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THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Forty-fifth year

Letter dated 2 July 1990 from the Permanent Representative
of Cambodia to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you a telefax dated 29 June 1990 addressed to you from Vice-President Khieu Samphan in charge of Foreign Affairs and President of the Democratic Kampuchea party, enclosing the proposal of the Democratic Kampuchea party for a comprehensive political settlement of the Cambodian problem within the framework of the summary of conclusions of 26 May 1990 of the five permanent members of the United Nations Security Council (see annex).

I should be most grateful if you would arrange for the present letter and its annex to be circulated as an official document of the General Assembly, under item 32 of the preliminary list, and of the Security Council.

(Signed) THIOUNN Prasith
Ambassador
Permanent Representative

* A/45/50.

ANNEX

Telefax dated 29 June 1990 from the Vice-President of Cambodia
in charge of Foreign Affairs and President of the Democratic
Kampuchea party to the Secretary-General

As a contribution to the search for a just and comprehensive political settlement of the Cambodian problem nobly endeavoured by Your Excellency and the five permanent members of the United Nations Security Council, the Democratic Kampuchea party, a component of the National Government of Cambodia and the Cambodian National Resistance, put forward, on 29 June 1990, a proposal for a comprehensive political settlement of the Cambodian problem within the framework of the Summary of Conclusions of 26 May 1990 of the five permanent members of the United Nations Security Council.

I have the honour to transmit to Your Excellency a copy of the said proposal for your information and consideration.

(Signed) KHIEU Samphan
Vice-President of Cambodia in charge
of Foreign Affairs,
President of the Democratic Kampuchea party

Proposal dated 29 June 1990 of the Democratic Kampuchea party
for a comprehensive political settlement of the Cambodian
problem within the framework of the summary of conclusions
of 26 May 1990 of the five permanent members of the
United Nations Security Council

The Democratic Kampuchea party, like the National Government of Cambodia as a whole, has always expressed its sincere good will and has put forward successive proposals aimed at reaching as soon as possible a comprehensive political settlement of the Cambodian problem, which will restore peace and the independence, sovereignty and unity of Cambodia within its territorial integrity, and safeguard the peace, security and stability of South-East Asia.

In this respect, the Democratic Kampuchea party has expressed its full support to the summary of conclusions of 26 May 1990 of the five permanent members of the United Nations Security Council, especially their affirmation that "only a comprehensive political settlement will bring lasting peace and stability to Cambodia", and that "a comprehensive political settlement must include specific provisions as follows:

"(a) To ensure the verification of the withdrawal of all foreign forces and the cessation of external military assistance, a durable cease-fire, the regrouping of the armed forces of the factions into designated cantonment areas, all under the control of an effective United Nations peace-keeping operation;

"(b) To establish formally a supreme national council;

"(c) To ensure free and fair elections for a constituent assembly under United Nations auspices;

"(d) To enshrine the fundamental human rights and freedoms which the Cambodian people must enjoy, together with the necessary protections and guarantees;

"(e) To provide a system of guarantees for the independence, sovereignty, territorial integrity and inviolability, neutrality and national unity of Cambodia."

In the spirit of co-operation with the five permanent members of the United Nations Security Council within the framework of their 26 May 1990 summary of conclusions, the Democratic Kampuchea party would like to put forward the following proposal for a comprehensive political settlement of the Cambodian problem:

The objectives

1. To restore peace and the independence, sovereignty and unity of Cambodia within its territorial integrity, free from foreign occupation.

2. To allow the people of Cambodia to exercise their sacred right to self-determination through free and fair elections.

The above-cited objectives can be attained only through a comprehensive political settlement, a simultaneous settlement of the external and internal aspects of the Cambodian problem, and under the control and verification of all the peace-keeping operations by the United Nations peace-keeping force.

* * *

Chapter I

CONTROL AND VERIFICATION OF THE WITHDRAWAL OF ALL FOREIGN FORCES FROM CAMBODIA

1. The United Nations peace-keeping force will control and supervise:

(a) The withdrawal from Cambodia of all categories of foreign forces and their weapons, and their non-return to the country.

The withdrawal of all foreign forces from Cambodia must be completed within 60 days from the date of the signing of the Agreement on a comprehensive political settlement.

(b) The cease-fire.

The cease-fire shall take effect completely and simultaneously for the warring forces throughout Cambodia 72 hours after the signing of the Agreement on a comprehensive political settlement.

2. The United Nations peace-keeping force shall immediately set up their headquarters either in Phnom Penh or in Battambang or Siemreap, 72 hours after the cease-fire took effect (that is 144 hours after the signing of the Agreement on a comprehensive political settlement), so as to start its mandate of control and verification of the implementation of the comprehensive Agreement, with the participation of the Vietnamese representatives and the representatives of the four Cambodian parties in the control and verification process.

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Chapter II

THE SETTLEMENT OF THE INTERNAL ASPECT

I. MILITARY ASPECTS

In order to ensure a successful transition, prevent the outbreak of civil war and assure the internal security conducive to free and fair elections, there must be the United Nations peace-keeping force to control and verify:

1. The disarming and dissolution of all the armed forces of the four Cambodian parties;

The operations of disarming and dissolution of all the armed forces of the four Cambodian parties shall not exceed 60 days from the date of the entry into force of the Agreement on a comprehensive political settlement.

