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**Disarmament and  
Conflict Resolution Project**

**Managing Arms in Peace Processes:  
Cambodia**

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## **Previous DCR Project Publications**

Managing Arms in Peace Processes: Somalia

Managing Arms in Peace Processes: Rhodesia/Zimbabwe

Managing Arms in Peace Processes: Croatia and Bosnia-Herzegovina



# Preface

Under the heading of Collective Security, UNIDIR is conducting a major project on Disarmament and Conflict Resolution (DCR). The project examines the utility and modalities of disarming warring parties as an element of efforts to resolve intra-state conflicts. It collects field experiences regarding the demobilization and disarmament of warring factions; reviews 11 collective security actions where disarmament has been attempted; and examines the role that disarmament of belligerents can play in the management and resolution of internal conflicts. The 11 cases are UNPROFOR (Yugoslavia), UNOSOM and UNITAF (Somalia), UNAVEM (Angola), UNTAC (Cambodia), ONUSAL (El Salvador), ONUCA (Central America), UNTAG (Namibia), ONUMOZ (Mozambique), Liberia, Haiti and the 1979 Commonwealth operation in Rhodesia.

Being an autonomous institute charged with the task of undertaking independent, applied research, UNIDIR keeps a certain distance from political actors of all kinds. The impact of our publications is predicated on the independence with which we are seen to conduct our research. At the same time, being a research institute within the framework of the United Nations, UNIDIR naturally relates its work to the needs of the Organization. Inspired by the Secretary General's report on "New Dimensions of Arms Regulation and Disarmament in the Post-Cold War Era",<sup>1</sup> the DCR Project also relates to a great many governments involved in peace operations through the UN or under regional auspices. Last but not least, comprehensive networks of communication and co-operation have been developed with UN personnel having field experience.

Weapons-wise, the disarmament of warring parties is mostly a matter of light weapons. These weapons account for as much as 90% of the casualties in many armed conflicts. UNIDIR recently published a paper on this subject (*Small Arms and Intra-State Conflicts*, UNIDIR Paper No 34, 1995). The Secretary General's appeal for stronger efforts to control small arms - to promote "micro disarmament"<sup>2</sup> - is one which UNIDIR will continue to attend to in the framework of the DCR Project.

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<sup>1</sup> Document A/C.1/47/7, No 31, 23 October 1992.

<sup>2</sup> Document 50/60-S/1995/1, 3 January 1995.

This report on the United Nations Transitional Authority in Cambodia deals with the first large-scale UN peacekeeping operation since the 1960's. In some ways, this is a report on a failed mission: in Cambodia, the disarmament of the warring parties had to be abandoned. Nevertheless, the UN mission did accomplish its primary goal: it enabled free and fair elections to be held in Cambodia. This report outlines the essential events leading up to the abandonment of the disarmament component of the mission's mandate and the fulfillment of the elections. The thorough and evenhanded research was undertaken by Jianwei Wang while staying at UNIDIR in the winter and spring of 1995. The text has been reviewed by Trevor Findlay from the Stockholm International Peace Research Institute, Eric Berman from the United Nations, Col. Willem Huijssoon of the Netherlands, and the Project staff. The analysis also benefited from the visiting experts lecture series which included, in this case, Lt. Col. Damien Healy, General Sanderson, and Col. Karl Farris. The report is the fourth in a series of UNIDIR publications on the disarmament dimension of peace operations. There will be a Report on each of the cases mentioned above.

The authors of the case studies have drawn on the professional advice and assistance of military officers intimately acquainted with peace operations. They were Col. Roberto Bendini (Argentina), Lt. Col. Ilkka Tiihonen (Finland) and Lt. Col. Jakkie Potgieter (South Africa). UNIDIR is grateful to all of them for their invaluable contributions to clarifying and solving the multitude of questions and problems we put before them.

