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ASIA

REPORT

The Paris Peace Agreements

LOOKING BACK AND MOVING FORWARD

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and Courtney Weatherby

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LIST OF ABBREVIATIONS

ASEAN	Association of Southeast Asian Nations
CGDK	Coalition Government of Democratic Kampuchea
CNR	Cambodian National Resistance
CPP	Cambodian People's Party
FUNCINPEC	Front Uni National Pour Un Cambodge Indépendant, Neutre, Pacifique, Et Coopératif (National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia.
ICM	International Control Mechanism
JIM	Jakarta Informal Meeting
KPNLF	Khmer People National Liberation Front
NRC	National Reconciliation Council
PERM-5	The five permanent members of the United Nations Security Council
PICC	Paris International Conference on Cambodia
PR	Proportional Representation
PRK	People's Republic of Kampuchea
RGC	Royal Government of Cambodia
SNC	Supreme National Council
SOC	State of Cambodia
UNSC	United Nations Security Council
UNTAC	United Nations Transitional Authority in Cambodia

TIMELINE OF MAJOR EVENTS

The First Jakarta Informal Meeting	July 25–28, 1988
The Second Jakarta Informal Meeting	February 19–21, 1989
The Paris Peace Conference on Cambodia	July 30, 1989
The Third Jakarta Meeting	February 26–28, 1990
The Jakarta Meeting	June 2–4, 1991
The Pattaya I Meeting	June 24–26, 1991
The Beijing Meeting	July 16–17, 1991
The Pattaya Meeting II	August 26–28, 1991
Signing of Paris Peace Agreements	October 23, 1991
Adoption of New Electoral Law	August 1992
Election Campaigning	April 7–May 18, 1993
Announcement of Election Results	June 10, 1993
Inauguration of Congressional Assembly	June 14, 1993

SPECIAL FOREWORD



His Royal Highness Samdech Norodom Sirivuddh

Supreme Privy Counselor to His Majesty the King of Cambodia

Former Deputy Prime Minister

Former Member of the Constitutional Council

Founder and Chairman of the Cambodian Institute for Cooperation and Peace

It gives me great pleasure as Founder and Chairman of the Cambodian Institute for Cooperation and Peace, as former Minister of Foreign Affairs and International Cooperation of Cambodia, and as former Secretary General of FUNCINPEC to welcome the publication of this Paris Peace Agreements Report, on the thirtieth anniversary of the signing of the Paris Peace Agreements for Cambodia, ending an era marked by genocide, war, domestic conflict, and foreign occupation.

May I, at the outset, pay a sincere homage to His Late Majesty the King Father Samdech Preah Norodom Sihanouk and to His Excellency Samdech Akka Moha Sena Padei Techo Hun Sen, who at their meeting at Fere-En-Tardenois on 2nd December 1987 and successive meetings in 1988, showing great wisdom, courage and their genuine concern for the fate of the Cambodian people, were able to unblock the peace process and led to the calling of the Paris International Conference on Cambodia, whose final session in October 1991 saw eighteen countries signing the Paris Agreements ending the conflict in Cambodia and opening the way for Cambodia's national reconciliation and national development.

I would also like to express my warm appreciation to the eighteen signatories of the Paris Agreements, who continued to assist Cambodia during the transitional period and beyond with multiform aids thus making a strong contribution to the process of national reconciliation, the national rehabilitation and development of Cambodia.

The Paris Peace Agreements on Cambodia are part of Cambodia's contemporary history, and their historical importance should not be ignored or sidelined. It is my earnest hope that this Paris Peace Agreements Report will serve as a focal point to future development of Cambodia and for generations of Cambodians to learn about our past.

Lastly, I would like to thank the staff of the Stimson Center in Washington DC and our staff at CICP in Phnom Penh for researching and producing this important report.

Norodom Sirivuddh

SPECIAL FOREWORD

Ambassador Charles Twining (Ret.)

Former Chief of the U.S. Mission to Cambodia

This year marks 30 years since the signing of the Paris Peace Agreements, an event that brought together an enormous and highly diverse number of Cambodian and global actors collectively seeking to end the decades-long conflict in the country. It is my very great pleasure to provide a brief foreword to this report prepared by the Cambodian Institute for Cooperation and Peace (CICP) in Phnom Penh and the Stimson Center in Washington, D.C. After three decades, CICP and Stimson with the support of the U.S. Embassy in Cambodia have reached out to myriad individuals who played key roles in the development of the Agreements in order to gain their perspectives and insights as to the process itself, its legacy, and to deepen the historical record on this topic.

I became director of the Office of Vietnam, Laos, and Cambodia in the East Asia Bureau of the Department of State in Washington in August 1988. Very quickly my office was seized with the issue of how to bring peace to Cambodia. Continued fighting and the occupation by foreign forces presented a situation that must somehow be brought to an end. Cambodian-Americans were concerned about the fate of their country. Officials in our Congress, journalists, and non-governmental organizations were pressing for an end. US relations with countries in the area were affected. Thus began a series of discussions among many elements exploring possible ways forward.

With the lack of success of the first Conference on Cambodia in Paris, July 1989, it was obvious that a new approach was required. It was clearly necessary to expand considerations of a peace agreement with all international players, such as the Five Permanent members of the Security Council, key Asian partners, and the United Nations. As this occurred in a series of meetings in Paris, New York, Jakarta, and Beijing, for example, we in the Perm Five were also consulting with the Cambodian elements closest to us, while guidance was sought throughout from His Royal Highness Prince Sihanouk.

When I departed Cambodia in November 1995, the government emerging from the elections and incorporating personnel from the various factions was still functioning, despite challenges. What most impressed me, however, was that there continued to be respect for basic freedoms. When I arrived in November 1991, there was only one small NGO, only one state newspaper. Four years later there were hundreds of NGOs, a number of newspapers and radio and even television stations. There were major human rights organizations. People were speaking their minds. These were major accomplishments, and we very much hoped they would continue. With the passage of time, this is an excellent initiative permitting us to look back on the Agreements, on their successes and weaknesses, and to reflect on the guidance they may continue to offer Cambodia today and in the future.

Charles Twining

INTRODUCTION

Thirty years have passed since the signing of the 1991 Paris Peace Agreements (PPAs) and while the full history of the agreements has yet to be written and the historiography thereof continues to develop, the anniversary of their signing provides an important opportunity to examine how the PPAs took shape and their subsequent importance and value to the development of Cambodia.

The PPAs are a comprehensive political framework that brought together 19 different state actors and marked the end of more than two decades of protracted conflict and internal strife that devastated Cambodia. These have been considered watershed agreements, yet at the same time, scholars and analysts continue to maintain a diversity of views concerning the PPAs, their effects, and their role for the kingdom both today and in future. The Royal Government of Cambodia has indicated that their key values were integrated into the 1993 Constitution and PPA commemoration is no longer celebrated as a national holiday.¹ Many civil society actors and other key stakeholders view the principles of political development envisioned in the PPAs as a benchmark which has not yet been achieved and towards which Cambodians should continue to strive.

Rather than wade into this ongoing debate (where considerable archival material remains inaccessible) and attempt to evaluate the PPAs against any particular set of metrics related to political or state development, this project seeks to gain insights from various key actors as to how the agreements were reached and thereby add to the historical record the insights of individuals from Cambodia and across the globe who were part of this unique process. There is a timeliness in revisiting and documenting the PPA negotiation process and their importance, as most citizens in Cambodia were either not yet alive or were very young at the time that the PPAs were signed. At the same time, also through targeted interviews, this study examines the place of the PPAs in Cambodia today, how they are perceived among youth, and their legacy in the kingdom in 2021.

Within the discipline of political science there exists a perpetual “tug-of-war” between structure and agency as the leading determinants of political outcomes. Some scholars place overwhelming weight on macrosocial variables and shifts in geopolitics while others underline the importance of individual actors and interests. The PPAs are no exception.

One could contend that the PPAs were inevitable as the Cold War came to a close and those conflicts that were inherently linked to US-Soviet rivalry lost their salience as the world shifted from an equilibrium of bipolarity to one of unipolarity. However, such a conclusion is not borne out by the comparative historical record. The post-Cold War period saw the outbreak of horrific violence in myriad states (e.g., the former Yugoslavia) where long-simmering tensions had been held in check by the unique structures of the long-standing bipolar system. At the same time, as states and governments transitioned away from communism and confronted the new realities of a unipolar world, fresh challenges arose, leading to prolonged “frozen conflicts” (as in Transnistria and Nagorno-Karabakh in the former USSR) and to state collapse and state failure in others (e.g., Somalia).

¹ It is worth noting that this was one of many holidays that were removed in recent years and that Cambodia has the largest number of official holidays of any country in the world. At the same time the Royal Government has held commemorative conferences most recently on the 25th anniversary of the agreements and again, in 2021, to mark the 30th anniversary.



His Majesty with President George Bush of the United States of America. 1988. Photo courtesy of Ambassador Julio Jeldres Collection at the Queen Mother Library Documentation Center of Cambodia Archives.

At the same time, one cannot ignore the impact of structure on the PPA process. As former U.S. Ambassador to Cambodia Kenneth M. Quinn commented:

“It must also be stressed that the collapse of the Soviet Union during this period of negotiation added a catalytic factor into the process and, perhaps, induced some delegations to accept some initiatives that they might otherwise resist. For example, the US side was very impressed by the ideas related to human rights that were proposed to us by Kassie Neou, a Cambodian refugee who himself had nearly been executed in a Khmer Rouge prison. The fall of the Soviet Union, had, in our view, instilled in several Communist parties in the region an enhanced need to withdraw from the Cambodian conflict. They thus did not oppose the US proposal to add human rights elements to the final document.”²

It is also possible to give too much weight to individual agency and fail to recognize that the ending of the Cold War fundamentally altered the incentive structures of both individual and state actors and served as a critical juncture providing fresh space for the negotiation and resolution of long-standing political challenges. This paper seeks to thread the structure versus agency needle by equally highlighting the importance of recognizing the causal weight of structural change (i.e., the end of the Cold War) and the significant role that state and, in many cases, individual agency played in bringing about the PPAs.

The PPAs were in no way “inevitable;” rather they were the outcome of lengthy and protracted dialogue and discussion among a wide range of actors over the course of

² Interview with report authors, September 2021, (via email from the United States).

more than a decade. The deep complexity of arriving at an agreement in light of (i) the large number of state actors involved and (ii) the strongly diverging interests of domestic political figures further underlines the view that the PPAs cannot simply be taken for granted as a natural outcome that occurred simply because a particular set of variables coincided at a particular time. Moreover, Cambodia's history during the Cold War – famously albeit tragically termed a “Sideshow”³ in the title of William Shawcross' text on Cambodian history – buttresses the case that Cambodia could have easily been left behind and left isolated absent the agency and actions of a range of catalytic historical figures. The potential alternative scenarios for Cambodia's development are myriad and, in many cases, exceedingly grim, e.g., civil war.

Finally, while debate continues as to how effectively the agreements were implemented, hindsight is 20-20. It is essential to recognize the path-breaking nature of the PPAs. The establishment of the United Nations Transitional Authority for Cambodia (UNTAC) was the first attempt at multilateral state-building, one that would serve as a basis and key building block for future initiatives across the globe. Moreover, the active role played by the Association of Southeast Asian Nations (ASEAN) ultimately represented a key turning point in the evolution of this institution and its role in the region.

