any recourse, was to go via our offices in Phnom Penh. There was no way the local authorities were going to do anything. After all, they were generally the ones responsible. And we didn't have much support from UN Civil Administration. Our boss, Dennis McNamara, made a very smart decision pretty early on when he was knocking heads with Civil Administration and others in UNTAC about what to do with information about human-rights abuses, and he basically told his staff "Look, I will go to the mat for you. I will fight for you, but you have to make darn sure that the information you are giving me is accurate, its correct, because I don't want to get up there and have the information proved to be wrong by Civpol or Civil Administration and have those component leaders say, 'Look, human rights, these guys are a bunch of novices, they are young, they are not UN staff, they don't know what they are doing, I have professional police or I have professional diplomats, we know how to handle it. Don't listen to human rights component." That was Dennis' fear.

To over-come that potential avenue of attack, he said, like I just suggested, "You guys make sure you give me good information. If you can promise me you have good information, I'll go to bat for you." And I thought that was great. And so we worked very hard to get good, accurate information, comprehensive investigation files, so that we could give it to him and say, "Look, Dennis, here. These are the goods. You can go and

fight your battle with the other component directors in front of Akashi or in front of the deputy SRSG, Sadry to get recourse." And that was his approach and that was the approach I adopted and I think it went well. That's another reason we had to spend so much time on investigations—to get the information that Dennis needed to win his fight in Phnom Penh, we couldn't just go with some allegation that someone had seen something and it was backed up by some unnamed witness. We really had to get the goods.

Assuming we did, we would then provide it to the human rights component in Phnom Penh, and then he would go and fight with Akashi. And then there was talk-because these problems kept on coming up in Battambang, we kept on getting information that the party responsible was indeed the SOC and that it was being directed by the governor, or it was being directed by the police chief, or it was being directed by the head of the 5th military region. There was talk of removing the provincial governor, and having Akashi as SRSG [Special Representative of the Secretary-General] use his powers to remove the governor. This was highly controversial and the battle went back and forth for months and months. The Civil Administration argued "No, you have to give them the chance to make the system work, so present the information to the local authorities and have them arrest the guy." They would never make the arrest. This led to a rather famous chapter of the UNTAC human-rights component, which was giving the UN Civil Police--or, not just of the human-rights component, of UNTAC as a whole-giving the UN Civil Police the powers to arrest and the creation of the office of the special prosecutor. Because in Battambang we could never get people that we had identified as responsible for crimes arrested, and because some other provinces were facing the same problem, purely because the SOC refused to have any of their people

arrested--they were the one carrying out the abuses, they weren't going to arrest their own people. Mr. Akashi gave the UN Civil Police the power to arrest people if there was sufficient evidence, and the way that was determined was by a UN special prosecutor, that was an office that Mr. Akashi created in, I think finally, January 1993. The idea was that the human-rights component or possibly the civil police component, would compile a dossier, would present the case to the UN special prosecutor, he--and in this case it was a 'he', a gentleman named Mark Plunkett from Australia, an Australian lawyer, who had been on a famous investigative commission back in Australia but prior to being the special prosecutor had also been human-rights officer--we would present the case to him, he would make an assessment of whether it merited an arrest warrant, if he decided it did he would issue the warrant and then the UN police would have the power to arrest the people.

This worked in four cases, actually. One of them was a Khmer Rouge individual, but the other three people arrested were SOC-affiliated, including the number three guy in the Battambang prison whom I had investigated at great length as a torturer, basically, a sadistic torturer. And that certainly was the case. Anyway, so we, UNTAC, got these powers for the operation but then the problem became what do you do with the people once they are in jail? Well, you have to bring them to a judge, there was a UN penal code that UNTAC had created that specified the amount of time that someone could be held before being presented to a judge, and it was 48 hours, if I recall correctly, with the possibility of extending to 72, and then a judge had to decide to keep the person in jail or not. That provision was never respected by the SOC, but of course UNTAC had to. We would present cases to the judges, who didn't want to have anything to do with these

cases. There was the same problem as the prosecutor and the police. They were political hacks and they only were following political orders. And so while we managed to arrest these four guys, we could never get them tried because we could never get a judge to hear their cases, not even preliminary motions.

JS: And the prosecutor couldn't bring them before any type of tribunal other than a Cambodian tribunal?

AB: There was talk of having UNTAC either appoint its own Cambodian judges or bringing in judges from that part of the world and creating a Cambodian tribunal made up of international judges. There was some talk of that but it never happened.

