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THE SITUATION IN KAMPUCHEA
QUESTION OF PEACE, STABILITY AND
CO-OPERATION IN SOUTH-EAST ASIA
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING OF
INTERNATIONAL SECURITY
PEACEFUL SETTLEMENT OF DISPUTES
BETWEEN STATES
DEVELOPMENT AND STRENGTHENING OF
GOOD-NEIGHBOURLINESS BETWEEN STATES

SECURITY COUNCIL
Forty-third year

Letter dated 2 November 1988 from the Permanent Representative of
Thailand to the United Nations addressed to the Secretary General

I have the honour to convey to you the proposal entitled "Follow-up on elements in paragraph 6 of the statement of the Chairman of the Jakarta Informal Meeting" put forward by the delegation of Thailand at the meeting of a Working Group of Senior Officials of participants in the Jakarta Informal Meeting, held at Jakarta, from 17 to 20 October 1988, and to request your kind assistance in having this letter and the attached document circulated as an official document of the General Assembly, under agenda items 23, 42, 72, 129 and 136, and of the Security Council.

(Signed) Nitya PIBULSONGGRAM
Permanent Representative

ANNEX

Follow-up on elements in paragraph 6 of the statement of
the Chairman of the Jakarta Informal Meeting

Although no efforts have been spared in the past nine years to search for a solution to the Kampuchean problem, the first positive sign was only visible in July 1988 at the Jakarta Informal Meeting, held at Bogor, Indonesia. We have come a long way to reach this stage where points of convergences have been established and divergencies identified. Following this, the continually persistent efforts must be expended by all concerned parties to shed further light on the problem with the hope of attaining an early conclusion. To this end, it is imperative that the matters pertaining to procedures and forms be kept to a minimum, so that the real determination to find a genuine breakthrough would not be hindered and could be directed only at the concrete issues which were identified at the Jakarta Informal Meeting. It is therefore incumbent upon the Working Group of the Jakarta Informal Meeting to leave no stone unturned in examining the three main issues as embodied in paragraph 6 of the Chairman's statement:

I. The withdrawal of Vietnamese forces from Kampuchea in the context of an overall political solution.

II. The cessation of all foreign interference and external arms supplies to the opposing Kampuchean forces.

III. The prevention of the recurrence of genocidal policies and practices in Kampuchea.

I. WITHDRAWAL OF VIETNAMESE TROOPS FROM KAMPUCHEA

There are a few questions that must be addressed:

How is the withdrawal to be carried out in the context of a political settlement?

How is the total withdrawal to be effected? Such questions as phases, territorial basis, time-frame of withdrawal and verification (international control commission/international peace-keeping force (ICC/IPKF)) of the withdrawal must be examined.

The following could constitute a practicable withdrawal process which should take effect on the date agreed upon at the international conference* and after the stationing in place in Kampuchea of the ICC/IPKF:

1. The withdrawal process may commence after a cease-fire is announced and effected throughout the whole of Kampuchea beginning at Time X.

1.1 First phase of withdrawal at Time X + 4 weeks:

From the westernmost part of Kampuchea;

The vacated area is to be declared a "safe area" to be administered by the ICC/IPKF;

The Kampuchean refugees would be repatriated to this "safe area" under the supervision of the Office of the United Nations High Commissioner for Refugees (UNHCR).

1.2 Second phase of withdrawal at Time X + 12 weeks:

The vacated area is to be declared a "safe area", to be administered by the ICC/IPKF. The second batch of Kampuchean refugees will be repatriated to this "safe area" under the supervision of UNHCR.

1.3 Third phase of withdrawal at Time X + 20 weeks:

The vacated area is to be declared a "safe area" to be administered by the ICC/IPKF. The last group of Kampuchean refugees at the Thai-Kampuchean border will be repatriated to this "safe area" under the supervision of UNHCR.

* An international conference to be convened in order to facilitate, endorse and guarantee the agreement on the final settlement of the Kampuchean problem. The conference could be attended by the participants of the Jakarta Informal Meeting, the permanent members of the Security Council, Japan and other countries.

The international conference shall announce a cease-fire and set up an international control commission, which shall have an international peace-keeping force as its military arm.

2. The withdrawal must be supervised and verified by the ICC/IPKF.*

II. CESSATION OF EXTERNAL SUPPORT TO THE OPPOSING KHMER FACTIONS

As the root cause of the Kampuchean problem is the foreign military invasion and occupation of Kampuchea, it is therefore the right and duty of the members of the international community to support the Kampuchean resistance to rid Kampuchea of foreign aggression. ASEAN countries consider their assistance to the Khmer patriotic forces a legitimate act in accordance with the principles enshrined in the Charter of the United Nations (Articles 1 and 2), which call upon the Member States to co-operate in the maintenance of peace. Once the foreign aggression ends, the external support to the legitimate resistance will also come to a close.

1. The cessation of external support must apply to all opposing Kampuchean factions.

2. The cessation of external support will begin after the completion of Vietnamese troop withdrawal.

3. The cessation of external support will be verified by the ICC/IPKF without violating the sovereignty of third countries.

However, the question of cessation of external support cannot be addressed only by the countries in the region alone as, in reality, it also involves extra-regional countries.

III. NON-RETURN OF THE GENOCIDAL POLICIES AND PRACTICES

It is the wish of all parties that there be no recurrence in Kampuchea of the genocidal policies and practices of the recent past. In order to fulfil such a wish, one needs to look not only at the Khmer Rouge, but also the question of the Phnom Penh régime, which was created and nurtured by Vietnamese occupying forces and having been associated at one time with the said genocidal policies and practices in Kampuchea.

* The members of the ICC/IPKF shall be from the same countries, comprising middle Powers that may be nominated by the international conference at the recommendation of Viet Nam, ASEAN/international community in an equal number, for example, Viet Nam may propose three countries, ASEAN/the international community three countries, together with three other countries of neutral standings.

The role of the ICC/IPKF: to monitor and ensure the effective implementation of all steps in the agreement and carry out all stages of the settlement accordingly.

The ICC/IPKF shall be dispatched to Kampuchea before the commencement of the cease-fire and shall depart from Kampuchea within a predetermined period after the general elections and the restoration of peace and order in Kampuchea.

The Jakarta Informal Meeting has provided for a process in which the four Kampuchean parties can work out a quadripartite arrangement leading to the realization of self-determination in Kampuchea. This is tantamount to acknowledging the reality that there exist four factions in Kampuchea, which must work together to realize the aspiration of the Kampuchean people to prevent the recurrence of the genocidal past.

The members of the international community can work together to ensure that the process of genuine self-determination can become a reality, while pledging to refrain from providing any material support to the Kampuchean parties associated with the genocidal past.

In concrete terms, the non-return of the régime responsible for genocidal policies and practices is attainable by:

- (a) The strict adherence by all protagonists not to give outside support;
- (b) The presence of the ICC/IPKF, which serves as an effective peace-keeping machinery whose contribution to the promotion of peace has been internationally acclaimed with its receipt of the 1988 Nobel Peace Prize;
- (c) The sanction by the members of the international community and the United Nations;
- (d) The renunciation of the genocidal policies and practices by all parties taking part in the final settlement of the Kampuchean problem.