Since October 1994, the DCR Project has developed under the guidance of Virginia Gamba. Under her able leadership, the project has not only become the largest in UNIDIR history: its evolution has been a source of inspiration for the entire Institute.

UNIDIR takes no position on the views or conclusions expressed in this report. They are Dr. Wang's. My final word of thanks goes to him: UNIDIR has been happy to have such a resourceful and dedicated collaborator.

Sverre Lodgaard  
Director, UNIDIR



# Acknowledgements

The DCR Project takes this opportunity to thank the many foundations and governments who have contributed with finance and personnel to the setting up and evolution of the research associated with the Project. Among our contributors the following deserve a special mention and our deep appreciation: the Ford Foundation, the United States Institute of Peace, the Winston Foundation, the Ploughshares Fund, the John D. and Catherine T. MacArthur Foundation, and the governments of Argentina, Austria, Brazil, Finland, France, Germany, Malta, the Netherlands, Norway, South Africa, Sweden, the United Kingdom, and the United States of America.



# Project Introduction

## Disarmament and Conflict Resolution

The global arena's main preoccupation during the Cold War centered on the maintenance of international peace and stability between states. The vast network of alliances, obligations and agreements which bound nuclear superpowers to the global system, and the memory of the rapid internationalization of disputes into world wars, favored the formulation of national and multinational deterrent policies designed to maintain a stability which was often confused with immobility. In these circumstances, the ability of groups within states to engage in protest and to challenge recognized authority was limited.

The end of the Cold War in 1989, however, led to a relaxing of this pattern, generating profound mobility within the global system. The ensuing break-up of alliances, partnerships, and regional support systems brought new and often weak states into the international arena. Since weak states are susceptible to ethnic tensions, secession, and outright criminality, many regions are now afflicted by situations of violent intra-state conflict.

Intra-state conflict occurs at immense humanitarian cost. The massive movement of people, their desperate condition, and the direct and indirect tolls on human life have, in turn, generated pressure for international action.

Before and since the Cold War, the main objective of the international community when taking action has been the maintenance and/or recovery of stability. The main difference between then and now, however, is that then, the main objective of global action was to maintain stability in the *international* arena, whereas now it is to stabilize *domestic* situations. The international community assists in stabilizing domestic situations in five different ways: by facilitating dialogue between warring parties, by preventing a renewal of internal armed conflict, by strengthening infrastructure, by improving local

security, and by facilitating an electoral process intended to lead to political stability.<sup>1</sup>

The United Nations is by no means the only organization that has been requested by governments to undertake these tasks. However, the reputation of the United Nations as being representative of all states and thus as being objective and trustworthy has been especially valued, as indicated by the greater number of peace operations in which it is currently engaged. Before 1991, the UN peace operations' presence enhanced not only peace but also the strengthening of democratic processes, conciliation among population groups, the encouragement of respect for human rights, and the alleviation of humanitarian problems. These achievements are exemplified by the role of the UN in Congo, southern Lebanon, Nicaragua, Namibia, El Salvador, and to a lesser extent in Haiti.

Nevertheless, since 1991 the United Nations has been engaged in a number of simultaneous, larger, and more ambitious peace operations such as those in Angola, Bosnia and Herzegovina, Croatia, Mozambique and Somalia. It has also been increasingly pressured to act on quick-flaring and horrendously costly explosions of violence, such as the one in Rwanda in 1994. The financial, personnel, and timing pressure on the United Nations to undertake these massive short-term stabilizing actions has seriously impaired the UN's ability to ensure long-term national and regional stability. The UN has necessarily shifted its focus from a supporting role, in which it could ensure long-term national and international stability, to a role which involves obtaining quick peace and easing humanitarian pressures immediately. But without a focus on peace defined as longer-term stability, the overall success of efforts to mediate and resolve intra-state conflict will remain in question.