In the words of Michael Hayes, the co-founder, owner, and former publisher of the *Phnom Penh Post*, the Paris Peace Agreements “were instrumental in the ultimate and final demise of the genocidal Khmer Rouge in 1998; facilitating in 1992 the return of a quarter million refugees; and yielding international recognition of a new government resulting in the opening of Cambodia and the end of the country's isolation.”⁴

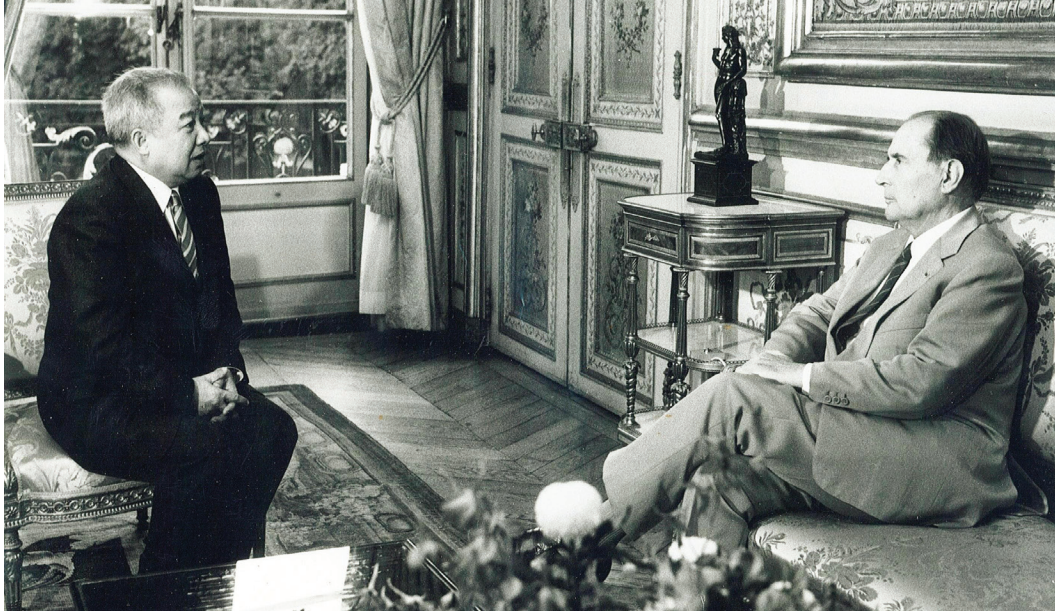
One senior diplomat from Japan's Ministry of Foreign Affairs notes on the legal aspects of the Agreements, “In terms of international law, Cambodia is a party to “Agreement on a Comprehensive Political Settlement of Cambodia Conflict” and “Agreement Concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality and National Unity of Cambodia.” This means that Cambodia and other parties are legally bound by these agreements. Together with the Constitution of Cambodia, they set a firm foundation and principles of the Cambodia's political system.”⁵

Although thirty years have now passed, it is important for Cambodia as a nation as well as the broader global community to take advantage of the 30th anniversary of the PPAs to recall and re-examine how an internationally guaranteed comprehensive political settlement achieved the end of tragic conflict and bloodshed and helped rebuild Cambodia into a modern country which engages with the global community and is integrated into ASEAN. The legacy of the PPA, as stated by Ambassador Pou Sothirak: “is about an international arrangement that culminated not in military intervention, but a comprehensive political solution that resulted in national reconciliation and a Cambodia free from external domination.”

³ William Shawcross. 2002. *Sideshow: Kissinger, Nixon, and the Destruction of Cambodia*. New York: Rowman and Littlefield.

⁴ Interview with report authors, September 2021 in Phnom Penh.

⁵ Interview with the report authors, September 2021, via email. The views expressed are the official's personal opinion.



Samdech Sihanouk and French President F. Mitterrand. Paris, 1985. Photo courtesy of Ambassador Julio Jeldres Collection at the Queen Mother Library Documentation Center of Cambodia Archives.

THE DEVELOPMENT, NEGOTIATION, AND SIGNING OF THE PARIS PEACE AGREEMENTS

Caught up by dreadful effects of the Cold War and the Cambodian-Vietnam War, Cambodia was plunged into chaos and destruction from the early 1970s to the late 1980s. During that period, Cambodia was assailed by effects from the Vietnam War, a civil war, a genocidal regime, invasion by foreign forces, a return to civil war resulting in the deaths of over two million Cambodians, and the obliteration of livelihoods and national assets at a level beyond modern historical comparison.

The country experienced the Khmer Rouge reign of terror and was subjected to incursion by military forces of its eastern neighbor, which triggered bloody military engagements, guerilla assaults, and the displacement of large numbers of civilians toward the Thai-Cambodian border. These turns of events made a quick return to any kind of pre-1970⁶ normality impossible and inflicted continuous misery and hardship on the Khmer people both within Cambodia and as refugees abroad. The period following the end of Khmer Rouge rule and the extreme challenges confronted by the population have been well summarized in the work of Evan Gottesman.⁷

The so-called ‘Cambodian problems’ were very complex and seen as intractable. As highlighted by Ambassador Pou Sothirak, the core issues were exacerbated by animosity and resentment incurred among three sets of actors involved in issues of internal conflict, peace, and the sovereignty of Cambodia.

⁶ 1970 is the year generally referenced as the beginning of the Cambodian civil war.

⁷ Evan Gottesman. 2003. “Cambodia After the Khmer Rouge: Inside the Politics of Nation Building.” Chiang Mai: Silkworm Books.

The first exacerbation occurred due to the conflict inside the country between and among Cambodian warring factions, with the armed forces of the People's Republic of Kampuchea fighting against the militia forces of the Coalition Government of Democratic Kampuchea (CGDK) – each of which confronted its own internal divisions.⁸

The second was tied to the Association of Southeast Asian Nations (ASEAN) and its continued efforts to oppose the spread of communism in favor of the CGDK, which found practical form in active resistance to Vietnam's intrusion over Cambodia's independence.

The third was due to various great powers intervening in the Cambodia conflict: with China strongly supporting the Khmer Rouge faction in resisting against the Vietnamese occupation; the Soviet Union supporting its ally Vietnam in its *fait accompli*; and the United States backing up the alternative choices for a free and democratic Cambodia, the two non-communist resistance groups of Front Uni National Pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif (FUNCINPEC) and the Khmer People's National Liberation Front (KPNLF).

In terms of defining a starting point for the PPA process, as noted by Ambassador Julio Jeldres, former private secretary to His Majesty King Norodom Sihanouk: "Samdech Norodom Sihanouk, who had been under house-arrest in Phnom Penh between 1976 and January 1979, appeared before the UN Security Council emergency meeting on Cambodia, soon after being freed by the Khmers Rouges in early January 1979, to plead for his country's sovereignty, territorial integrity and independence."⁹ The international community gradually began to explore the various options for a peaceful settlement – although this was an extremely protracted process. Ang Cheng Guang and Kwa Chong Guang, scholars who have done extensive work on the PPA process, point out: "It took a decade, if not more, of hope, frustration and impasse – to reach 1991. Some would date it back to as early as February 1979. Others may date it from the failed International Conference on Kampuchea (ICK) held in New York in July 1981."¹⁰

Son Soubert, a member of the KPNLF since its inception on January 9, 1979 and who later served as assistant in charge of diplomatic affairs to Coalition Government of Democratic Kampuchea (CGKD) Prime Minister Son Sann from 1982, noted that prior to the CGDK, the KPNLF was accepted internationally primarily because it was an alternative to the Khmer Rouge and "to preserve the seat at the UN."¹¹

⁸ Coalition Government of Democratic Kampuchea, U.S. Library of Congress. Available at: <http://countrystudies.us/cambodia/72.htm>.

⁹ Interview with report authors, September 2021, Phnom Penh.

¹⁰ Interview with report authors, September 2021 (via email correspondence from Singapore). Also see: Ang Cheng Guan. 2013. *Singapore, ASEAN, and the Cambodian Conflict 1978-1991*. Singapore: National University of Singapore.

¹¹ Interview with report authors, September 2021, Phnom Penh.



Comments from Ambassador Julio Jeldres

Ambassador Julio Jeldres was born in Santiago de Chile. He became interested in Cambodia's contemporary history in 1967, following the visit of Jacqueline Kennedy to Cambodia. He began a correspondence and long-standing friendship with His Late Majesty King Norodom Sihanouk in late 1967. He served as Deputy Chief of Cabinet, Chief of the Private Secretariat and Special Assistant to His Late Majesty from 1981 to 1991 and as Official Biographer since 1993. He was granted the personal rank of Ambassador by the King Father in June 1991. Since April 2013 he has been a Counsellor to the Cabinet of His Majesty the King of Cambodia with the protocol rank of Minister of State. He holds a PhD in history from Monash University (2015) and is author of several books, chapters of books and research papers on Cambodia's external relations, politics, the monarchy, the Royal Family and the late King Father. He is an Adjunct Research Fellow at Monash University's School of Historical Studies and International Relations, a Senior Visiting Research Fellow at the Sleuk Rith Institute of the Documentation Center of Cambodia and a Senior Visiting Research Fellow at CICP.

Ambassador Jeldres, drawing on his own experience, provides a thorough summary of the actions taken by King Sihanouk during throughout the 1980s and the role of other states and actors in response thereto:

“In August 1980, Samdech Sihanouk invited US Congressman Stephen Solarz to visit him in Pyongyang and discussed with him the conflict in Cambodia and possible scenarios to bring peace to the suffering Khmer people. Samdech Sihanouk made it clear that two key clauses of any peace proposal should be: (i) The disarming of all Cambodian warring factions and a strong International (UN) Peace Keeping Force to prevent the factions going back to fighting and (ii) General elections under the supervision of the United Nations or an International Control Commission styled in the 1954 Geneva Conference for Indochina.

China insisted through various envoys who visited Samdech Sihanouk in Pyongyang during 1980 and 1981, that a coalition between the Khmer Rouges, Sihanouk and Son Sann was the only way to pressure Vietnam to withdraw from Cambodia. Having received many requests from loyalists and refugees living at the Cambodia-Thai border to consider China's and ASEAN's proposals in order that they could get assistance from those countries as their situation in the border camps was pitiful, Samdech Sihanouk felt he could not ignore their pleas for help.

Therefore, Samdech Sihanouk decided to meet Khieu Samphan¹² and a [Democratic Kampuchea] delegation in March 1981 to discuss the formation of a united front, following new ideas proposed jointly by Chinese leader Deng Xiaoping and Singapore Prime Minister Lee Kwan Yew, who had met in Beijing to discuss the Cambodia conflict.

In a statement issued by Samdech Sihanouk, prior to his meeting with Khieu Samphan, he made it clear that his agreement “to cooperate” once again with the Khmers Rouges in the framework of a United Front and of a Coalition Government was strictly conditional and reiterated that the key conditions were: (i) the disarming of all Cambodian forces; (ii) the neutralization of Cambodia under strict international control; and (iii) UN supervised general elections and an International (UN) Peace Keeping Force.

While never closing his door, Samdech Sihanouk remained unconvinced by the proposals made by the Khmer Rouges and his main objective remained to reach a political compromise with Vietnam through an international conference, a process which would allow Vietnam not to lose face. At the same time, he insisted that the very survival in the international jungle of 20th century world demanded two things: internal unity and external neutrality. Any breach of either would pose mortal threat to Cambodia.

The Leader of the French Socialist Party, Francois Mitterrand, visited North Korea on 14 and 15 February 1981 and met with Samdech Sihanouk, exploring possible scenarios to settle the conflict in Cambodia. Mitterrand was convinced by Samdech Sihanouk's arguments which called for the urgent convening of an International Conference, preferably hosted by France, to discuss the

¹² Head of State of Democratic Kampuchea, 1976-1979 as Chairman of the State Presidium.

conflict in Cambodia and how to settle it under UN supervision. Mitterrand promised that if he was elected President in May 1981, he would work towards organizing such conference.