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JS: It didn't happen. Tell me now, you had there the different components: you had the Civil Administration, you had the military, you had Civpol, you had human rights. How did this work together? In particular, I am interested to what extent could you at all call upon the military to assist you in enforcing some kind of respect for human rights?

AB: I can of course convey my own experiences, but experiences certainly varied from province to province, again depending very much on individuals concerned, and the quality of the UN military battalions in different provinces varied tremendously and the quality of their leadership varied as did the quality of the civilian police officers and leaders. In Battambang, we had a rather good military battalion, a Malaysian battalion, with a rather good commander, Colonel Arshad, and we had a good civilian police

commander, a very good civilian police commander, Commander Bliem, an Austrian, Manfert Bliem, and not such good civilian police, with some exceptions. And I have already spoken about Civil Administration.

We could not use the UN military to enforce respect for human rights, but we could get a lot of support from the UN military, or Malbat, as we called the Malaysian Battalion, on issues where we really needed help, where the military was an appropriate tool to provide the assistance we required. For instance, when we finally decided to arrest this number-three guy in the jail, it was obviously going to require military support and the support of the military was excellent on that issue. They provided all the military backup we required even though it was UN police that were actually going to exercise the warrant. The military also helped us quite a bit in our relations with the local SOC military. The 5th military region was an extremely brutal military outfit, commanded by very brutal men, who had all these secret prisons and they were definitely killing people. I, as a young human-rights officer from America, could not command the same type of respect, or have the same type of relationship as a Colonel in the Malaysian army could, when it came to a Cambodian military officer. I could in some ways intimidate--not intimidate, maybe but... The 5th military region had to pay attention to me because of the problems I could give them, but it was not the same as the Malaysian colonel. And I would have to say, Colonel Arshad was always willing to listen. He and I didn't always agree, and sometimes he wouldn't do what I wanted, but that was based on an honest listening and assessment of what was right for the battalion and the mission. Even if we had policy difference. I always respected him for his willingness to give me an honest

airing. I got a lot more cooperation out of him than I know some of my colleagues got out of their military counterparts in other provinces.

For the civilian police, Commander Bliem was great. He wanted to do everything. I could convince him to do almost anything--not just because I said it but because I would have the UNTAC mandate on my side and the facts on my side, and I obviously had done the fieldwork, and these types of issues. I didn't just tell people they had to agree with me; I convinced them why it was the right thing to do. Colonel Bliem I had an easy time convincing; it was great.

JS: And was there any Cambodian police for him, for Civpol to work with? Any effective police?

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AB: No, not effective. The police, like all the institutions in Cambodia, except to a certain extent the *Wats*, the Buddhist religious organizations, all the institutions were tools of the party, and there was no changing that.

JS: No changing that. Now, if--I don't know whether it happened, but if any of the opposition parties held a rally, could either the UN military or the Civpol offer any protection for the rally?

AB: Yes, we did have rallies in Battambang. In Battambang City, but also outside of Battambang. And Battambang was really, for all the reasons I cited earlier, was a hot-bed of political activism and a focus of opposition parties as a place where they could get

votes, not only because of the numbers of returnees but also because of the traditional role of Battambang in civil society. A revolt against Sihanouk had occurred there in the 1960s, and it was more a politically activist and enlightened part of the country than some other parts. So, there was a lot of attention by opposition parties, FUNCINPEC was very active there, Prince Ranariddh held a huge rally in Battambang with a plane fly-over that dropped leaflets and everything. And we had to work very hard in the run-up to these rallies in organizing security. But Malbat was excellent; Civpol was very good, in helping to provide security. Now, in any country you can't guarantee or you can't provide a level of security that will 100 percent guarantee that some one is not going to throw a Molotov cocktail or a hand grenade into a rally--but the level of support from Malbat and Civpol on those issues was very good.

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JS: How was the work divided in orienting people, the population, on registration, on voting? Did you all participate in that, or how did it work?

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AB: The election component was mainly staffed by UN volunteers in the field, UNVs. And these folks were deployed to the *Kum*-level in provinces, which was a sort of 'district' level, in pairs of two normally. Education on the election process, on registration, on polling, on secret ballot, was primarily the responsibility of these volunteers and of the election component. We, in the human-rights component, would occasionally touch on it, but that's because it's such an integral part of human rights and the UN operation, but it was mainly left to the UN volunteers in the election component.