This problem is beginning to be recognized and acted upon by the international community. More and more organizations and governments are linking success to the ability to offer non-violent alternatives to a post-conflict society. These alternatives are mostly of a socio-political/economic nature, and are national rather than regional in character. As important as these linkages are to the final resolution of conflict, they tend to overlook a major source of instability: the existence of vast amounts of weapons widely distributed among combatant and non-combatant elements in societies which are emerging from long periods of internal conflict. The reason why weapons themselves are not

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<sup>1</sup> James S. Sutterlin, "Military Force in the Service of Peace", *Aurora Papers*, No 18, Ottawa, Canada: Canadian Centre for Global Security, 1993, p.13.

the primary focus of attention in the reconstruction of post-conflict societies is because they are viewed from a political perspective. Action which does not award importance to disarmament processes is justified by invoking the political value of a weapon as well as the way the weapon is used by a warring party, rather than its mere existence and availability. For proponents of this action, peace takes away the reason for using the weapon and, therefore, renders it harmless for the post-conflict reconstruction process. And yet, easy availability of weapons can, and does, militarize societies in general. It also destabilizes regions that are affected by unrestricted trade of light weapons between borders.

There are two problems, therefore, with the international community's approach to post-conflict reconstruction processes: on the one hand, the international community, under pressure to react to increasingly violent internal conflict, has put a higher value on peace in the short-term than on development and stability in the long-term; and, on the other hand, those who *do* focus on long-term stability have put a higher value on the societal and economic elements of development than on the management of the primary tools of violence, i.e., weapons.

### **UNIDIR's DCR Project and the Control of Arms during Peace Processes (CAPP)**

The DCR Project aims to explore the predicament posed by UN peace operations which have recently focused on short-term needs rather than long-term stability. The Project is based on the premise that the control and reduction of weapons during peace operations can be a tool for ensuring stability. Perhaps more than ever before, the effective control of weapons has the capacity to influence far-reaching events in national and international activities. In this light, the management and control of arms could become an important component for the settlement of conflicts, a fundamental aid to diplomacy in the prevention and deflation of conflict, and a critical component of the reconstruction process in post-conflict societies.

Various instruments can be used to implement weapons control. For example, instruments which may be used to support preventive diplomacy in times of crisis include confidence-building measures, weapons control

agreements, and the control of illegal weapons transfers across borders.<sup>2</sup> Likewise, during conflict situations, and particularly in the early phases of a peace operation, negotiations conducive to lasting peace can be brought about by effective monitoring and the establishment of safe havens, humanitarian corridors, and disengagement sectors. Finally, after the termination of armed conflict, a situation of stability is required for post-conflict reconstruction processes to be successful. Such stability can be facilitated by troop withdrawals, the demilitarization of border zones, and effective disarmament, demobilization and demining.

Nevertheless, problems within the process of controlling weapons have cropped up at every stage of peace operations, for a variety of reasons. In most cases, initial control of arms upon the commencement of peace operations has not generally been achieved. This may be due to the fact that political negotiations necessary to generate mandates and missions permitting international action are often not specific enough on their disarmament implementation component. It could also be that the various actors involved interpret mandates in totally different ways. Conversely, in the specific cases in which peace operations have attained positive political outcomes, initial efforts to reduce weapons to manageable levels - even if achieved - tend to be soon devalued, since most of the ensuing activities center on the consolidation of post-conflict reconstruction processes. This shift in priorities from conflict resolution to reconstruction makes for sloppy follow-up of arms management operations. Follow-up problems, in turn, can result in future threats to internal stability. They also have the potential to destabilize neighboring states due to the uncontrolled and unaccounted-for mass movement of weapons that are no longer of political or military value to the former warring parties.

The combination of internal conflicts with the proliferation of light weapons has marked peace operations since 1990. This combination poses new challenges to the international community and highlights the fact that a lack of consistent strategies for the control of arms during peace processes (CAPP) reduces the effectiveness of ongoing missions and diminishes the chances of long-term national and regional stability once peace is agreed upon.