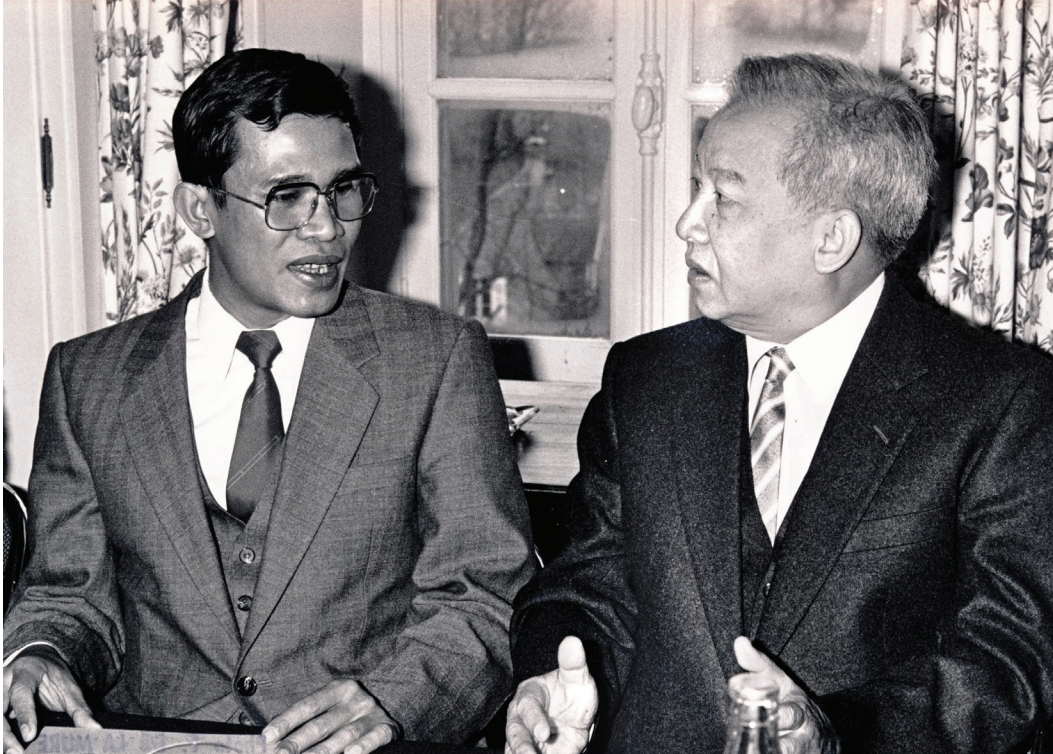
Following a visit to Singapore in September 1981, Samdech agreed to join the coalition, which was formally established in Kuala Lumpur in June 1982, with the support of ASEAN, China, the USA and several other countries. The Coalition Government of Democratic Kampuchea (CGDK) had Samdech Sihanouk as President, Mr. Khieu Samphan as Vice President and Samdech Son Sann as Prime Minister.”

Over the following years Samdech Sihanouk, made several proposals to try to get all the Cambodian factions together to discuss the settlement of the conflict. However, by early 1987, Samdech Sihanouk had come to regard the CGDK as a serious hindrance to a diplomatic settlement. His coalition partners rejected all negotiations with Phnom Penh (Hanoi had signaled its interest in such talks as early as 1984) until the Vietnamese had substantially withdrawn, a posture he believed was too rigid.

Therefore, on 7 May 1987 Samdech Sihanouk announced that he was taking leave of absence for one year as President of the CGDK to recover some of his previous freedom to conduct activities more in conformity with the long-term interests of the Khmer people. He added that he was leaving the CGDK to explore the prospects of reconciliation with the authorities in Phnom Penh and Hanoi.

Samdech Techo Hun Sen had also been trying to meet with Samdech Sihanouk to discuss the prospects of reconciliation in Cambodia which would put an end to the Cambodian conflict and had, on several occasions since 1984, tried to get a meeting organized but the opposition of the members of the CGDK prevented that meeting from taking place.

In 1983, during an official visit to Angola, Samdech Hun Sen had met the French Ambassador, Jean-Jacques Galabru, who was married to a Cambodian doctor as he had served in Phnom Penh previously. Ambassador Galabru would later play a role conveying messages between Samdech Norodom Sihanouk and Samdech Techo Hun Sen leading to their first meeting at Fere-En-Tardenois on 2 December 1987.”



King Norodom Sihanouk with Prime Minister Hun Sen in France. 1987-1988. Photo courtesy of Ambassador Julio Jeldres Collection at the Queen Mother Library Documentation Center of Cambodia Archives.

Regarding that meeting, the process as a whole, and the role of Prime Minister Hun Sen, Foreign Minister Prak Sokhonn stated at the conference marking the 25th anniversary of the Paris Peace Agreements: “Even before his accession to the leadership of the government of Cambodia Mr. Hun Sen made clear that there could be no military solution to the conflict imposed on Cambodia. This was the meaning of the peace plan he proposed on March 12, 1985. From the outset, he expressed what would become a constant and a premonitory fear: the Khmer Rouge are not part of the solution; they are at the heart of the problem. From the outset, too, he proposed the organization of supervised free elections. He was the very first to express his wish to meet Prince Norodom Sihanouk. The first meeting, which made possible the continuation of the negotiations took place two years later, in Fère-en-Tardenois, from December 2 to 4, 1987.”¹³

France’s role in facilitating the first meeting between King Sihanouk and Prime Minister Hun Sen was underscored in remarks by French Ambassador Jean-David Levitte at a conference held in Phnom Penh in 2016:

“France’s first contribution was therefore to promote the rapprochement between the Cambodian parties. The task was not easy as there was great mistrust between the main actors, including those who were part of an alliance dictated by circumstances and not by any political affinities. One thing, however, was very clear to us: it was not conceivable that the Khmers Rouges could return to power after the horrors they had perpetrated under their regime, from April 1975 to January 1979. It was therefore necessary to help Prince Sihanouk to find other alliances, outside the Democratic Kampuchea Coalition Government. It is in this spirit that French diplomacy, under the leadership

¹³ Intervention by Foreign Minister Prak Sokhonn at the 25th Anniversary Conference in Phnom Penh, October 20, 2016 (Unofficial translation from the original French).

of Ambassador Claude Martin, my predecessor at the helm of the Asia and Oceania directorate, initially set about working the rapprochement between Prince Sihanouk and the government headed by Prime Minister Hun Sen.”¹⁴

A senior diplomat of the Japanese Ministry of Foreign Affairs notes, “With its security heavily dependent on the Japan-US security arrangements, Japan concentrated on economic reconstruction and growth. However, as Japan accumulated economic power and the cold war structure crumbled in the late 1980s, Japan realized that it could no longer be a passive player in the international politics and tried to be a more proactive contributor to peace and stability in the fluid post-cold war period, especially in Asia. The Cambodian peace process provided Japan with a first-ever opportunity to play that role. In fact, it was the first time for Japan to participate in the multilateral peace negotiations of a third country since the signing the Peace Treaty of Versailles, which ended the first world war in 1919.”¹⁵

Various states in Southeast Asia, and in particular Indonesia, gradually sought to play a more active diplomatic role in pursuit of a solution to the Cambodian problem. The resulting Jakarta Informal Meetings (JIMs) in July 1988 and February 1989 set hopes for a major move forward, coinciding with the announcement by Vietnam in January 1989 that it was prepared to withdraw all its troops from Cambodia by September of that year.

Delving into detail on the Jakarta Informal Meetings and his perception as to their role in facilitating the eventual Paris Peace Agreements, Ambassador Wiryono Sastrohandoyo, commenting in 2016 on Indonesia’s role noted: “The realistic opportunity emerged with the understanding reached between the Indonesian Foreign Minister, acting as ASEAN’S interlocutor, and the Foreign Minister of Vietnam on July 29th of 1987 at Ho Chi Minh City.” As he went on to point out, in order for that understanding to be successful, it would require an informal meeting (the so called “cocktail party”) which according to Ambassador Sastrohandoyo “would be held on the basis of equal footing, without preconditions and without labels among the political factions of the Cambodian people, to which, at a later stage other concerned countries including Vietnam would be invited to participate. Indonesia believed that what is needed was an appropriate venue and climate for the holding of this informal meeting. An opportunity and momentum would have to be created that all concerned should not fail to grasp and to utilize.”¹⁶

The first Jakarta Informal Meeting took place from July 25-28, 1988, and the key outcome was the establishment of a working group at the senior official-level to examine the political solution. Underscoring the role played by Southeast Asia, Ambassador Sastrohandoyo pointed out:

“The JIM process took place under a favorable international climate at that time as shown by the relaxation of tensions between the two major powers and regionally, Southeast Asian nations realized that they need to be able to solve their own problems among themselves and in their own way. Domestically, all Cambodian factions in the dispute basically understood that a negotiated settlement was a more attractive alternative and that the Cambodian people were tired of the interminable bloodshed. Thus, there was a constructive atmosphere, and some degree of consensus was achieved. And a major development took place on the 5th of April 1988 when Vietnam declared its intention to withdraw all its forces from Cambodia and that it was to be completed by the end of September 1989. At this stage JIM process, though informal and preliminary in nature,

¹⁴ Intervention by Jean-David Levitte, Ambassador of France, Member of the Academy of Moral and Political Sciences, Phnom Penh, October 20, 2016, at 25th Anniversary Conference. (Unofficial translation from the original French).

¹⁵ Interview with the report authors, September 2021, via email. The views expressed are the official’s personal opinion.

¹⁶ Intervention by Wiryono Sastrohandoyo in Phnom Penh, October 20, 2016 at the 25th Anniversary Conference.

has succeeded in agreeing a framework or some basic common understandings on the approach to and the objective of a solution, namely the establishment of an independent, sovereign, neutral and Non-aligned Cambodia on the basis of self-determination, i.e., through democratic general elections under effective international supervision and on the basis of national reconciliation.”¹⁷

It was in late 1989 that Congressman Steven Solarz of the United States originally proposed that the United Nations play the central role to end the Cambodian tragedy.¹⁸ Subsequently, Australian Minister Gareth Evans vigorously took up the initiative and involved Canberra in strenuous diplomatic efforts to garner support from the international community to find a political solution acceptable to all parties in order to solve the seemingly intractable conflict. In the words of Ambassador Evans: “As Australian Foreign Minister 1988-96 I initiated the Australian peace proposal, subsequently embodied in the ‘Red Book’, which became the core of the roadmap which eventually led to the PPAs.”¹⁹

By mid-1989, Paris had convened a full international conference on Cambodia called the Paris Conference on Cambodia (PICC) in July-August to push for a breakthrough, with Indonesia joining France as co-chair. The PICC brought together all four Cambodian factions, the six ASEAN countries, the Permanent Five (P5) Members of the UN Security Council, Vietnam, Laos, Australia, Canada, and India as well as Zimbabwe (representing the Non-Aligned Movement) and a representative of the UN Secretary General. Although there were still disagreements over a power sharing arrangement during the transitional period by the four Cambodian factions and a settlement was not reached, the PICC had edged closer to mapping out a comprehensive settlement strategy.

The Australian peace proposal announced by Minister Evans in November 1989 aimed to mend the failure that had occurred during the 1989 PICC by proposing that the United Nations be directly involved in the civil administration of Cambodia during the transitional period to monitor the cease-fire and the cessation of external military assistance and to organize a free and fair election.²⁰ The proposal called for the governance of Cambodia during the transitional period to be ceded to the UN, allowing the major powers to have face-saving exits and withdraw their support for the competing Cambodian factions.