JS: Now, in Battambang, I judge from what you said there were not so many regular Secretariat people there. Were there any, to begin with, and if there were, did you detect a distinction between the regular UN people who had come out from New York or Geneva or wherever, and the people who had been recruited from outside?

AB: Yes, there was a distinction. I was very unfamiliar with the Secretariat at that time; I had spent two years working for the UN, but on the Thai-Cambodian border, never having had any communication with New York. Our headquarters, and this was unusual in UN operations, UNBRO was run out of Bangkok. It had full authority in Bangkok. We only worried about Bangkok. New York was a non-entity for us, as was Geneva. From those two years in the field, I then went to grad school for two years and then back to that part of the world. I had no experience with the Secretariat, and what it meant to be a Secretariat staff member and the perks that went with it, and the pay differential. I was very unaware of those issues. There seemed to be sort of a natural Secretariat clique, people would talk about Secretariat issues but none of it was of interest to me so I really didn't pay much attention. The division was not such that it interfered with our work. I don't think it interfered with our work.

JS: It did not. There has been considerable NGO-criticism of the Secretariat personnel in Cambodia in particular. But you were not aware of that?

AB: Well, I think a lot of what UNTAC did or didn't do merits criticism, and a lot of the activities or decisions or policies of Secretariat officials serving in UNTAC merit

criticism. But I am not sure it's as easily explainable as "Well, they were from the Secretariat and they had this perspective, and that was wrong." Maybe in some cases you can make that connection, and I suppose if you spend ten years in the Secretariat, or even two as I have, it does change your perspective, and people bring a don't-rock-the-boat perspective with them. But I never, when I was there at least, made the Secretariat/non-Secretariat distinction so much. It's quite possible it was there and I was just not aware of it. But, for instance, Gerard Parcel, the French head of Civil Administration, was not a Secretariat person but was a don't-rock-the-boat person.

JS: Now, I go to a kind of a broad question that's related. NGOs and media were quite critical of the human-rights program in Cambodia, people like Michael Doyle at Princeton and others have written books about it. What was the reason for this, as you saw it?

Dag Hammarskjöld

AB: Well, the criticisms varied widely, I suppose it depends on what criticism they were making. But we did deserve criticism, certainly. We didn't do as much as we would have liked to, or could have, perhaps, under different circumstances. I think Dennis McNamara did an excellent job, and he really went to the mat as often as he practically could, and he won a lot of his fights. And I think Michael Williams, Dennis' Deputy, did an excellent job. But in an operation with 16,000 UN troops and about 2,000 Civpol, if I recall correctly, and hundreds of administration people, we had initially just a handful of human-rights officers, eventually growing to 34. We also had very limited resources, vehicle and computer resources, that were absolutely necessary for us to do our

job. The fools making the decisions, in Phnom Penh, about allocation of cars, said "Human-rights officers don't need cars. They can share cars with their civil administration colleagues, they can get around on taxis or borrow a car when they need one, or travel with Civpol." The secretaries in Phnom Penh needed land-cruisers with short-wave radios and winches on them, in case they got stuck on a curb. Whereas we, working in the field, working in areas where the roads were potholed or often we were driving in muddy areas, I got my car stuck countless times and needed winches to get out, after I eventually got a car. But for months, Dennis McNamara had to fight this stupid, silly, petty battle just to get a car for his couple dozen human-rights officers, while all the admin people, all the civil administration people, all the-well, not all the military or police, certainly,--but lots of military police had them. And we were such a small, small resource strain on the mission.

If you look at the mandate, what was the mandate? It was the cease-fire military stabilization, it was elections, it was human rights, it was civil administration, and actually there was one other, if I recall—there were five key areas. Anyway, we were one of the most important, but he had such pitiful resources both in terms of numbers of human-rights officers, and then cars. And it was absolutely impossible to carry out your mission in the provinces without a car unless the civil administration or the administration of UNTAC only wanted us to be in the capital carrying out education with local officials, benign education activities with local officials. But to do investigations, you had to be in the field. And it wasn't for months and months that human-rights officers finally got cars.