The case studies undertaken by the DCR Project highlight a number of recurrent problems that have impinged on the control and reduction of weapons

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<sup>2</sup> Fred Tanner, "Arms Control in Times of Conflict", Project on Rethinking Arms Control, Center for International and Security Studies at Maryland, PRAC Paper 7, October 1993.

during peace operations. Foremost among these are problems associated with the establishment and maintenance of a secure environment early in the mission, and problems concerned with the lack of coordination of efforts among the various groups involved in the mission. Many secondary complications would be alleviated if these two problems areas were understood differently. The establishment of a secure environment, for example, would make the warring parties more likely to agree on consensual disarmament initiatives. Likewise, a concerted effort at weapons control early in the mission would demonstrate the international community's determination to hold the parties to their original peace agreements and cease-fire arrangements. Such a demonstration of resolve would make it more difficult for these agreements to be broken once the peace operation was underway.

The coordination problem applies both to international interactions and to the components of the peace operation. A peace process will be more likely to succeed if there is co-operation and coordination between the international effort and the nations which immediately neighbor the stricken country. But coordination must not simply be present at the international level; it must permeate the entire peace operation as well. To obtain maximum effect, relations must be coordinated among and within the civil affairs, military, and humanitarian groups which comprise a peace operation. A minimum of coordination must also be achieved between intra- and inter-state mission commands, the civil and military components at strategic, operational and tactical levels, and the humanitarian aid organizations working in the field; these components must cooperate with each other if the mission is to reach its desired outcome. If problems with mission coordination are overcome, many secondary difficulties could also be avoided, including lack of joint management, lack of unity of effort, and lack of mission and population protection mechanisms.

Given these considerations, the Project believes that the way to implement peace, defined in terms of long-term stability, is to focus not just on the sources of violence (such as social and political development issues) but also on the material vehicles for violence (such as weapons and munitions). Likewise, the implementation of peace must take into account *both* the future needs of a society and the elimination of its excess weapons, *and also* the broader international and regional context in which the society is situated. This is because weapons that are not managed and controlled in the field will invariably flow over into neighboring countries, becoming a problem in themselves. Thus, *the establishment of viable stability requires that three primary aspects be included in every approach to intra-state conflict*

resolution: (1) the implementation of a comprehensive, systematic disarmament program as soon as a peace operation is set-up; (2) the establishment of an arms management program that continues into national post-conflict reconstruction processes; and (3) the encouragement of close cooperation on weapons control and management programs between countries in the region where the peace operation is being implemented.

In order to fulfill its research mission, the DCR Project has been divided into four phases. These are as follows: (1) the development, distribution, and interpretation of a *Practitioners' Questionnaire on Weapons Control, Disarmament and Demobilization during Peacekeeping Operations*; (2) the development and publication of case studies on peace operations in which disarmament tasks constituted an important aspect of the wider mission; (3) the organization of a series of workshops on policy issues; and (4) the publication of policy papers on substantive issues related to the linkages between the control of arms during peace processes (CAPP) and the settlement of conflict.

Between September 1995 and May 1996, the Project foresees four sets of publications. The first of these will involve eleven case studies, covering peace operations in Somalia, Rhodesia/Zimbabwe, Bosnia/Croatia, Central America (ONUCA and ONUSAL), Cambodia, Angola, Namibia, Mozambique, Liberia and Haiti. The second set of publications will include nine policy papers, addressing topics such as Security Council Procedures, Mandate Specificity, Doctrine, Rules of Engagement, Coercive versus Consensual Arms Control and Demobilization Processes, Consensus, Intelligence and Media, and Training. A third set of publications will involve three papers on the relationship between arms and conflict in the region of Southern Africa. The last of the Project's published works will be an overarching policy paper summarizing the conclusions of the research and delineating recommendations based on the Project's findings.