What followed were grueling but steady diplomatic efforts undertaken by all parties involved to refine and develop the Australian proposal to effectively advocate the UN’s role in the peace settlement. Ambassador Kenneth Quinn pointed out the extreme challenges of this process:

“At least in the United States, almost no one gave this diplomatic initiative any chance of success. Indeed, when the Paris Agreement was concluded, a special request had to be made to the Congress for authorization of the \$700 million needed to implement the various parts of the agreement,

¹⁷ Wiryo Sastrohandoyo. 2016. “An Indonesian View,” speech at “The Paris Agreements and Peace in Cambodia 25th Anniversary of the Paris Agreements,” in Phnom Penh.

¹⁸ Cambodia: The Legacy and Lessons from UNTAC. SIPRI Report No. 9. Available at: <https://www.sipri.org/sites/default/files/files/RR/SIPRI09.pdf>.

¹⁹ Interview with report authors, September 2021, via email from Australia. Ambassador Evans’ has previously detailed his role in the PPAs in his memoir, *Incorrigible Optimist: A Political Memoir* (Melbourne University Press, 2017), pp.152-59, and in his foreword to *Seeking Justice in Cambodia: Human Rights Defenders Speak Out*, Sue Coffey (ed), Melbourne University Press, 2018.

²⁰ Gareth Evans. *The Comprehensive Political Settlement to The Cambodia Conflict: An Exercise in Cooperating for Peace*. Also, please see: <https://www.gevans.org/speeches/speech498.html> for Ambassador Evans’ detailed comments on the process.

since no money had been allocated for a Cambodian settlement in the State Department budget... it was the leadership of Ambassador Richard Solomon and the support of a handful of members of Congress, such as Senators John McCain and John Kerry and Representative Steve Solarz, that caused America to persevere in pursuing an agreement that could end the fighting and restore an American diplomatic presence in both Vietnam and Cambodia.”²¹

There were noticeable endorsements from all key players, including the P5 and Paris Conference Co-Chairmen Indonesia and France in close consultation with the UN Secretariat, which begun to play a central role. The P5 held six major consultative meetings on the subject between January and August 1990, reaching an agreement in New York on 27 and 28 August. This produced a ‘framework’ document, setting out the key elements of a comprehensive political settlement based on an enhanced UN role with a skillful and judicious balance of the various interests involved.

Then, at a meeting in Jakarta on 9-10 September 1990, hosted by Indonesia and France, the four Cambodian parties accepted this P5 framework in its entirety as a basis for settling the Cambodian conflict and agreed to establish a Supreme National Council (SNC) - part of the original Australian proposal which was included in the framework - which would, among other things, occupy the Cambodian seat in the United Nations.

Regarding the role of neighboring states, Dr. Darmp Sukontosap ²²of the Thai Ministry of Foreign served as desk officer in charge of the final leg of the peace negotiation among the four Cambodian factions, including organizing the three SNC Meetings in Bangkok and Pattaya, and he highlights an additional, less well-known aspect of the process: “None of the literature written mentioned about the importance of the role played by China, Vietnam, and Thailand in helping to encourage the 4 Cambodian factions to end the conflict among them. Instead, much of the literature focused on the role of Australia, Indonesia, and the Perm-5, in pushing for the Framework Agreement. Agreements are only paper. What helped turned agreements into practical reality was the political will of the parties involved. Therefore, the encouragements from Cambodia’s immediate neighbors were actually an important factor which helped sustain a workable peace among the 4 Cambodian factions.”

The final step was for the UN to endorse the basic elements of the peace plan. The UN Security Council Resolution 668 on the 20th of September 1990²³ and UN General Assembly Resolution 45/3 of 15 October 1990 respectively endorsed the framework document. These Resolutions welcomed the agreement of the Cambodian parties to form the SNC “as the unique legitimate body and source of authority in which, throughout the transitional period, the independence, national unity and sovereignty of Cambodia is embodied.”²⁴

Any summary of this process would be incomplete without recognition of the agreement between King Sihanouk and Prime Minister Hun Sen in July 1991 in which the two leaders set out key next steps, including King Sihanouk’s taking on a role of neutrality and

²¹ Ambassador Kenneth Quinn, interview with report authors September 2021, via email from the United States.

²² Dr. Darmp Sukontosap, Director of the Institute of Diplomacy and International Studies at Rangsit University, interview with authors in October 2021, via email from Bangkok.

²³ UN Security Council Resolution 668 “The Situation in Cambodia” available at <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/575/18/IMG/NR057518.pdf?OpenElement>.

²⁴ UN General Assembly Resolution 45/3 “The situation in Cambodia” available at <http://www.un.org/documents/ga/res/45/a45r003.htm>.



Norodom Sihanouk escorted by Hun Sen–November 1991. Photo courtesy of Ambassador Julio Jeldres Collection at the Queen Mother Library Documentation Center of Cambodia Archives

calling on other members of the Supreme National Council to support the agreement, as a necessary precursor to the conclusion of the PPAs.²⁵

Finally, the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict were signed on 23 October 1991 by the four Cambodian parties and the international participants at the second Paris Conference on Cambodia.²⁶

As Ang Chen Guang and Kwa Chong Guan highlight:

“The Paris Peace Agreement comprised three instruments, of which the first and second have treaty status (and thus [are] legally-binding) whereas the third instrument was not legally-binding:

Agreement on a comprehensive political settlement of the Cambodian conflict, with annexes on the mandate of UNTAC (United Nations Transitional Authority in Cambodia), military matters, elections, repatriation of Cambodian refugees and displaced persons, and the principles for a new Cambodian constitution. (The key word to note here is ‘Comprehensive’.)

Agreement concerning the sovereignty, independence, territorial integrity and inviolability, neutrality, and national unity of Cambodia; and Declaration of the Rehabilitation and Reconstruction of Cambodia.

“Paragraph 12 of the ‘Final Act of the Paris Peace Conference on Cambodia’ is worth quoting in full: “Above all, in view of the recent tragic history of Cambodia, the States participating in the Conference commit themselves to promote and encourage respect for and observance of human rights and fundamental freedoms in Cambodia, as embodied in the relevant international instruments to which they are party.”²⁷

The settlement gave the United Nations Transitional Authority in Cambodia (UNTAC) full authority to govern Cambodia from March 1992 to September 1993.²⁸ It also committed the Cambodian parties and those supporting them to a permanent ceasefire,

²⁵ For full text of the agreement, see Appendix One.

²⁶ Framework for a Comprehensive Political Settlement of the Cambodia Conflict, available at <http://peacemaker.un.org/cambodiaparisagreement91>.

²⁷ Interview with report authors, September 2021 (via email correspondence from Singapore).

²⁸ The United Nations Transitional Authority in Cambodia (UNTAC), The United Nations. Available at: <https://peacekeeping.un.org/sites/default/files/past/untacbackgr1.html>.



United Nations Transitional Authority in Cambodia (UNTAC). Dutch troops guarding a train with refugees returning to Cambodia from camps in Thailand. May 1993. Used courtesy of United Nations Photo Flickr account under a creative commons license.

repatriation of displaced Khmer along the border with Thailand, disarmament and demobilization of the factional armies, preparations for free and fair elections, and the adoption of a new democratic constitution.

The PPAs were the product of landmark collaboration between Cambodia and the international community to work together to restore the independence and sovereignty of Cambodia and to transform the country into a peaceful, democratic, and developed nation. The Agreements solved many practical issues, such as the verification of the withdrawal of foreign forces and the supervision of the ceasefire, the repatriation of Cambodian refugees, and the conducting of the 1993 national elections. But for Cambodia, the story of the PPAs has also expanded to include comprehensive efforts towards institution-building and social reconstruction designed to secure a lasting end to armed conflict and a genuine transition to democracy. Reflecting, one must ask if this is a full and accurate accounting of the change the PPAs wrought in Cambodia (this topic is explored in detail in subsequent sections below).

On a positive note, one can say without exaggeration that the UN Blueprint for Cambodia succeeded where previous attempts – a confrontational approach and the use of military forces – had failed. This was primarily because the international community, including regional blocs such as ASEAN and domestic Cambodian parties, were supportive of a negotiated peace settlement. Hence, the PPAs gave rise to a negotiated resolution that freed Cambodia from isolation and neglect and allowed the return of peace, stability, and prosperity.

Especially worthy of note is the work of the United Nations Transitional Authority in Cambodia (UNTAC) during its 18-month mandate in Cambodia. It was the most elaborate and dramatic commitment of the international community to peacebuilding in history at the time, with a total operational cost of over \$1.6 billion.

UNTAC, ELECTIONS, AND A NEW CONSTITUTION

The PPAs had three main elements that can be identified as major accomplishments contributing to the peaceful settlement of the Cambodia conflict. First, the PPAs established UNTAC and the Supreme National Council (SNC), which created an institutional mechanism to end the protracted conflict. Second, the PPAs provided for UNTAC-supervised national elections in cooperation with the SNC, which brought political legitimacy to parties involved. Third, the PPAs opened a process leading to a new constitutional monarchy and constitution based on “the principles of liberal democracy and pluralism.” The adoption of this new constitution and the formation of a new government restored Cambodia’s external and internal sovereignty, solving the root cause of the Cambodia conflict.

The PPAs established UNTAC with a long-term strategy and vision on how to build and maintain peace in Cambodia’s internationalized conflict. The PPAs were in this regard unique, providing for the first-hand test of United Nations (UN) peacebuilding capabilities. Up to that point, the UN had been mainly concerned with peacekeeping between conflicting intrastate and state parties but was not involved in peacebuilding that interfered with state domestic affairs.

As Former Chief of the US Mission to Cambodia (November 1991 to November 1995) U.S. Ambassador Charles Twining points out: “What is important to bear in mind is that the Paris Agreements of 1991 were the first comprehensive accords that the United Nations had ever been tasked with implementing. Peacekeeping previously meant keeping two sides apart. This time the UN had to bring the parties together in a body, a Supreme National Council headed by Prince Sihanouk, to govern the country under UN guidance. This meant bringing a halt to factionalism and competing armies and outside intervention. It required strengthening of human rights and freedoms, resolution of the refugee issue, and beginning the rebuilding of the country. One hoped that the result would be reconciliation and a new beginning through free and fair elections. None of this would be easy.”²⁹

To implement the peace treaty, the PPAs established an institutional mechanism that is unprecedented in international law history as it implied a shared authority between an international organization, the UN, and a state. The sovereignty rested *de jure* with the SNC, who delegated authority to UNTAC and represented Cambodia externally. The PPAs stipulated that the SNC is “a unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence, and unity of Cambodia are enshrined,” but also specified that the SNC “delegates to the United Nations all powers necessary to ensure the implementation of this Agreement.”

Under the PPAs, UNTAC’s mandate was to “...exercise the powers necessary to ensure the implementation of this Agreement, including those relating to the organization and conduct of free and fair elections and the relevant aspects of the administration.” The mandate consisted of four components: (i) direct control of the civil administration of the State of Cambodia, including “all administrative agencies, bodies, and offices in the field of foreign affairs, national defense, finance, public security, and information;” (ii) the

²⁹ Ambassador Charles Twining, interview with report authors (via email in the United States), September 2021.

military function: “to supervise, monitor and verify” the withdrawal of foreign forces, the cease-fire, the disarmament and demobilization of all Cambodian military forces, a mine-clearance and mine awareness program, and the repatriation and resettlement of displaced Cambodians; (iii) the conduct of free and fair elections for a constituent assembly, and (iv) the promotion and protection of human rights.