And then, we were constantly fighting battles with civil administration, with civilian police, with the leadership of the operation, if we wanted to, say, challenge something the SOC had done, or say that the SOC is guilty of this or responsible for that. We were being told every step of the way, "No, we can't rock the boat," or "No, you don't have the right information," or "No, how can we trust you?" Or, "No, even though you do have the right information, the SOC has said they're not responsible so we can't go further." And half our battles were fought against our UN colleagues. So, the UN could have and should have done much better of a job implementing the UNTAC human-rights mandate. I completely agree with that. However, given the resources at our disposal, the inclinations of many of our UNTAC colleagues in other components, and the number of personnel involved, and the incredibly strong and insidious nature of the SOC security apparatus, I think Dennis McNamara and Michael Williams and their team, they and their team did a very good job.

Dag Hammarskjöld

JS: But, I judge, one of the academics has suggested that UNTAC subordinated the human-rights agenda in search of the ballot box. That is, that they were much more interested in getting the elections organized and done, rather than in the human-rights area. And they attributed that to Mr. Akashi as well as to others. What do you think?

AB: I think that is an absolutely valid criticism. I completely agree with that.

However, I don't think in any way that is the fault or responsibility of the human-rights component. I think we did as much as we possibly could have with our resources, but I and many others of my colleagues in the human-rights component and from other

organizations have long argued since before the elections that we were failing in our responsibility--we, the mission--to carry out a free and fair election because we were not creating the environment necessary for free and fair elections. You can't have a free and fair election if political opponents are getting killed with impunity, if the SOC security forces are literally murdering in cold blood the FUNCINPEC district chief or the FUNCINPEC fellow who opens a small, little office or hands out some literature. You can't have free and fair elections. And that was what was happening. And we were arguing--we, the human-rights component--were arguing as hard as we could, and providing the evidence to back up our claims, that SOC was doing this. It was a concerted campaign, it was designed to intimidate political opposition party members and voters, and something had to be done.

People had to be called, people had to be identified as responsible and made to pay the price, and if they weren't then the elections couldn't be called free and fair. And the people, by and large, were not held responsible, and they were able to conduct these murders with impunity, and in my opinion the elections were not free and fair. The ballot was secret, the technical aspect of the elections I think was very well done, secret ballot and voter registration, and polling available to everyone. I think that was very well done, but UNTAC focused on those few days of elections and getting the process right.

UNTAC did not pay nearly enough attention to creating an environment in which free elections could take place.

JS: And what about the organization of UNTAC? You were in one of the most important provinces. It has been said it was a very centralized operation, centralized in

Phnom Penh, in the UNTAC headquarters, with very little dispersal of authority. Was that your impression?

AB: Of authority? Yes. I think that is true. Yes. Authority was held very tightly by Mr. Akashi, Mr. Sadry [the Deputy SRSG], and, to an extent, General Sanderson, the head of the military component. Dennis McNamara didn't have much authority per se. He had a lot of responsibility, and he delegated that responsibility to his officers in the field and he allowed us to speak for him and the component, and he gave us a lot of liberty to carry out our mandate as we thought most appropriate. But in order to get anything done, whether it was get a darn car for us or a computer or an office--well, not an office--but a lot of other things, we had to go through Phnom Penh.

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JS: You had to go through Phnom Penh? And since it was on these administrative sides, it would have fallen primarily under Sadry, right?

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AB: Yes, Sadry, or Mr. Medili who was the head of the administration component.

JS: Now, I want to turn to a different subject now, and this is you said there were a lot of returnees in Battambang. Did this create tensions within the society that are coming back? Did they come back due to their families? How did that work?

AB: It did create some tensions. And it worked differently depending upon the returnee family, itself, and the options they chose. UNHCR gave the returnees five

options--initially four, and they finally came up with option e) which was a flat cash option. But option a), b), c), and d) were a combination of land for housing, land for farming, housing, a housing kit (which was basic timber for a frame of a house), some tools for agriculture. Option a) was the one that UNHCR wanted to have most returnees choose, which was a plot of farming land and a housing plot, and you would go back and be a rice farmer. The SOC had repeatedly committed to identifying farming land that would be given to returnees, but when it came down to it SOC never did that, or the land they did identify was not suitable because it was mined and it was going to take too long to de-mine it. The SOC played a very nasty game with that, so HCR was stuck scrambling to provide other options, which were more housing options in the city, and there weren't jobs in the city; or the SOC identified land for returnees, a little village where they shunted returnees so it would be a sort of returnee ghetto and as a result the returnees wouldn't readily mix into society, as opposed if it had been just a couple of houses in a village. Every operation mission makes mistakes, and UNHCR is certainly no exception, but I think UNHCR basically, at least in the Battambang area, did a good job of trying to make as many options as possible available for the returnees, and trying to bring benefits to the community at large, the community to which the returnees were returning. So, you don't just go and give the returnees money to build a fancy house or the supplies to build a fancy house and then have the poor Cambodian farmer next door living in a much more modest accommodations, but you dig wells for the community, build a school for the community, that type of stuff. The UNHCR staff in Battambang was excellent, and did a real good job to minimize the tensions between the communities. There inevitably was going to be some, but it wasn't too, too bad.