Taking into account the existing material on some of the case studies, the DCR project has purposefully concentrated on providing more information on the disarmament and arms control components of the relevant international peace operations than on providing a comprehensive political and diplomatic account of each case.

The first volume published by the DCR Project examined the way in which three international peace processes (UNOSOM, UNITAF, and UNOSOM II) struggled with the issue of controlling and managing light weapons in Somalia. The second volume focused on the Commonwealth Monitoring Force (CMF) in Rhodesia, and the third on the complex missions in Croatia and Bosnia-Herzegovina (UNPROFOR). This volume examines the way the UN mission



in Cambodia (UNTAC) dealt with problems of arms control and disarmament from March 1992 to September 1993. The volume is divided into three sections. The first section analyzes the evolution of the situation in the area with specific reference to arms control and disarmament needs and actions. The second section presents a full bibliography of primary and secondary material used in the making of this study. Finally, the third section provides a summary of the responses regarding this mission which were obtained through the Project's own *Practitioners' Questionnaire on Weapons Control, Disarmament and Demobilization during Peacekeeping Operations*.

My special thanks go to the researcher for this case study, Dr. Jianwei Wang, the compilers of the questionnaire responses, Col. Roberto Bendini and Lt. Col. Ilkka Tiihonen, and the analyst who interpreted the responses and wrote the commentaries, Lt. Col. Jakkie Potgieter. I also want to thank the project staff at UNIDIR, especially our Information Officer, Kent Highnam; our Specialized Publications Editor, Cara Cantarella; and our Assistant Editor, Lara Bernini, who prepared this volume.

Virginia Gamba  
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Geneva, March 1995

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## List of Acronyms

ANKI	<i>Armée Nationale pour un Kampuchea Indépendent</i> (National Army of Independent Kampuchea)
ASEAN	Association of Southeast Asian Nations
BLDP	Buddist Liberal Democratic Party
CCWG	Cantonment Coordination Working Group
CGDK	Coalition Government of Democratic Kampuchea
CIVPOL	Civilian Police
CMAC	Cambodian Mine Action Center
CPAF	Cambodian People's Armed Forces
CPP	Cambodian People's Party
DK	Democratic Kampuchea
FUNCINPEC	<i>Front Uni National pour Cambodge Indépendant, Neutre, Pacifique et Coopératif</i> (National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia)
HQ	Headquarters
IJA	Interim Joint Administration
KPNLAF	Khmer People's National Liberation Armed Forces
KPNLF	Khmer People's National Liberation Front
KR	Khmer Rouge
LDP	Liberal Democratic Party
MCTU	Mine Clearance Training Unit
MMWG	Mixed Military Working Group
NADK	National Army of Democratic Kampuchea
NGO	Non-Governmental Organization
NUCP	National Unity of Cambodian Party
PDK	Party of Democratic Kampuchea
PRK	People's Republic of Kampuchea
ROE	Rules of Engagement
SNC	Supreme National Council
SOC	State of Cambodia
SOP	Standard Operating Procedure
SRSG	Special Representative of the Secretary-General
UN	United Nations
UNAMIC	United Nations Advance Mission in Cambodia
UNDP	United Nations Development Program

UNHCR	United Nations High Commissioner for Refugees
UNMO	United Nations Military Observer
UNTAC	United Nations Transitional Authority in Cambodia