The PPAs also provided rules on how the dual authority of UNTAC and the Supreme National Council should be exercised. UNTAC was “obliged to comply with any advice from the Supreme National Council on any aspect of the settlement,” but under the conditions that the Supreme National Council’s advice is “consistent with the objectives of the present Agreement.” This judgement could only be determined by the UN-appointed Special Representative of the UN Secretary-General to Cambodia, who also served as the Head of UNTAC. Moreover, the Secretary-General had the legal prerogative “to act in any situation” when the Supreme National Council did not provide advice. Advice was to be made by consensus of the Supreme National Council; in instances when consensus could not be reached, Prince Sihanouk could provide advice on the Council’s behalf “taking fully into account” its members’ view.³⁰

This new institutional mechanism emerged as a compromise between the Cambodian factions after they failed to reach a power-sharing agreement for a quadripartite interim government.³¹ To overcome the deadlock, the UN Security Council met in January 1990 to discuss a proposal by Australia and the US named ‘Framework Document’ which sought to create a UN administration that included the establishment of the SNC “to embody Cambodian sovereignty” and a UN peacebuilding mission to implement a peace treaty.³²

Yasushi Akashi, who served as the United Nations Representative of the Secretary General to Cambodia (1992-1993), pointed out the uniqueness of UNTAC at the time: “What makes UNTAC different from other peacekeeping operations is, in the first place, its extensive authority. Under Article 6 of the Paris Agreements UNTAC was given the authority to implements [sic] the provisions of the Paris Agreements. While it had to consult with the Supreme National Council, in which Cambodian sovereignty and legality are enshrined. The Supreme National Council has not in reality exercised much power; it is always left to UNTAC to propose or negotiate on substantive questions during the transitional period.”³³

The Cambodian factions approved of the Framework Document and agreed during the Tokyo Conference (June 3-4, 1990) to form the SNC, which politically legitimized them and provided a dialogue platform to overcome their differences peacefully, as noted subsequently by a senior UN official.³⁴ The SNC was composed of 12 members as listed in the table below.³⁵ Six members came from the State of Cambodia (the former People’s Republic of Kampuchea, Cambodian People’s Party - CPP), including the current Prime Minister Hun Sen, and two each came from the exile coalition government, including

³⁰ Ratner, Steven R. (1993). The Cambodian Settlement Agreements, *The American Journal of International Law*, Vol. 87, No. 1, pp. 1-41.

³¹ Ieng Mouly, interview with report authors, August 2021 in Phnom Penh.

³² Ratner 1993 and Ang Cheng Guan and Kwa Chong Guan, interview with report authors, August 2021, Phnom Penh.

³³ Interview with the authors, August 2021, via email.

³⁴ Private remarks from a former United Nations official provided to report authors in July 2021.

³⁵ Trevor Findlay. 1995. Cambodia. The Legacy and Lessons of UNTAC, Stockholm International Peace Research Institute (SIPRI) Research Report No. 9, Oxford University Press.

the republican faction (Khmer People's National Liberation Front - KPNLF/Buddhist Liberal Democratic Party - BLDP), the monarchic faction (The National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia - FUNCINPEC), and the Khmer Rouge (Party of Democratic Kampuchea – PDK). Prince Norodom Sihanouk acted as Head of State and SNC President.

Table 4.1. Membership of the Supreme National Council, January 1993

HRH Prince Norodom Sihanouk	Head of State and President of the SNC
Hun Sen	CPP
Hor Namhong	CPP
Tea Banh	CPP
Dith Munty	CPP
Im Chhun Lim	CPP
Sin Sen	CPP
HRR Prince Norodom Ranariddh	FUNCINPEC
Sam Rainsy	FUNCINPEC
Son Sann	KPNLF/BLDP
Ieng Mouly	KPNLF/BLDP
Khieu Samphan	PDK
Son Sen	PDK

Membership of the Supreme National Council, January 1993. UNTAC, XII, Information/Education Division, Brief, no. 16 (25 January 1993).

To prepare for UNTAC, a UN Advanced Mission to Cambodia (UNAMIC) was established in November 1991. UNAMIC was mandated with overseeing the ceasefire agreement, starting a mine-clearing and awareness program, and creating the conditions for UNTAC deployment. In February 1992, the UNTAC operation plan was approved with UN Security Council resolution 745. The UNTAC mission started in March 1992 and lasted until September 1993, when a new constitution was adopted, and a new Cambodian government formed.³⁶

UNTAC was at this time the largest peace-building mission in UN history with 22,784 personnel composed of 15,900 military personnel, 3,600 Civilian Police, and 2,000 civilians, including 450 United Nations Volunteers (UNVs) from 100 countries. The largest military and civilian police contingents came from France, Indonesia, and India. Some states were participating for the first time in a UN peace mission. They included, among others, Brunei, Germany (with medical personnel), and Japan (with an engineering battalion). UNTAC was supported by 10,000 Cambodians who were mainly employed as electoral staff and interpreters. The UNTAC budget of USD \$1.8 billion was larger than the regular UN budget. The head of the then UN Department of Disarmament, Yasushi Akashi from Japan, was appointed as Special Representative of the UN General-Secretary Boutros Boutros-Ghali, and as Head of UNTAC. Lieutenant General John Sanderson from Australia was appointed as commander of the UNTAC military forces.³⁷

The UNTAC mission has been perceived by many scholars to have been successful at certain levels, even though there were distinct shortcomings due mainly to the security situation.³⁸ Throughout the mission, UNTAC worked in close cooperation with the SNC,

³⁶ Lucy Keller. 2005. "UNTAC in Cambodia – From Occupation, Civil War and Genocide to Peace," in Max Planck Yearbook of United Nations Law, Vol. 9, pp. 127-178.

³⁷ Findlay 1995.

³⁸ Peou Sorpong, Interview with report authors, September 2021, via email from Canada.



United Nations Transitional Authority in Cambodia (UNTAC). Cambodians returning from refugee camps aboard a UNHCR (Office of the United Nations High Commissioner for Refugees) train. August 28, 1992. Used courtesy of United Nations Photo Flickr account under a creative commons license.

and especially with Prince Norodom Sihanouk. UNTAC facilitated the restoration of Cambodian sovereignty by verifying the withdrawal of foreign troops (Vietnam), and by initiating a constitutional process. For the latter achievement, UNTAC has generally been praised. The conduct of free and fair elections under UNTAC supervision paved the way for the formation of a Cambodian constituent assembly, the adoption of a new Cambodian constitution, and the formation of a new Cambodian government. In addition, UNTAC helped to improve the human rights situation by monitoring, protecting, and promoting human rights, as well as successfully repatriating 365,000 displaced Cambodians from refugee camps on the Thai border.³⁹

Key actors and scholars present diverse views and evaluations of the UNTAC period, while still overwhelmingly highlighting the importance of the Paris Peace Agreements across a myriad of areas. While this report does not seek to evaluate UNTAC, it is useful to recognize these views for the historical record.

On the question of UNTAC's mission as a whole, Ang Cheng Guan and Kwa Cheng Guan note: "UNTAC, as one writer described, was 'both revolutionary and unprecedented'." There was the hope that with the end of the Cold War the UN would take on an enhance[d] role in the resolution of regional conflicts as envisioned in Chapter VI of the UN Charter, and UNTAC would be the harbinger for this. UNTAC was the first post-Cold War UN peacekeeping operation which moved beyond a 'policeman' role in separating

³⁹ Ken Berry. 2012. "The Role and Performance of UNTAC. An Australian Perspective," in Cambodia. Progress and Challenges since 1991 (Pou, Sothirak et. al. Eds.), Singapore: Institute of Southeast Asian Studies (ISEAS), pp. 173-187.

the warring parties in a conflict to making peace between them.” Beyond the impact on the subsequent development of the United Nations, they underscore the importance of recognizing the complexity of UNTAC’s mission and its distinct role: “it is not possible to talk of the Paris Peace Agreement without reference to UNTAC, whose mandate was to “discharge its responsibilities effectively and with complete impartiality” in a relatively short time. UNTAC’s mission was an “operation of extreme complexity” (see the first instrument of the Paris Peace Agreement above) and having always to bear in mind that it was not an occupying power.”⁴⁰

Regarding the role of the Khmer Rouge following the Paris Peace Agreements, Ambassador Kenneth Quinn provides fascinating and important details as to the approach that Washington had planned:

“Based on my experience 15 years earlier in Vietnam, I had seen the powerful impact that upgraded rural roads and new high-performance agricultural seeds could have in undermining the Viet Cong Insurgency. I therefore directed that all of our funds would be used to lease road grading equipment in Thailand and to bring it into Khmer Rouge controlled areas in the Cambodian countryside and begin upgrading and improving the roads. Not only did this approach undercut the Khmer Rouge but it also provided easier access for hundreds of thousands of Cambodian refugees to return to the country from the camps along the Thai border where they had been existing for over a decade.

“This rural development approach, combined with the new government’s efforts, began to produce results as some Khmer Rouge military commanders began to defect to the government side as economic and agricultural development increased the quality of life for farmers in their region. The new central government thoughtfully allowed these former low level Khmer Rouge elements to remain in place as their villages became incorporated into the reformed Cambodian society now existing under the PPA accords.

Ieng Mouly provides a thorough overview as well:

“In my view, the initial settlement of the conflict was the most important aspect of the Paris Peace Agreements. The implementation of the agreement on a Comprehensive Political Settlement of the Cambodia Conflict helped restore full sovereignty and independence for Cambodia.... the non-participation of the Khmer Rouge in the 1993 general election, cannot overshadow the tremendous success of UNTAC’s mission in Cambodia. It allowed the three other factions to reconcile and to adopt a new constitution that became the supreme law of the land, highlighting a declaration of fundamental rights, a status of Cambodia as a sovereign, independent, and neutral state, and a state that follows a system of liberal democracy, based on pluralism, giving its citizens the rights to vote, and to be elected by universal and equal suffrage.”

Finally, as Ambassador Pou Sothirak has highlighted: UNTAC also opened a venue for Cambodia to become a peace-building state in its own right. Cambodia today provides regular support for UN peacebuilding missions with a training center in the country, and participation of Cambodian soldiers in UN missions abroad. UNTAC left an enduring footprint on Cambodia’s future development by opening Cambodia to the world with the most international of all UN missions ever undertaken as of this report’s publication in 2021.

Constituent Assembly Elections under UNTAC

Under the PPAs, UNTAC was responsible for organizing free and fair elections for a constituent assembly. This required the adoption of an election law and a civic education campaign to guarantee universal suffrage and ensure that Cambodian citizens understood the concept of free and fair elections. The PPAs required a neutral election

⁴⁰ Ang Cheng Guan and Kwa Cheng Guan interview, 2021.

administration, that political parties be allowed to be formed and register for the elections, and the creation of a level-playing field for the election campaigning and a neutral political environment free of intimidation and violence. It further required training of Cambodians conducting the polling and counting and that procedural and substantive rules were followed, especially those rules to protecting the secrecy of the vote and the correct count and compilation of election results. The mandate also entailed ensuring electoral complaints were investigated, and, finally, that the election results were officially announced and transformed into constituent assembly seats.

The new electoral law following stipulations of the PPAs was drafted by UNTAC and adopted by the SNC in August 1992. Eligible voters needed to be over 18 years of age and born in Cambodia with at least one parent born in Cambodia. Cambodians not born in Cambodia but with at least one parent and one grandparent born in Cambodia were allowed to vote, as well as Cambodians living abroad if they registered in-person in Cambodia. Elections were held under “a system of proportional representation based on candidate lists put forward by the political parties” to elect a constituent assembly of 120 members. The system of proportional representation was organized at the provincial level, providing a certain number of assembly seats determined by the number of eligible voters in each of the 21 provinces.