JS: Did you have the problem of the Vietnamese minority in Battambang?

AB: We did, not nearly as bad as Siem Reap, but yes, we had some problems.

JS: Could you do anything about it? About the denial of their human rights?

AB: Practically speaking, no. We couldn't do anything other than record it. Of course, we brought it to the attention of the authorities and demanded recourse and greater sensitivity and ensure that their rights be respected... but the authorities were, in fact, willing to try but it was in this case basically beyond their capacity.

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JS: And I judge from what others have said that there wasn't much distinction among the factions or SOC--they all indulged in... well, practically persecution of the Vietnamese?

AB: Well, the SOC not really. No. The SOC of course was the off-spring of the Vietnamese, really, and there were concerns that there was Vietnamese still in the army, there were Vietnamese advisors who had taken on, or put on, Cambodian army uniforms and were masquerading as Cambodians but were in fact Vietnamese. And there were all these allegations being made by the Khmer Rouge, and to an extent FUNCINPEC, about a continued Vietnamese presence in Battambang. We turned up a couple Vietnamese guys who had left the army and married Cambodians, and I don't think were at all

involved in high politics or anything like that. The allegations made about a Vietnamese presence in Battambang, as far as I was concerned after looking into it for quite some time, were not really credible.

JS: When it was all over, what would you say... what difference did the human-rights program make in, let's just take the one province, in Battambang, in both, let's say, temporary and long-lasting?

AB: That's one of the toughest questions to answer, and not tough so much because I don't know the answer but because the answer is so tough to accept, I guess. The UNTAC human-rights component, and in particular the work we did in Battambang, as well as the mission as a whole throughout the country, raised expectations to a tremendous level, for all the obvious reasons: a country shut-off for so long, and ideas about democracy and all this money pouring in, and the nature of world events at that time period and the end of the cold war. There were such great hopes and expectations, not just amongst the Cambodians, but also amongst many human-rights officers and NGO officials, and particularly amongst the Cambodians that got involved in the work whether they were returnees or had never left Cambodia, who worked very hard to educate themselves about human rights, about the Paris Accords, about the UNTAC mandate, about the Universal Declaration, who became very proficient at teaching human rights, who grew to understand what it meant for society and the benefits a respect for human rights could bring to a society. These people could act with some impunity while UNTAC was there—they could advocate for human rights in Phnom Penh and

Battambang. People could be more open, for once. It wasn't a total police state, it was a police state with the UN stuck on top of it.

People's horizons expanded tremendously during that period. Certainly, I think our work contributed to it, but it was more the whole presence. It was the radio programs, the TV programs, the information campaign, the flyers we generated. That was another thing we used to do—this is a slight digression—the human-rights component produced this great multi-colored flyer that would fold out like a fan. It was only the size of, I think, a legal piece of paper when you unfolded it. But double-sided and multi-colored, and it talked in very simple language about what human rights were and what they meant for the Cambodians, and we produced these by the thousands. Whenever we drove anywhere, I always had some in my car, we'd always hand them out and people would grab them, they would love them, or they loved getting them—I don't know how much they always read them.

A friend of mine who worked for the World Food Programme had a boat, bought a very rickety old boat, but it had a motor on it, and we would on Sundays load it up with sandwiches and sodas and beer, and go up the river to villages that had no access by cars, and we would bring a bunch of these pamphlets and stop in villages and talk to people and hand them out. Word really got around in Battambang, and in other provinces, about what human rights were. But it was like I was saying earlier—human rights for most Cambodians was "Oh, my chicken died, who is going to get me a new chicken?" But people, even if you have never been well educated or been to the big cities, you know what is right and wrong. You even know about democracy, or if not democracy, you know about voting to choose a leader, and Cambodians are no exception to that. They

knew about right and wrong, and our work, I think, made many Cambodians believe that maybe if something is wrong, something can be done about it. They, for a long time, had had such misfortune in that country that people had naturally resigned themselves to "Well, everything is wrong. There is all this tremendous injustice, but there is nothing I can do about it. And that's my lot as a Buddhist, that's my lot as a Cambodian, that's the way it's going to be and I'm never going to change anything, and that's just the way it is."