**Part I:**  
**Case Study**



# Introduction

During the 18 months from 15 March 1992 to 26 September 1993, the United Nations had been engaged in a massive, comprehensive, and expansive peacekeeping operation in the war-torn Cambodia. The operation, known as the United Nations Transitional Authority in Cambodia (UNTAC), was characterized by several salient features. First, it was the second largest UN operation in terms of scale.<sup>1</sup> At its peak, the operation involved almost 16,000 military personnel, 3,600 Civilian Police (CIVPOL), and 2,000 civilians, making it approximately 22,000 strong. In the period before and during the elections another 1,000 international polling station officers and over 50,000 Cambodian staff were added.<sup>2</sup> Second, it was the most multilateral of all missions. Its military, police, and civilian components were drawn from over 100 countries. A number of contributor states, such as Brunei, Bulgaria, Germany, Japan, Namibia and Uruguay, had never before participated in a peacekeeping operation.<sup>3</sup> Third, it was the most expensive mission to date. The cost for UNTAC was estimated to be over \$1.6 billion, plus another \$92.5 million for refugee repatriation and rehabilitation programs which was raised through voluntary contributions.<sup>4</sup> Fourth, it was the most comprehensive and intrusive operation in UN history. In terms of its mandate, UNTAC went far beyond the traditional peacekeeping in the line of Chapter VI of the UN Charter, namely mediating disputes and monitoring a cease-fire between

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<sup>1</sup> Before UNTAC, the United Nations Operation in the Congo (ONUC) from July 1960 until June 1964 was the largest peacekeeping operation. It had a peacekeeping force of nearly 26,000 at its peak strength -- a military component of 20,000 and a civilian component of about 6,000. See the *UN Chronicle*, December 1992, p. 32. However, UNTAC has been dwarfed by the later operations of UNPROFOR and UNOSOM. See Hisako Shimura, "Perspective from the Department of Peace-keeping Operations (DPKO)", in *Conference Papers, IPS/UNITAR International Conference on the United Nations Transitional Authority in Cambodia: Debriefing and Lessons* (hereafter cited as *Conference Papers*) Singapore, 2-4 August 1994, Geneva: UNITAR, December 1994, p. 151.

<sup>2</sup> Yasushi Akashi, "The Challenges Faced by UNTAC", *Japan Review of International Affairs*, Summer 1993, p. 187.

<sup>3</sup> Trevor Findlay, *Cambodia, The Legacy and Lessons of UNTAC*, SIPRI Research Report No. 9, Stockholm: Stockholm International Peace Research Institute, 1995, p. 27.

<sup>4</sup> *Ibid.*, p. 33.



independent states. UNTAC enjoyed "unprecedented authority"<sup>5</sup> in exercising functions normally belonging to a country's internal affairs, such as political election, civilian administration, economic rehabilitation, and the guaranteeing of human rights. UNTAC was, therefore, a mixture of "peacekeeping, peace maintenance and peace building",<sup>6</sup> representing a systematic effort at nation-building. Fifth, its political intrusiveness notwithstanding, UNTAC was clearly planned to be a Chapter VI operation in terms of using military force. It was never attempted as a Chapter VII operation in which military force could be used for purposes other than self-defense, such as peace-enforcement. The mandate did not even contain any measures to deal with non-compliance and contingent situations. Reflecting this combination of political intrusiveness and military conservativeness, UNTAC can be described as a "Chapter VI and 1/2" or second-generation operation. Sixth, UNTAC was the first major peacekeeping operation in the post-Cold War era and the first of its kind in Asia.<sup>7</sup> The unique regional and global political environments brought new dynamics as well as problems to the mission, thus complicating its implementation.

When UNTAC withdrew from Cambodia in September 1993, it had reasons to declare that the mission was a triumph. The UN left behind a democratically-elected, and therefore legitimate, national government and a unified Cambodian Armed Forces. Cambodia was removed from the international agenda as a chronic hot spot, and was no longer a target for major power rivalry. Yet the success was a qualified one. UNTAC failed to fulfill one of its major tasks: disarming and demobilizing the warring parties. Consequently, one of the factions is still fighting the government today. Genuine peace, security and national reconciliation have yet to descend upon the Cambodian people.