Based on a demographic survey that was conducted in March 1992, UNTAC determined the number of eligible voters and began registering voters for four months starting in October 1992. It was decided to schedule the elections for six days from May 23-28, 1993. For the voter registration, 450 United Nations Volunteers were employed as Electoral District Supervisors alongside an estimated 4,000 locally recruited registration personnel. A total of 4,764,430 citizens were considered eligible to vote by UNTAC, of which 95% were registered to vote. The high voter registration turnout was achieved via a nationwide UNTAC civic education campaign via UNTAC radio and civic education teams who were sent into the remotest villages to hold community meetings and distribute information.⁴¹

The registration of political parties began in August 1992. A political party was required to list at least 5,000 registered and voting party members. A total of 20 political parties registered for the elections, among whom the main contesters were the CPP, FUNCINPEC, and the BLDP (formed by the KPNLF). By April 1993, all political parties had opened a total of 2,047 party offices, although only the main contesters were able to open party offices in all provinces.⁴² The official six weeks of election campaigning was scheduled from April 7 – May 18, with a four-day cooling-off period. Individual parties and multiparty campaigns run by UNTAC mobilized an estimated 800,000 participants during a total of 1,529 rallies throughout the country. The rallies were generally peaceful. No major incidents were reported.

However, the PDK (representing the Khmer Rouge) boycotted the elections and launched various violent attacks against the CPP, UNTAC, and the Vietnamese minority. The security situation was fragile, constraining UNTAC’s efforts to create an election atmosphere free from fear, violence, and intimidation.⁴³

In terms of the ability of UNTAC to provide security, Michael Hayes makes the highly nuanced and valuable point that: “UNTAC’s biggest failure was actually one of its most

⁴¹ Findlay 1995.

⁴² Roberts David. 1994. “The Cambodian Elections of 1993,” in *Electoral Studies*, Vol. 13, No. 2, pp. 157-162.

⁴³ Findlay 1995.

important successes. When the Khmer Rouge pulled out of the peace process and boycotted the elections, it left them totally isolated with their troops holed up in remote jungle areas, making it much easier to eventually subdue them. Otherwise, KR leaders (much later convicted of genocide) might have won seats in the 1993 elections, come to Phnom Penh with parliamentary immunity, along with who knows how many thousands of KR soldiers that, in theory, would have been ‘integrated’ into RCAF, a process that as we saw in 1997 with CPAF and ANKI never really took place.”⁴⁴

Despite the security situation, UNTAC did succeed in securing a level-playing field in media election campaigns. UNTAC provided equal airtime for all competing political parties through its radio station. FUNCINPEC was able to open an independent TV and radio station to balance the CPP campaign that dominated state TV and radio. UNTAC also ensured that all contesting political parties gained access to print shops to produce leaflets, posters, and banners for distribution throughout the country (Findlay 1995). The CPP focused their election campaign on having saved Cambodia from the Khmer Rouge and discredited FUNCINPEC and the BLDP as colluding with them. The CPP campaigned as the only guarantor preventing a return to power of the Khmer Rouge. The FUNCINPEC election campaign focused on their royal credentials. Prince Norodom Ranariddh promised to return his father, Prince Norodom Sihanouk, to power in the event that FUNCINPEC won the elections. FUNCINPEC further campaigned that they would not fight the Khmer Rouge but include them in the peace process.⁴⁵

Despite the Khmer Rouge electoral boycott and their threats to jeopardize the election process, the elections were held nationwide without major incidents. 1,400 polling stations operated in the country in addition to 200 mobile polling teams reaching voters in remote and Khmer Rouge-controlled areas.⁴⁶ UNTAC employed 1,000 International Polling Station Officers and 56,000 Cambodians for the polling process. Voters turned out in huge numbers: 89.5% of all registered voters cast their ballot. This is a remarkably high number when placed in comparison with other states, including consolidated democracies such as Switzerland and Japan where turnout rates have fallen below half the eligible population.⁴⁷ Even Khmer Rouge members were reported to have voted.⁴⁸ To protect the secrecy of the vote, ballots were counted at the provincial level. Less than 4% of votes cast were invalid - even though Cambodians had not voted since the 1960s and were thus unfamiliar with the process. The high voter turnout and a low number of invalid votes indicated both strong civic commitment among voters and that UNTAC’s civic education campaign was effective.⁴⁹

The major positive outcome of the election results, announced on 10 June 1993, was that the Khmer Rouge were not politically legitimized. Few voters followed their call to boycott the elections, while the other factions could now claim to have popular political legitimacy, though none an outright majority.⁵⁰ The election results revealed that

⁴⁴ Michael Hayes, Interview with report authors, September 2021 in Phnom Penh.

⁴⁵ David 1994 and Michael Sullivan. 2016. “Cambodia. Democracy, Authority and International Support for Elections 1993-2013,” in Nordic Institute of Asian Studies, Governance in Asia Series, No. 5.

⁴⁶ United Nations (2021), UNTAC, www.peacekeeping.un.org.

⁴⁷ OECD, September 2019: https://www.oecd.org/els/family/CO_4_2_Participation_first_time_voters.pdf.

⁴⁸ Findlay 1995. Ramses Amer. 1993. “The United Nations Peacekeeping Operation in Cambodia: Overview and Assessment,” in Contemporary Southeast Asia, Vol. 15, No. 2, pp. 211-231.

⁴⁹ Findlay 1995.

⁵⁰ Nanh T Vu. 1996. “The Cambodian Elections and the Benefits of Legitimacy,” in The Fletcher Forum of World Affairs, Vol. 20, No. 1, pp. 81-102.

FUNCINPEC had the strongest political support, winning 45.47% of the popular vote and obtaining 58 seats. The CPP followed with 38.23% of the vote and 51 seats. The BLDP gained 3.81% of the vote and 10 seats. FUNCINPEC won relative majorities in 10 of 21 provinces and the CPP in 11. The capital Phnom Penh was won by FUNCINPEC.⁵¹ Of the other contesting political parties, only MOULINIKA succeeded to win 1.37% of the vote, obtaining one seat. The other 16 political parties obtained a total of 11.12% of the popular vote but no seats as shown in the table below.⁵²

Table 5.1. The May 1993 election results

Party	Number of seats	Percentage of valid votes cast
FUNCINPEC	58	45.47
Cambodian People's Party (CPP)	51	38.23
Buddhist Liberal Democratic Party (BLDP)	10	3.81
Molinaka Party	1	1.37
Other parties	—	11.12

The May 1993 Election Results. Source: Phnom Penh Post, June 18 – July 1993, p. 4; UN United Nations Focus: Cambodia, Cambodia Election Results, July 1993, p. 2.

The elections were approved by the SRGS and the UN Security Council, with Resolution 835, endorsing the declaration of the SRGS to the SNC that “the conduct of the election had been “free and fair” and stated that the results “fairly and accurately reflect[ed] the will of the Cambodian people.”⁵³

The UNTAC election left a positive legacy on Cambodians until today, as noted in comments by Ieng Mouly and others above. Perhaps most importantly, the election resulted in the recognition that free and fair elections are the most effective way to legitimize a government and to ensure peaceful power transitions. Cambodians have internalized their civic duty to vote and to express their political choices.

⁵¹ National Democratic Institute. 1998. “Party Percentage Comparisons (1993-1998)” in: The July 26, 1998, Cambodian National Assembly Elections. Washington D.C.: NDI.

⁵² Findlay 1995, p. 84.

⁵³ Keller 2005.



Akashi with Two Prime Ministers. Photo courtesy of Ambassador Julio Jeldres Collection at the Queen Mother Library Documentation Center of Cambodia Archives.

THE REBIRTH OF THE SECOND KINGDOM: THE 1993 CAMBODIAN CONSTITUTION

The elections paved the way for the adoption of a new constitution and the formation of a new Cambodian government. There was some contention over the election results, which were initially disputed. However, after negotiation undertaken by King Norodom Sihanouk resulted in the creation of a co-prime ministership shared among the two parties with the most votes, the constituent assembly was inaugurated on 14 June. In the meeting, the 1970 coup against Prince Sihanouk was declared null and void and he was unanimously elected as Head of State and an all-party provisional government was formed. The Provisional National Government of Cambodia (PNGC) was co-chaired by Prince Norodom Ranariddh and Prime Minister Hun Sen. Both also co-chaired the Ministry of Defense and Interior and Public Security. The CPP received 16 ministries and FUNCINPEC 13 ministries - including the Ministries of Finance and Foreign Affairs. BLDP received three ministries and MOULINIKA one ministry. Each CPP minister had a FUNCINPEC deputy minister and vice versa. The parties also agreed to integrate their military forces into the newly formed Royal Cambodian Armed Forces.⁵⁴

The formation of the PNGC was an important step to initiate political reconciliation and back up the constitutional process.⁵⁵ The CPP and FUNCINPEC committed to full cooperation and Prime Minister Hun Sen accepted to be second prime minister in a permanent government to be formed after the adoption of a new Cambodian constitution.

⁵⁴ Frank Frost. 1994. "From UNTAC to Royal Government," in *Southeast Asian Affairs*, pp. 79-101.

⁵⁵ Kung Phoak. 2012. "How has Cambodia achieved Political Reconciliation?" in *Cambodia. Progress and Challenges since 1991* (Pou, Sothirak et. al. eds.), Singapore: Institute of Southeast Asian Studies (ISEAS), pp. 205-230.

CPP and FUNCINPEC declared that “the two parties will continue to work hand in hand to form a permanent national government and administrative leadership at all provincial and municipal levels.”⁵⁶ A committee was established to draft the new constitution, which was presided over by Son Sann (BLDP) or his deputy Chea Sim (CPP). On 24 September 1993, King Sihanouk signed the new Cambodian constitution and was reinstated as King of Cambodia. On 29 October the new Royal Government of Cambodia was officially formed, continuing the joint leadership of Prince Norodom Ranariddh as first Prime Minister and Hun Sen as second Prime Minister, as well as the all-party government.

The new Cambodian constitution was written in the spirit of the PPAs which stated that “Cambodia’s tragic recent history requires special measures to assure protection of human rights.” Hence, the constitution stipulates a system of liberal democracy, based on pluralism, periodic and genuine elections, an independent judiciary, and the protection of fundamental rights. It provides Cambodia with a template for a democratic government that should have a functioning system of checks-and-balances with independent powers for the legislative, executive, and judiciary, and holds the government accountable with periodic and genuine elections intended to prevent misuse of power. Although continued progress towards these ideals and the institutionalization of checks and balances is sought after, the PPAs can be today endorsed for having provided a normative framework of liberal peace for Cambodia’s future.

Rehabilitation and Reconstruction of Cambodia

The PPAs provided an important opportunity to rehabilitate and reconstruct Cambodia. Since the 1970s, the country had been ravaged by protracted conflicts, Khmer Rouge atrocities and isolation from the international community. Basic socio-economic infrastructure required for state functioning was weak or almost non-existent in some areas.⁵⁷ Physical infrastructure was shattered. Many Cambodian intellectuals perished, especially during the Khmer Rouge regime from 1975-1979, leaving the country’s human capital necessary for running essential sectors decimated.