Well, UNTAC and the human-rights component and the education campaign we carried out, and the information component of UNTAC, which did a great job, spread the word that these issues of right and wrong are issues that you ought to be concerned of, they matter to you, and there is something that can be done. If something is wrong, people and society don't just have to accept it. Well, that's a great message to send. And I, and many others, were really happy and proud to contribute to the dissemination of that message, and that's why I loved going out to villages with these videos or handing out—I have a picture, downstairs, framed on one of these village trips and handing out this pamphlet.

But that brings us to the sad part about what happened at the end of the mission. When the election occurred, in not by any means ideal circumstances, but it was still an election and it was an election win from a lot of people's perspective even though subsequently, there was a Faustian deal, unfortunately, that many people have justifiably criticized, that didn't quite ignore the election results but skewed them, certainly. And the elections occurred and then UNTAC's and the UN's main interest and objective became packing the bags and getting out, calling it a success and getting out. So, all these expectations that had been generated, and this great progress that had been made over the

progress of 18 or 24 months, the expectations started to crash, the progress began to unravel because Cambodia was left with this rinky-dink SRSG office, a rinky-dink special rapporteur with no backup from anywhere. I mean 'rinky-dink' because he didn't have any backup; the rapporteur, I think, really wanted to do a good job, but he didn't have the political support behind him that would have been required and necessary for him to do a good job.

So, people who had thought that things can be different and who were charting a new course now, were left grasping for straws that were being pulled away by the international community. They were left with still if not quite a one-party state, a police state with the party in charge of it. UNTAC had of course failed miserably to dismantle. as the mandate of the Paris accords required us to, the security structure of the SOC, which stayed in place and continued on. And it was Ranariddh in his position, without any authority, really, a lot of responsibility that Hun Sen could then criticize him for failing to fulfill, but no authority really to carry out the program, and of course he made mistakes as well. And the SOC was able to go back to its ways, or to continue without fear of any retributive action, its political repression, not only against political parties but human rights advocates who were now fair game. And what has happened since the UNTAC pull out and the end of the UNTAC mandate in September 1993 is a terrible shame, and it was totally unnecessary and things could have been much different, and I think the international community, having made that commitment to Cambodia, had a commitment to stay a bit longer and make it worth something. But now we are going to have elections in just six days that are going to legitimize the role of the one-party state, a party apparatus that rules with impunity and is not democratic, and the elections are not going to be free and fair.

JS: Two questions that relate to that: first, these great ideals, and the things that were achieved, was it your impression that these things were associated in the popular mind, to the extent there was one, with the UN? In other words, did the UN symbolize for a while, at least, for the people, hope and the concept of freedom?

AB: Very much so. Very much so. Freedom, democracy, and human rights—human rights: *sathit manu* became a very popular phrase.

JS: And it was associated with the United Nations?

AB: Yes. Absolutely. Hammarskjöld
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JS: The other thing is, in this connection although not specifically related to human rights in general but to certain aspects: Mr. Akashi has argued, persuasively to a certain extent, that he felt it was necessary to take into account customary practice in other Asian countries in judging what should be done and what were the standards that should be required in Cambodia. Was this something that was communicated to you, so to speak, which gave you any guidance in terms of what you were doing--or were you even aware of this?

AB: No, I was not aware of that. That is the first I've heard of it, though it comes as no surprise to me. I don't recall, at least, ever having heard that. In any case, I never received any official guidance along those lines. The official guidance I did receive, and carried around with me, was the Paris Peace Accords, where the mandate was spelled out very clearly. I don't think it was up to any single individual, the UN Secretary-General or anyone working for him, or any member of any signatory to the Accords, to change it without everyone agreeing. And the mandate in Paris was very clear. If they wanted a different mandate that said, "Carry out your human-rights mandate while taking into account local practices," they ought to have written that and I would have pursued that, and the component would have. But that's not what Paris said, and so we pursued the mandate as we were, I think, legally obligated to. There was no room for personal discretion.

JS: Do you have any other thoughts on this or about your experience that your want to put on this tape? It is really very useful to have this field perspective, so to speak, from a very important part of the field.

