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COMMISSION ON HUMAN RIGHTS  
Forty-fifth session  
Agenda item 9

THE RIGHT OF PEOPLES TO SELF DETERMINATION AND ITS APPLICATION TO  
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Letter dated 3 March 1989 from the Head of the delegation of Viet Nam  
addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit to you the attached document containing information for the Commission's consideration, at its forty-fifth session, of agenda item 9, concerning the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

I should be most grateful if you would have this document circulated as an official document of the Commission.

{Signed}: TRAN HOAN  
Ambassador  
Head of the delegation of Viet Nam

Annex

THE SITUATION IN KAMPUCHEA

1. The real problem of Kampuchea, as far as the Commission on Human Rights is concerned, is in accordance with the spirit and letter of the Convention on the Prevention and Punishment of the Crime of Genocide, the prevention and punishment of the crime of genocide committed by the Pol Pot régime, universally condemned for its extermination of 3 million Kampuchean. It should be pointed out in this connection that it would be preferable not to allow the Pol Pot clique guilty of the crime of genocide - a crime against humanity - to hold forth here on the subject of human rights.

2. Furthermore, given the changes in the situation throughout the world - including South-East Asia and Kampuchea - since the first Jakarta Informal Meeting in July 1988, the nature of any solution to the Kampuchean question has been changed fundamentally by the withdrawal of three-quarters of the Vietnamese troops in Kampuchea and the announcement that September 1989 has been set as the date for complete withdrawal, as part of a political solution. The presence of Vietnamese troops is no longer a major problem. However, what is a major problem and represents a source of deep and common concern to world opinion, is how to prevent the return of the genocide régime to Kampuchea and keep the Khmer rouge from starting a civil war. Thus, the Pol Pot clique at present represents an obstacle to the political solution of the Kampuchean question and to the exercise of the right to self-determination by the Kampuchean people.

3. In the spirit of co-operation with the countries of the Association of South-East Asian Nations (ASEAN), Viet Nam and its friends have proposed to those countries that it would be preferable to discontinue the policy of confrontation and attempts by one party to impose its views on the other within the Commission on Human Rights, and instead to encourage the efforts of the parties concerned to find a political solution to the Kampuchean question, thereby enabling the Kampuchean people to exercise fully their right to self-determination and, in particular, the right to life, without being subjected once again to the threat of genocide.

4. However, the new draft resolution of the ASEAN countries has been drafted, with a few amendments, on the basis of the earlier resolution and thus still bears the mark of confrontation. This is quite out of keeping with the world trend towards dialogue and détente and with the spirit of co-operation and dialogue among South-East Asian countries, as reflected in both the first and second Jakarta Informal Meetings. The draft resolution not only fails to address the deep concern of the international community, but is actually at odds with the efforts to find a political solution to the Kampuchean question.

5. The Socialist Republic of Viet Nam and its fellow socialist countries and friends cannot accept such a draft resolution. They express the hope that the august forum of the Commission on Human Rights will adopt a new approach which corresponds exactly with the actual situation in Kampuchea.