
Cambodia

UN, NGOs Endanger Peaceful Recovery

by Gail G. Billington

When it comes to discussing Cambodia, far too often it seems that the goalposts on the field of play are constantly being moved, leaving ambiguity and confusion. The moving is not so much by Cambodians themselves, as by foreign powers and institutions weighing in on where the goalposts should be placed, and then chastising Cambodian officials for not anticipating the adjustment. Fortunately, the Cambodian people have exhibited a degree of resilience in the face of unfathomable horror and personal tragedy—which some have suggested as a useful example to survivors of the decades of warfare and millions of land mines in Afghanistan.

Most disconcerting of all, the goalposts are most often moved by institutions—including the United Nations and such well-funded non-governmental organizations (NGOs) as mega-speculator George Soros' Human Rights Watch, Amnesty International, and the Bobbsey Twins of the U.S. government-created National Endowment for Democracy, the International Republican Institute (IRI) and the National Democratic Institute (NDI)—which function as a priesthood of political correctness, invoking “international standards” and “the rule of law,” which emphasize punishment over reconciliation.

UN Tries To Pull the Plug

The most recent expression of this came on Feb. 8, when Fred Eckhard, spokesman for UN Secretary General Kofi Annan, announced that the UN was abandoning four and a half years of difficult negotiations on the creation of an extraordinary tribunal for senior, surviving Khmer Rouge leaders. The announcement came as a complete surprise. The Royal Cambodian Government was not notified in advance. The UN Security Council was not consulted, and news accounts said that the decision was made exclusively by Secretary General Annan. In the view of the UN, as expressed by Legal Counsel Hans Corell, the Cambodian court would not—could not—guarantee independence, impartiality, and objectivity, thus failing to meet “international standards,” and unable to enforce the “rule of law.”

At a time when the United States is promoting military campaigns against an “axis of evil” and others who fail to live up to vague standards in the “war against terrorism,” defining “international standards” and “rule of law” is extremely im-

portant. The number of tribunals are likely to proliferate in tandem with the number of theaters of engagement.

In the late 1960s, U.S. Secretary of State Henry Kissinger led the Nixon Administration into the secret bombing war in Cambodia, which became the major cause of recruitment to the Khmer Rouge. In little more than 47 months, from April 1975 to January 1979, the Khmer Rouge regime was responsible for the deaths of approximately 1.7 million out of 7.5 million Cambodians. Kissinger's successor in the Carter Administration, National Security Adviser Zbigniew “Clash of Civilizations” Brzezinski, goaded China to support the Khmer Rouge against Russian-allied Vietnam, while the United States led a campaign within the UN to recognize the Khmer Rouge as the official representatives of Cambodia, recognition that lasted beyond the 1980s. Neither Kissinger nor Brzezinski have been indicted. Could it be, perhaps, that certain interests at the UN are desperate to prevent Cambodia from determining for itself who should be brought to trial for the crimes of the Khmer Rouge, so that the role of the UN, and the likes of Kissinger and Brzezinski, are not revealed before the world?

As late as July 1997, U.S. Rep. Dana Rohrabacher (R-Calif.), a member of the House International Relations Committee and current gung-ho supporter of President George W. Bush's war on terrorism, had his picture taken at the base camp of royalist Gen. Nhek Bunh Chhay, who was then in open revolt, together with Khmer Rouge troops, against the elected government of Cambodia. No indictments have been issued.

In October 2001, Cambodia celebrated the tenth anniversary of the Paris Peace Accords, which nominally ended the 30-year civil war. Nonetheless, Cambodia has, to a significant extent, been held hostage to arbitrary definitions of “international standards” and “rule of law.”

Truth or Vendetta?

If the UN and NGOs wish to discuss “international standards,” they should go back to the concept as spelled out in the Treaty of Westphalia, which ended the Thirty Years' War in Europe (1618-1648), and which defined “international standards” until the disaster that was the Versailles Treaty after World War I, wherein the victors re-asserted their right to vengeance and the spoils of war, rather than the common good and peace of humanity.

Article I of the Treaty of Westphalia calls on the warring parties to establish a “general and permanent peace, and true and honest friendship . . . and this peace must be so honest and seriously guarded and nourished that each part furthers the advantage, honor, and benefit of the other. . . . A faithful neighborliness should be renewed and flourish for peace and friendship, and flourish again.”

The Cambodian ruling party, the Cambodian People's Party of Prime Minister Hun Sen, which was responsible for the total defeat of the Khmer Rouge in the 1990s, is intent on

a judicial reckoning of those responsible for the atrocities of the Khmer Rouge era, but not in a spirit of revenge, nor in a way which disregards the peace and stability achieved through the amnesties which brought all but the most extreme to turn away from violence.