During the first term of government, Cambodia had to deal with the Khmer Rouge’s armed insurgency after the group reneged on the PPAs. The coalition government strove to end these armed disturbances through offensive responses and political negotiations. Due to internal Khmer Rouge divisions and political settlements initiated by the government guaranteeing personal safety, employment, and property, by late 1998, Khmer Rouge was fully disintegrated after its remaining cadres decided to defect to the government. This put an official end to armed conflicts within Cambodia for the first time in decades. The last groups of the Khmer Rouge guerrillas were integrated into the Royal Cambodian Armed Forces in late 1998. This marked the total dissolution of the Khmer Rouge’s political and military organs and the return of all areas to government control, allowing the government to undertake several policies to enhance public order and safety such as disarmament, demilitarization, and security sector reforms. While these reforms had mixed results and there have been recurring instances of inter-party, political conflict that temper Cambodia’s success story, Cambodia now is relatively more peaceful, stable, and safe compared to the early period right after the signing of the PPAs.

⁵⁶ Frank Frost. 1994. “From UNTAC to Royal Government,” in *Southeast Asian Affairs*, pp. 79-101.

⁵⁷ For more detail see: Eva Mysliwiec. 1988. *Punishing the Poor: The International Isolation of Kampuchea*. <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/123009/bk-punishing-the-poor-ch1-4-010188-en.pdf>.

The PPAs offered a fresh beginning for Cambodia to rehabilitate and rebuild the country again as a nation state. Following the general elections, the international community channeled billions of dollars in assistance to start Cambodia on its long nation-building process that continues to this day.⁵⁸

The PPAs emphasize some important principles in the process of rehabilitating and rebuilding Cambodia. Fundamental among these principles is “the advancement of the Cambodian nation and people, without discrimination or prejudice, and with full respect for human rights and fundamental freedom for all.”⁵⁹ There are still areas of improvement of implementing this pledge; nevertheless, it is essential to recognize that the peace agreements successfully tackled immediate priorities during the rehabilitation phase, including food security, health, housing, training, education, logistics, and the restoration of Cambodia’s existing basic infrastructure and public utilities. Moreover, the PPAs created a consultative body, the International Committee on the Reconstruction of Cambodia (ICORC), open to all donor countries and other relevant countries willing to help Cambodia. The establishment of this institution resulted in pledges and other commitments totally \$880 million at its first conference held in Tokyo in June 1992 – with subsequent pledges \$119 million in Paris in September 1993 and in 1994 at the second ICORC in Tokyo pledges of \$800 million through 1996.⁶⁰

All of Cambodia’s national development plans since 1994 center on maintaining peace and stability, economic development, and good governance. During the rehabilitation process, fixing essential infrastructure was crucial to enable to restart of rebuilding Cambodia. Key areas Cambodia’s government prioritized included restructuring governmental institutional arrangements, fixing socio-economic and physical infrastructure, and reintegrating into the international community.

First, the government arranged necessary institutional frameworks to enable rehabilitation of a new Cambodia. Chief among them was to have national development plans and strategies presenting essential roadmaps to guide the development of Cambodia. In 1994, the government set out the National Program to Rehabilitate and Develop Cambodia (NPRD), followed by another official document called “Implementing the National Program to Rehabilitate and Develop Cambodia (INPRD)” a year later. Over the years, more development plans and strategies followed, including the first Socio Economic Development Plan (SEDP I) (1996-2000) and SEDP II (2001-2005). Since 1998, the government has unveiled national development strategies on a more regular basis, such as the Triangular Strategy in 1998, Rectangular Strategy (RS) Phase I in 2004, Phase II in 2008, Phase III in 2013 and Phase IV in 2018.

⁵⁸ From 1992 to 2020, Cambodia received about \$20 billion in Official Development Assistance (ODA). In 2020, Cambodia was projected to get the ODA of about \$1.8 billion. See: Council for the Development of Cambodia. (March 2020). Development Cooperation and Partnership Report. p.10. <http://cdc-crdb.gov.kh/en/officials-docs/documents/DCPR-2018-English.pdf>.

⁵⁹ United Nations General Assembly, *Final Act of the Paris Conference on Cambodia (Agreement on a Comprehensive Political Settlement of the Cambodia Conflict - Paris Peace Agreement*, October 30, 1991, A/46/608, page 55, available at https://peacemaker.un.org/sites/peacemaker.un.org/files/KH_911023_FrameworkComprehensivePoliticalSettlementCambodia.pdf.

⁶⁰ Ear Sophal. 2009. “The Political Economy of Aid and Regime Legitimacy in Cambodia,” in Joakim Ojendal and Mona Lilja (eds) *Beyond Democracy in Cambodia: Political Reconstruction in a Post-Conflict Society*. Copenhagen: Nordic Institute of Asian Studies.

The government has put in place necessary institutional arrangements to enable macroeconomic stability in conformity to the free-market system.⁶¹ In 1994, the government enacted key laws such as the Investment Law and created important agencies such as the Council for the Development of Cambodia (CDC) to streamline necessary financial capital from both state and non-state sources to support rehabilitation efforts and later reconstruction. Following this phase, Cambodia went on to establish and amend more laws and institutions to put in place necessary institutional frameworks to buttress the country's evolving development needs.

Second, Cambodia has put efforts in reproducing socio-economic and physical infrastructure. Post-conflict, the government utilized and trained existing human capital to rebuild.⁶² Yet, there was not enough human capital to run post-conflict Cambodia. Therefore, the government paid special attention to generate more human resources through improving education. The government built more schools and trained more teachers to accomplish that task.⁶³

Cambodia has also paid close attention to the rehabilitation of physical infrastructure: roads, bridges, water supply, and electricity grids have been built to boost connectivity throughout the country. In 1994, the government prioritized rehabilitating National Roads Number 4 and Number 5 as well as the Chroy Changvar Bridge, essential linkages to boost domestic connectivity and economic activities.⁶⁴ Due to evolving development needs, in 2019 Cambodia sought to expand National Road Number 5, construct National Road Number 6A, and build a parallel Chroy Changvar Bridge.⁶⁵

Third, Cambodia's government has put significant effort towards reintegrating the country into the international community to enhance necessary diplomatic and economic spaces. On the eve of the 1993 elections, Cambodia normalized relations with its neighbors, ASEAN countries, major powers such as the US, China, and Japan, as well as other Western countries. With resumption of diplomatic relations, there has been productive cooperation on various key issues between Cambodia and its global partners.

Accessing membership of regional and international organizations was also key for Cambodia. Regionally, joining ASEAN was the kingdom's top priority. In 1993, Cambodia was invited as observer and in 1995 it signed the Treaty of Amity and Cooperation. Despite some delays due to Cambodia's internal stability, Cambodia managed to accede to ASEAN full membership in 1999. Internationally, Cambodia was successfully admitted to the World Trade Organization in 2004, further integrating the country's economy into the international trade system.

⁶¹ Rectangular Strategy Phase IV. (2018). https://cambodiancorner.files.wordpress.com/2018/09/rectangular-strategy-phase-iv_final_eng.pdf.

⁶² World Bank. (10 February 1994). Cambodia: From Rehabilitation to Reconstruction. <https://documents1.worldbank.org/curated/en/408971468743782412/text/multi0page.txt>.

⁶³ In 1994, there were about 4,700 primary schools with 35,000 teachers and 1.5 million pupils. There were about 190,000 students in 440 secondary schools, with 17,500 teachers. In 2019, the figure of Cambodia's primary schools was about 8,000, with 46,000 teachers and about 2 million pupils. The number of secondary schools rose to nearly 2,500, with nearly 1 million students and 42,000 teachers. See: World Bank. (10 February 1994). Cambodia: From Rehabilitation to Reconstruction. <https://documents1.worldbank.org/curated/en/408971468743782412/text/multi0page.txt>.

⁶⁴ Ibid.

⁶⁵ In 1994, the country had about 6,000 km of primary and secondary roads of which only 600 km were paved. 80% of these roads have been in poor condition largely due to years of wars and limited fund to maintain and fix them. About 25 years later, Cambodia's figure of primary and secondary roads increased to 16,292 km of which 8,620 km were paved. See: World Bank. (10 February 1994). Cambodia: From Rehabilitation to Reconstruction. <https://documents1.worldbank.org/curated/en/408971468743782412/text/multi0page.txt>.

These institutional frameworks along with the strong support from the international community through aid and investments have fostered the country's development. From 1994-2015, Cambodia's economy grew with average rate of 7.6%, placing the kingdom at 6th in the world in economic growth.⁶⁶ In 2019, Cambodia's economic growth was about 7%. GDP per capita rose from US\$229 in 1993 to US\$1,643 in 2019.⁶⁷ Government investment, foreign aid supporting socio-economic developments, and high average economic growth have dropped Cambodia's poverty rate from 63.3% in 2004 to about 9.5% in 2019.⁶⁸ However, despite this progress, the Royal Government of Cambodia (RGC) still has had remaining challenges such as economic diversification, strengthening state institutions and producing quality human and physical capital.

Although challenges related to economic diversification, state institutions, and quality human and physical capital remain, it is undeniable that the government has committed to and to a significant degree achieved a sound economic, social, and political system to enable the functioning of a modern Cambodia with the support from the international community. More work is also needed to produce quality physical and human capital, particularly in remote areas. To help support the living of local Cambodians in rural areas and narrow the gap of development between urban and remote areas, it is important that the RGC concentrate efforts in mobilizing available resources in building necessary and high-quality physical infrastructure.

Additionally, it is important that the RGC strive to strengthen Cambodia's state institutions to deliver public services effectively and efficiently to all Cambodians. Promoting institutional capacity requires systematic efforts in addressing the challenging tasks of fighting administrative inertia, ensuring anti-corruption efforts, ensuring competitive and accessible multi-party elections, further enhancing the judicial system, and holistically working towards upholding rule of law and social justice. Questions over the maintenance of pluralism after the dissolution of a major political party in 2017 and the future development of electoral competition remain open.

⁶⁶ World Bank. Can Cambodia become an upper middle-income economy by 2030 and a high-income country by 2050? October 2018. <http://documents.worldbank.org/curated/en/888141543247252447/pdf/132482-WP-PUBLIC-nov-28-Economic-Update-Nov-final-01Low-res.pdf>.

⁶⁷ World Bank. (2021). GDP per capita (current US\$) – Cambodia. <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=KH>.

⁶⁸ Rectangular Strategy Phase IV. (2018).

THE PARIS PEACE AGREEMENTS IN 2021

The PPAs indeed paved the way for Cambodia's political reconciliation to be realized, thanks to the international community, bringing all political factions to the negotiation table instead of continuing to fight guerrilla wars. The PPAs have also shown ASEAN's commitment and dedication toward a peaceful and stabilized political environment in the region. The PPAs and UNTAC, however, did overlook the importance of disarming Cambodia's factions as well as the lack of compliance to requirements to reduce the number of troops to 30 percent. This resulted in the continuation of disputes,⁶⁹ which led to the reemergence of some security challenges as well as complicated the country's power structure throughout the entire process. The warring factions were unable to trust one other and hence key actors were unwilling to accept the election results in 1993. One expert noted in a personal interview that the international community "did not fully understand how this electoral process would produce a win-lose outcome", which further exacerbated the insecurity dilemma.⁷⁰ Mistrust has continued in recent decades, and events in 1997 and 2017 show the deep and long-term impacts on Cambodia's democratic development.

At the same time, Ambassador Charles Twining notes: "There was relative peace restored in the country after decades of insecurity. There was the successful return of hundreds of thousands of refugees to their homeland. There were very impressive, free and fair elections. A constitution was written that embodied the principles set forth in the Paris Accords. I believe there has been a misunderstanding, however, regarding PPA support of inclusion in the new constitution of a commitment to a system of liberal democracy, on the basis of pluralism. In our negotiations we agreed that it would be up to the Cambodians themselves to define democracy in a Cambodian context. We did not intend to dictate further how that democracy should work."