2. The cessation of outside military assistance to the four Cambodian parties.

3. The locating and confiscating caches of weapons and military supplies throughout the country.

II. THE INTERIM AUTHORITY

In order to restore peace and security in Cambodia and to enable the Cambodian people to exercise their sacred right to self-determination through free and fair elections, the co-operation between the United Nations and the four Cambodian parties is imperative. Therefore, it is necessary to set up a Cambodian quadripartite interim authority in which the four Cambodian parties shall be on equal footing. Only then can there be fairness, genuine national reconciliation and internal security in Cambodia.

1. The supreme interim authority during the transitional period shall be the Supreme National Council.

2. The Supreme National Council shall be the enshrinement of independence, sovereignty and unity of Cambodia.

3. H.R.H. Samdech Norodom Sihanouk shall assume the Presidency of the Supreme National Council.

4. The Supreme National Council shall represent Cambodia at the United Nations and on the international arena, and run the affairs of the country.

5. There shall be the representatives of the four Cambodian parties, on equal footing, from top to bottom, in the Supreme National Council and all the ministries as well as at the provincial, district, commune and village levels.

6. The Supreme National Council shall co-operate with the United Nations and the United Nations peace-keeping force to ensure the respect and implementation of the Agreement on a comprehensive political settlement.

7. The Supreme National Council shall have legislative powers and implement the adopted laws in a progressive manner from the signing of the Agreement on a comprehensive political settlement and the United Nations verification and control through the convening of the Constituent Assembly, the adoption of the new Constitution and the formulation of a new national Government of Cambodia.

III. ELECTIONS

1. Free and fair elections shall be held within the framework of a comprehensive political settlement and under conditions where "no party would be advantaged". 1/

2. The basic principles on which the new Cambodian Constitution should be based, within the framework of a liberal democratic régime with many political parties, a parliament and a free market economy, shall be an integral part of a comprehensive political settlement.

3. The elections in Cambodia shall be held under the supervision of the United Nations.

4. The transitional period from the signing of the Agreement on a comprehensive political settlement to the election day shall be specified.

5. Necessary measures must be taken for the holding of free and fair elections, including the establishment of electoral laws and regulations, the census of the population and the registration of voters.

6. All Cambodians should enjoy the same rights, freedoms and opportunities to participate in the election process. 2/

7. The Constituent Assembly resulting from the elections will draft and adopt the Constitution, and will transform itself into a legislative Assembly, which will create the new Government.

IV. HUMAN RIGHTS PROTECTION

Within the framework of a comprehensive political settlement, the four Cambodian parties shall accept the following measures:

1. To commit Cambodia to adhere to and implement the obligations of the Charter of the United Nations and relevant international human rights instruments.

2. General human rights supervision of all aspects during the transitional period.

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Chapter III

GUARANTEE OF THE INDEPENDENCE, SOVEREIGNTY, TERRITORIAL INTEGRITY AND INVIOABILITY, NEUTRALITY AND NATIONAL UNITY OF CAMBODIA

In order to assure lasting peace, security and stability in Cambodia, it is essential to provide, within the framework of a comprehensive political settlement, a system of guarantees for the independence, sovereignty, territorial integrity and inviolability, neutrality and national unity of Cambodia.

In a comprehensive political settlement, the four Cambodian parties shall accept the following principles:

1. Cambodia will conduct a policy of independence, peace and non-alignment, and establish friendly relations with all countries based on the principles of peaceful coexistence.
2. Cambodia will proclaim its perpetual neutrality.
3. Cambodia will never adhere to any military alliance or allow the installation of foreign military bases or forces on its territory.
4. The presence of the United Nations peace-keeping force in Cambodia for a period of several years, with adequate means, to guarantee peace, security and stability in the country.
5. The guarantee by the United Nations of the independence, sovereignty, territorial integrity and inviolability, neutrality and national unity of Cambodia.

* * *

The present proposal contains three chapters (chap. I, chap. II and chap. III) which form an integral part of a comprehensive political settlement. Therefore, the three chapters will have to be implemented as a single and unique process from the start to the end, that is from the signing of the Agreement on a comprehensive political settlement through to the elections, the convening of the Constituent Assembly, the adoption of the Constitution, and the formation of a new national Government of Cambodia.

This proposal is aimed at putting an end to the Vietnamese war of aggression and occupation, securing the withdrawal of all categories of Vietnamese forces from Cambodia, and allowing the four Cambodian conflicting parties to sit together and through their common efforts try their best to solve the problems until the adoption of the national Constitution and the formation of a national Government in Cambodia under which all Cambodians will live in harmony with each other.

Notes

1/ Summary of conclusions of the meeting of the five permanent members of the United Nations Security Council in Paris on 15-16 January 1990. See document A/45/293-S/21318, pp. 2 and 3.

2/ Ibid.