Putting a Tribunal in Context

Following the surprise pull-out by the UN from all planning for a Khmer Rouge tribunal, the United States, France, Japan, Britain, and Australia have urged the UN to reconsider its decision. The Royal Cambodian Government has said the door remains open to UN involvement in a tribunal, but the likelihood of further concessions to the UN is dim, especially “unilateral” concessions. The Cambodian government has said in the past, and again today in response to the UN unilateral action, that it will proceed on its own if a new agreement cannot be reached.

At present, only two senior Khmer leaders are in custody, former military commander Ta Mok, nicknamed “The Butcher,” and Kang Kek Eu, a.k.a. “Duch,” the former chief warden at Tuol Sleng prison, a former high school where more than 16,000 people were tortured to death. Other candidates for prosecution include former Central Committee members “Brother No. 2,” ideologue Khieu Samphan; and “Brother No. 3,” Nuon Chea. Controversy continues over the possible trial of former Khmer Rouge Foreign Minister Ieng Sary and his wife Ieng Tirith. All of these former senior leaders are in their 70s and 80s and in ill health.

Prosecution of Ieng Sary is in dispute, because his 1996 defection to the government effectively broke the back of Khmer Rouge resistance, for which Ieng Sary was granted royal amnesty by King Norodom Sihanouk. The government argues that revoking the amnesty could lead to renewed conflict, but the UN insists that Ieng Sary must be put on trial. Sovereign Cambodian law, and peace in the nation, apparently count for little in the eyes of the UN.

Moreover, the UN withdrawal came only five days after Cambodia held its first ever elections for local commune leadership positions on Feb. 3, which elections, even more than the 1998 national elections, attest to the extraordinary enthusiasm of the population to participate in the country’s recovery.

Others Should Learn From Cambodia’s Elections

In the last two U.S. national elections it is estimated that less than half of the eligible voters voted. In Cambodia’s 1998 national elections, more than 90% of eligible voters cast their ballots. In the Feb. 3 commune elections, an estimated 83% of the eligible 5.2 million Cambodian voters cast their ballots. These local commune representatives had been appointed by the central government ever since the French colonial era, when communes served as the principal tax-collecting agencies in the country. Some 75,000 candidates vied for more than 11,000 posts in the 1,621 rural communes.

By all accounts, voting day was peaceful, and the two-week campaign, which opened on Jan. 18, was declared relatively peaceful, although three candidates, one from each of the three leading parties, were killed or died from natural causes in that period. Despite this, the NGOs monitoring the elections have chosen to distort the degree of violence, in order to undermine the progress in the conduct of elections since the 1998 vote, and to taint the national vote in 2003. Not surprisingly, two out of the three regions with the highest level of violence since January 2001, are areas with large former Khmer Rouge populations. The U.S. government-funded IRI and NDI, and other NGOs, have already prejudged the vote as “not free and fair.” Even so, by all accounts, the level of violence in the year preceding the Feb. 3 vote was half that which occurred in 1998. Compared to the May 2001 Philippines local and parliamentary elections, in which 100 were killed and 141 injured in “violent incidents not seen since the Marcos era,” according to the *Philippines Inquirer*, the results represent another miracle on the Mekong.

Most important, however, is the quality of participation in the vote. American election observers reported that the debates in the communes were both lively and well attended, and that the broadcasts of these debates by Radio Free Asia were followed throughout the country (despite IRI and NDI complaints about lack of media coverage for the opposition candidates). The debates were generally focussed on the need for infrastructure development in the villages, although there were still some remnants of the racist, anti-Vietnamese diatribes which characterized the fascist era under the Khmer Rouge, but are now spewed forth by the Sam Rainsy Party, the supposedly “democratic” opposition championed by the IRI and the NDI.

John McAuliff, of the Fund for Reconciliation and Development, a group which has supported Cambodia’s sovereign efforts to recover, reported, based on his observations before and during the elections, that the overwhelming victory by the Cambodian People’s Party—which won the chairmanship in approximately 1,600 of the 1,621 electoral districts—was primarily due to the fact that the government over the past years has delivered on the schools, roads, water, and health facilities needed in the villages, although there is a very long way to go. The election stations were staffed largely by teachers (mostly women) from the local schools, whose construction has been a primary focus of the Hun Sen regime.

Final vote totals are not expected until after Feb. 20. Preliminary results point to 61% for the Cambodian People’s Party. The biggest loser in these elections is the royalist Funcinpec party of King Norodom Sihanouk and his son Prince Norodom Ranariddh. In the fight for the 76 communes in the capital city, Phnom Penh, early estimates indicate that approximately 48% of the vote went to the CPP, 40% to the IRI/NDI favorite Sam Rainsy Party, and only 13% to Funcinpec.