As a result, a complete peace package could not be reached after the conclusion of the 1993 election. Political settlement was then resolved through the dual prime ministership and the power-sharing mechanism as proposed by the King Sihanouk. This unique formulation brought forward the two main political parties to work together for the first time. Unfortunately, even with all the immense efforts and extensive actions on the ground, peace within Cambodian society did not prevail, as made evident by the outbreak of violent clashes in the 1997 incident between royalist armed force of FUNCINPEC versus loyalist armed force of the CPP. Conflict ultimately ended in 1998 after the last groups of Khmer Rouge guerillas were formally integrated into the Royal Cambodian Armed Forces. This total dissolution of the Khmer Rouge's political faction and its military organs, and especially the return of all areas which had previously seceded to government control, has played an important role in creating a path towards a more complete political and social unification process in Cambodia.

Understanding of the PPAs and their Relevance in Contemporary Cambodia

Nonetheless, there have been different understandings of the PPA from the government side on one hand versus the civil society organization groups and particularly the

⁶⁹ Taing Raith, "Do the Paris Peace Agreements still matter?", Khmer Times, October 22, 2019, at <https://www.khmertimeskh.com/653188/do-the-paris-peace-agreements-still-matter/>.

⁷⁰ Dr. Sorpong Peou, personal interview with report authors, September 2021, via email.

opposition parties on the other. Last year, civil society organizations and groups of NGOs gathered and voiced their opinions to mark the 29th anniversary of the agreements in many different ways. Since 2019, the government has effectively removed PPA commemoration from the roster of national holidays, citing that the Agreement itself was “dead” after its key values were integrated into the 1993 Constitution, and contending that the PPA did not entirely end the conflicts in Cambodia but that the Royal Government’s “Win-Win Policy” which reintegrated Khmer Rouge fighters into society had done so. However, many figures in the political opposition, including members of the former CNRP, argue otherwise and view the PPAs as a benchmark towards which implementation should continue given that key elements of political development envisioned in the PPAs have not yet been achieved.

Some key foreign embassies from the signatory parties also shared their respective assessment and perspective over the 29th anniversary of the signing of the PPA accordingly. The US Embassy, for instance, issued a statement that said: “The Agreements established processes and institutions that ended years of conflict and bloodshed and set Cambodia on a path to restored peace. The Agreements were designed to ensure the sovereignty, independence, and neutrality of Cambodia. Almost three decades on, as friends and partners of the Cambodian people, we remain committed to these principles.”⁷¹

Former Australian Foreign Minister Gareth Evans told the authors: “It is important that the basic story be told – keeping the main lines of it simple – about how so many different international players with so many competing agendas (the Security Council Permanent Five, then ASEAN members, Vietnam) came together to find common ground to relieve the suffering of the Cambodian people.”⁷²

Evans highlighted the points he had made in remarks in 2018 regarding political developments in Cambodia in the context of the dissolution of the opposition CNRP:

“It is a tough call in the present regional and wider international environment to identify credible strategies to pull Cambodia back from the brink on which it is indeed now precariously balanced. I know a number of Cambodian activists have placed hopes in a re-energising of the PICC (Paris International Peace Conference) process, given that there are clauses in the key 1991 Agreement documents addressing human rights violations. But, given that the key international players – including the conference co-chairs France and Indonesia – have so many other current preoccupations I don’t think there is much realistic chance of anything happening here: even the indefensible ethnic cleansing of and mass violence against Myanmar’s Rohingya has generated only a very muted international response. Moreover, the language of the Agreements talks only, in the event of violations, of ‘taking appropriate steps’ (Final Act, art 29) or calling upon ‘the competent organs of the United Nations’ to take such steps (Agreement on Sovereignty etc, art 5.4) -- and anyone trying to invoke these clauses would be met with the argument that appropriate steps are already being taken through the reporting mechanisms of the UN Human Rights Council in Geneva.”⁷³

Fundamentally, the relevance of the PPAs in today’s context remains a point of debate. Cambodian youth, in particular, have not been significantly exposed to the PPAs as part of their studies and beyond, and there appears to be a lack of motivation so to do. As part

⁷¹ Ben Sokhean, “Paris Disagreements: Differing views on historic peace treaty continue war of words over 29th anniversary of accord,” Khmer Times, October 26, 2020, at <https://www.khmertimeskh.com/50776650/paris-disagreements-differing-views-on-historic-peace-treaty-continue-war-of-words-over-29th-anniversary-of-accord/>.

⁷² Gareth Evans, interview with report authors, September 2021 (via email from Australia).

⁷³ Gareth Evans. 2018. “Cambodia’s Past and Future,” opening address to the World Khmer Congress in Dandedong, Victoria, Australia. <http://www.gevans.org/speeches/Speech663.html>.

of this project, a short survey was run and reached out to more than 100 Cambodian youths,⁷⁴ particularly among university students, to try to understand the depth of their understanding of the PPAs in general and their relevance today in particular. The majority of those surveyed (about 62%) responded that they are ‘fully aware’ of the PPAs, yet, when ask to describe briefly the PPAs, responses were generally vague and in some cases were wildly off the mark. Some respondents said the PPAs were the agreement to grant Cambodia full independence from France; another assumed that it was an agreement signed by 18 signatories to end conflicts in the Indochina region as a whole. Surprisingly, some responded that they were not really aware of the PPAs and did not understood much about it; yet they thought that the PPAs are still of relevance in Cambodia today.

A minority of respondents provided answers that demonstrated a clear and concrete understanding of the PPAs as a “reconstruction effort of Cambodia,” as well as an “introduction to the rule of law, ‘full’ self-determination, and the reintroduction to election”. However, of those who understood what they were, some thought that the PPAs were no longer relevant today in light of the subsequent political development of the kingdom and the beginning of ‘factional politics.’ Others perceived the PPAs as a concrete foundation or blueprint to guide Cambodia in resolving conflicts through peaceful means. The role and efforts of the international community was not mentioned by many respondents.

Conversely, some respondents highly commended the role of foreign signatories and argued that the PPAs are still very much relevant for Cambodia. One quote summarizes the concerns well: “We cannot forget about it by saying that we have [a] constitution, so PPA is invalid. Even though, Cambodia [has a] constitution, PPAs validity and spirit is there to serve Cambodian interest[s]. Cambodia still needs PPA as the foundation to reflect itself: Does Cambodia and [its] leaders respect the spirit of PPA? Have peaceful, democratic, sustainable condition [been] built for Cambodians yet? What factors have not been solved since PPA was established? What have [been] achieved? One more thing, not only Cambodia but I think foreign countries who led and joined PPA in Paris should revitalize PPA to serve the common interest of Cambodian people.”

⁷⁴ Out of a total 107 respondents, 57% are woman and 43% are men; the majority reside within the age range of 18-25 which is about 75%, while between 25-35 is approx. 22%.

CONCLUSION

The Paris Peace Agreements constituted a breakthrough moment for Cambodia and the international community by successfully crafting a comprehensive political resolution to end Cambodia's dramatic past and bring forward much-anticipated peace and development. It was truly a watershed event for the country, aiming for respect of both its political independence and territorial integrity, as well as supporting the rebuilding of the country.

The direct relevance of the Paris Peace Agreements in the current political context of Cambodia is currently being debated—however, even if one argues that the PPAs have been superseded by Cambodia's constitution, the vision that they laid out for a liberal democracy in Cambodia and the principles of governance and respect for human rights are still enshrined in the Constitution. The signing of the PPAs ended the lengthy political stalemate in Cambodia and guided the country towards the peace and prosperity the kingdom enjoys today – a reality recognized across multiple socio-economic metrics.

Progress along the road towards a fully inclusive, transparent, and fair government is inherently an ongoing process in any democracy, and Cambodia's road has not always been an even and direct route. Despite significant progress there are still delays and sometimes significant bumps in the road that will need to be addressed through continued efforts across a range of challenging issues.

The PPAs provided an initial roadmap for Cambodians to rely on as they navigate this path and gave Cambodia a unique chance to rehabilitate and reconstruct itself as a modern functioning nation. After thirty years, Cambodia has transformed significantly from a war-torn country that once experienced mass atrocities to a fast developing and responsible member of the international community. While significant challenges remain in the country's development path, there is no doubt that Cambodia can stand on its own feet as a unitary, sovereign, and independent nation with development well underway, thanks to the desire for peace and the spirit of national reconciliation born from the Cambodian leaders as well as the strong support from international community as stipulated in the PPAs three decades ago.

APPENDIX ONE

**Joint Statement
Between Samdech Norodom Sihanouk and H.E. Hun Sen
(Unofficial Translation by Him Raksme)**

Aiming to push for political settlements for Cambodian problems, and national reconciliation, Samdech Norodom Sihanouk, and H.E. Hun Sen agreed the following:

- H.E. Hun Sen agreed to have Samdech Norodom Sihanouk as the President of the Supreme National Council. The Supreme National Council will not have any Vice President and will retain the same 12 members.
- In order to fully serve as the President of the Supreme National Council, Samdech Norodom Sihanouk decided to resign as the Head of Resistance Movement, and the President of the National Government of Cambodia. Samdech will remain neutral and become a mediator without affiliating in any sides or political parties from now on.
- In this case, Samdech Norodom Sihanouk decided that his successor as the Head of the Resistance Movement, and the President of the National Government of Cambodia is selected based on the decision by the Resistance Movement, and the National Government of Cambodia.
- Samdech Norodom Sihanouk, and H.E. Hun Sen view that this is the best solution to end hostility between the conflicting parties in Cambodia through the neutrality, and mediating roles of Samdech Norodom Sihanouk. In this sense, Samdech Norodom Sihanouk calls for other Members of the Supreme National Council to support this agreement.

Issuing in Peking, 17 July 1991

(signed)
Samdech Norodom Sihanouk

(signed)
H.E. Hun Sen

APPENDIX TWO: INTERVIEW AND SURVEY METHODOLOGY

The methodological approach taken by this report was based around two goals: (i) the gathering for the historical record of the views of key participants in the process that led to the Paris Peace Agreements and (ii) a survey of younger Cambodians to gain a better understanding of the views of that generation as to the relevance and understanding of the Agreements in contemporary Cambodia. The report does not seek to provide a full evaluation of the Agreements or their role in the subsequent political development of Cambodia—the historiographic debates on this topic remain and will likely continue to be debated among scholars and analysts both inside and outside of the Kingdom. Rather, it has sought to facilitate a deeper and stronger record of the perspectives of various key actors from Cambodia and the international community.

To this purpose, the authors reached out to a wide range of individuals who were active in the development of the PPAs – with the assistance of various embassies in Phnom Penh and through CICP’s and Stimson’s respective networks. An open-ended survey instrument was provided with a set of questions for each respondent, with the goal of 20–30 direct responses from these sources. That number was achieved, although not all direct responses were fully incorporated, and the responses are maintained in the CICP archive for the free and open use of any and all scholars who seek to further study the topic.

While a nation-wide survey was not feasible within the scope of this project, CICP reached through its networks to survey younger Cambodians (university students and recent graduates) as to their understanding and views regarding the PPAs. This gathered 107 responses, which while insufficient to achieve validity at a national level does provides insight into how young Cambodians who have completed or who are completing tertiary education view and understand the PPAs in 2021. Individuals surveyed were presented with a short series of open-ended questions to examine whether they were familiar with the PPAs, and space was provided for respondents to indicate their own views as to the relevance or indeed irrelevance of the PPAs in contemporary Cambodia.

All data—including survey results and interviews with scholars, journalists, and analysts—were subsequently organized, reviewed, and in many cases quoted at length to provide an overview as to the PPAs both in their historical context as well as in 2021. The report was subsequently peer reviewed by two Cambodian and two American scholars, with recommendations and revisions made based upon their guidance.

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