AB: I guess I try and look at where turning points were and where mistakes might have been made and how things might have gone wrong. And I think, and this again goes to what I was saying about altering Paris, the biggest turning point was in August 1992, not quite a year before the elections. That was when the Khmer Rouge were saying "Well, UNTAC, we are supposed to canton ourselves and demobilize and disarm, but you are supposed to ensure... exert direct..."—the exact quote, and I will probably remember it to

my last day—of Paris is UNTAC is meant to "exert direct control in order to ensure strict neutrality" of these five areas: defense, finance, public security, foreign affairs, and information. That was in Paris. We had to do that; we had an obligation. And that actually was basically an unattainable mandate, but we at least had the obligation to pursue it to the best of our ability. The Khmer Rouge were saying "You are supposed to do this, but look at the SOC Defense ministry, look at Interior, look what they are doing. That's not anything close to 'direct control' or 'strict neutrality.' That's a party apparatus to intimidate and harass everyone else, and you don't even have a single guy in there...," or once we did "You know, you have one person in there who doesn't speak Khmer and doesn't know what is going on. You have to take that over, you have to replace the Minister. You have to do this or that." The response of UNTAC was very tepid, "Well, we can't really do that..."

[end of tape 1, side 2] ag Hammarskjöld [tape 2, side 1] LIBRARY

AB: So the Khmer Rouge, and the other parties also, but the Khmer Rouge with the greatest degree of emotion and commitment, were saying "We are not going to fulfill our responsibilities, which we reluctantly signed on to at Paris, if the SOC isn't going to fulfill their responsibilities that we feel most strongly about and are the only reason that we signed on. We wouldn't have signed on if there was not this provision for the Defense ministry and the Interior ministry to be neutralized, basically." So, the Khmer Rouge said "You replace the Defense minister, and we'll canton twenty percent of our

guys, and then you replace the Interior minister and we'll canton another twenty percent," or something like that. I don't remember the exact proposal but it was along those lines, a progressive matching of responsibilities. Akashi, I think, may have presented this to the SOC, I don't know. But in any case the SOC certainly didn't go for it, and Akashi then just basically dropped the issue.

The response of the Khmer Rouge was essentially to pull out of the process, and the SOC then used the withdrawal of the Khmer Rouge from the process as an excuse not to disarm, essentially. One of the pillars of Paris had been cantonment and disarmament, one of the main pillars. But there you have the Khmer Rouge staying in the field, not cantoning, disarming, demobilizing. And the SOC, because they weren't forced to canton, disarm, and demobilize—they did to a certain extent but very limited—you had SOC keep all the tools of a repressive security structure at their fingertips to use for whatever purposes they chose, any location they chose, at any time they chose.

The SOC could always point to the Khmer Rouge as why that was the case, why they had all these tools at their disposal, and they did that up until the elections. I certainly fault the Khmer Rouge for pulling out of the process, I think they handled it poorly. I don't in anyway suggest the Khmer Rouge ought to be defended or their behavior during the UNTAC period justified. However they had a very legitimate point. The SOC security apparatuses were meant to be controlled by UNTAC and we never made even a half-hearted attempt to do that. That was a tremendous failure, and that decision was made ten months before the elections, and it was sort of downhill after that in some respects.

So that, to me, is the crucial explanation for why we failed in many respects to create the atmosphere that would have, or should have, produced free and fair elections. And I think had the elections been free and fair, then the election results would have produced a more resounding victory for FUNCINPEC and Hun Sen's claim to share power would have been much weaker and then Ranariddh would have taken over power. What would have happened after that, I don't know.

JS: How did he do as well as he did, Ranariddh, under these circumstances?

AB: Because people were convinced it was a secret ballot. People were convinced it was a secret ballot. I think had the elections been free and fair and people not been scared, I think it probably would have been closer to 80 percent.

JS: Because of his association with his father, or because of a belief in the party?

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AB: Association with his father--and that he was democratic and people were sick of the communism, sick of Hun Sen, and sick of the regime in power, which is true. Anyone who survives in power that long, if they are subjected to free and fair elections, will probably be booted. And I think Hun Sen certainly would have been booted out in a free and fair election.

JS: Thank you very much.

AB: My pleasure. Good luck--it's a great project.



Yale-UN Oral History Project

Anthony Banbury James Sutterlin, Interviewer July 20, 1998 Washington, DC

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