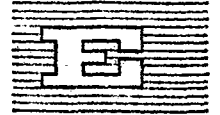
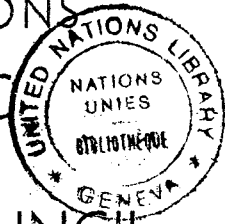


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Thirty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR
REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND
TERRITORIES

Letter dated 5 March 1980 from the Permanent Mission of
Democratic Kampuchea to the United Nations Office at
Geneva addressed to the Chairman of the Commission on
Human Rights at its thirty-sixth session

I have the honour to send you herewith for your information a statement by the Vietnamese League for Human Rights dated 4 March 1980 on "the crimes committed by the Hanoi authorities in their war of aggression in Kampuchea".

I should be grateful if you would have this note distributed as an official document of the Commission under item 12 of the agenda for the Commission's thirty-sixth session.

(Signed) CHAN YOURAN
Ambassador
Deputy Head of Delegation

GE.80-11280

NOTE ON THE CRIMES COMMITTED BY THE HANOI
AUTHORITIES IN THEIR WAR OF AGGRESSION IN
KAMPUCHEA

On the basis of the following reliable and consistent information:

1. The evidence of Khmer refugees, victims of the crimes committed by the Hanoi authorities in Kampuchea;
2. Reports by many journalists reflecting broad sectors of international opinion;
3. Investigations carried out by various political figures and representatives of different schools of thought in the world of letters and the arts;
4. The reports drawn up by the representatives of humanitarian agencies and international organizations;

It has been established that:

Since its aggression against Kampuchea in December 1978, the Hanoi Government has been pursuing a systematic policy of racial extermination against the Khmer people with the aim of transforming the country into a settlement colony. This war of aggression, which is growing more and more to resemble a war of genocide, is both a crime against peace and an extremely serious crime against humanity.

I. FROM WAR OF AGGRESSION TO WAR OF GENOCIDE:

In this fiendish war, the Hanoi authorities are resorting to the weapon of famine, military and economic terrorism, and other criminal acts.

A. The weapon of starvation, as the supreme weapon for the ultimate elimination of the Khmer race:

In this hellish new war, the Hanoi troops of occupation are, on the express orders of the political bureau of the Central Committee of the Vietnamese Communist Party, systematically destroying and ravaging the economy and agriculture down to the most rudimentary tools of production. In order to prevent the population from obtaining food supplies and harvesting their rice, the occupying troops have gone to the length of confiscating sickles and other farm implements, destroying crops and seizing harvests.

B. Terrorism against the exhausted and starving civilian population:

By means of an organized and unrelenting campaign of terror ranging from comb-outs to massacres, the occupying forces are sowing panic among the population and provoking mass migration on the unending roads to death. They are thus causing a large-scale exodus of starving and exhausted people inexorably condemned to death.

C. Diversion of humanitarian aid destined for the Khmer population:

The food and other kinds of aid provided by the humanitarian organizations is not distributed among the dispossessed and starving population. It is misappropriated

by the occupying forces, who sell it on the spot at fabulous prices or ship it to Hanoi. The occupying authorities, assisted by their puppets, raise countless obstacles to the direct distribution of this aid to the population. Thus, in Kampuchea children are starving to death in front of tons of confiscated rice. In the space of a few months, half a million Kampucheans have had to flee from Hanoi's occupation and take refuge in Thai territory.

D. Settlement of Vietnamese colonists:

Following their invasion of Kampuchea, the Hanoi authorities have proceeded to carry out a programme of settlement of Vietnamese colonists in the areas abandoned by the Khmers fleeing from the army of invasion. These settlements began in the regions east of the Mekong and, in particular, in the Great Lake (Tonle Sap) region, and they are spreading west.

This exceptional war pursued by the Vietnamese Communist Party under the direction of Le Duan may rightly be labelled a war of genocide, since it is aimed at the gradual and complete elimination of the Khmer race from the territory of Kampuchea and its replacement by settlers from North Viet Nam. In this exceptional war, starvation is not merely a means of applying pressure to ensure imperialist domination, but also a diabolical weapon designed potentially to eliminate the Khmer race.

II. FROM CRIME AGAINST PEACE TO CRIME AGAINST HUMANITY:

Needless to say, the invasion of Kampuchea by the Hanoi army constitutes a gross violation of international law and of the United Nations Charter. It is a crime against peace.

In accordance with the provisions of chapter VII of the Paris Agreement of 27 January 1973 concerning Viet Nam and the provisions of the Geneva Agreements on Indo-China of 21 July 1954, the Hanoi Government must respect the fundamental national rights and neutrality of Kampuchea. It must immediately and unconditionally withdraw all occupying forces and other military and administrative personnel from the territory of that country. It must cease from interfering in the internal affairs of Kampuchea and supporting the puppet régime of Heng Samrin.

The protection of innocent civilian persons in time of armed conflict is an essential and inviolable principle of humanitarian law. In resorting to strategic terrorism against the defenceless and starving Khmer population, the Hanoi authorities are acting like real war criminals who are grossly violating the indefeasible rules of humanitarian law and, in particular, the provisions of the fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War.

In pursuing in Kampuchea their strategy of exterminating the Khmer people by using the fiendish weapon of hunger, the Hanoi authorities are behaving like war criminals and committing that most unspeakable crime against humanity, genocide. They have placed themselves beyond the pale of human society, according to the Convention on the Prevention and Punishment of the Crime of Genocide adopted by the United Nations General Assembly in resolution 260 (III) of 9 December 1948.

The sole aspiration of the peoples of Kampuchea and Viet Nam is to live in peace, independence and harmony. The war of aggression and genocide pursued by the Hanoi

authorities against the Kampuchean people runs counter to the deep-seated aspirations for peace and neighbourliness of the Vietnamese population, which is itself the victim of the Gulag system imposed within that country by the Hanoi authorities. It is an utter fraud for the Hanoi authorities to claim to bring liberty to a neighbouring people while destroying freedom in their own country. To escape this reign of terror, hundreds of thousands of Vietnamese have braved the seas to seek refuge abroad.

There is an urgent need for international opinion and the peace-loving and justice-loving peoples of the world to take steps to convene a tribunal to judge the Hanoi authorities for all these crimes against peace and against humanity.