The mixed bag of UNTAC makes it an intriguing case from which lessons can be drawn for disarmament and conflict resolution in particular and for future UN peacekeeping operations in general. Much has been said and written on the subject. This study is not designed to be a comprehensive analysis of the entire mission. That has been done elsewhere. Instead, I will focus on the disarmament aspect of the mission in a broad political and military context: its

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<sup>5</sup> Yasushi Akashi, "The Challenge of Peace-Keeping in Cambodia: Lessons To Be Learned", presentation at the School of International and Public Affairs, Columbia University, New York, 29 November 1993, p. 15.

<sup>6</sup> *Ibid.*, p. 14.

<sup>7</sup> Shimura, *op. cit.*, n. 1, p. 152.

mandate, its implementation, its outcome, and its impact on the peacekeeping mission as a whole.

## I. The Cambodian Conflict in Historical Perspective

The modern history of Cambodia, a small Southeast Asian kingdom with a population of about 9 million, bordering Thailand, Vietnam and Laos, has been characterized by conflict and war.<sup>8</sup> After Cambodia gained independence in 1953, Prince Norodom Sihanouk painstakingly tried to build his monarchy into a neutral and peaceful country, only to witness his attempts repeatedly thwarted by both internal strife and international interventions. After 1970, Cambodia was plunged into a bloody and devastating civil war. Behind the war was the global confrontation among the major powers of the United States, China and the Soviet Union as well as deep-rooted historical animosities among the regional players of China, Vietnam, and Thailand. The vicious interaction of variables at domestic, regional and global levels shaped the tragic destiny of Cambodia.

In the late 1960's, Cambodia was drawn into the nasty and protracted war between Vietnam and the United States. As a result of its territories being used by Vietnamese troops as safe havens, the country suffered blanket bombing by the United States. In March 1970, Prince Sihanouk's government was overthrown by a US-backed military *coup d'état* led by General Lon Nol. Out of political necessity, Sihanouk formed an uneasy alliance with his former foe in the jungle, the Khmer Rouge, against Lon Nol's government. With China's moral and material support, the Khmer Rouge overthrew Lon Nol's Khmer Republic and established the government of Democratic Kampuchea (DK) in April 1975. The DK government, masterminded by the infamous Pol Pot, pursued radical and brutal policies of social transformation. The result was disastrous. It is widely believed that over one million Cambodians were killed by execution, torture, starvation, and disease during the Khmer Rouge's three years of rule. The Khmer Rouge became a synonym for mass murder and genocide.

In December 1978, against the backdrop of deteriorating Sino-Vietnamese relations and haunted by the historical legacy of establishing a "Grand

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<sup>8</sup> For a history of modern Cambodia, see David P. Chandler, *The Tragedy of Cambodian History, Politics, War and Revolution since 1945*, New Haven: Yale University Press, 1991; *A History of Cambodia*, Boulder, Colorado: Westview Press, 1993.

Indochina", Vietnamese troops, endorsed by the Soviet Union, invaded Cambodia and installed the People's Republic of Kampuchea (PRK) regime headed by Heng Sanrin and Hun Sen. The Khmer Rouge retreated to the mountains along the Thai-Cambodian border to continue its armed struggle against the Phnom Penh government. The Vietnamese invasion further internationalized the Cambodian crisis. The aggression was denounced worldwide, and for a long time, the international community did not diplomatically recognize the Phnom Penh Government installed by the Vietnamese. Democratic Kampuchea continued to occupy Cambodia's seat in the United Nations and other international organizations. Beginning in 1979, the UN General Assembly annually passed resolutions condemning the Vietnamese invasion.

Soon there emerged three resistance forces in Cambodia. Apart from the Party of Democratic Kampuchea (PDK, also known as the Khmer Rouge) and its armed forces, the National Army of Democratic Kampuchea (NADK), there were two other smaller factions. The royalist National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC) was founded by Prince Norodom Sihanouk and headed by his son Prince Ranariddh. Its armed wing was called the National Army for an Independent Kampuchea (ANIK). The Khmer People's National Liberation Front (KPRLF) was led by Lon Nol's former Prime Minister Son Sann and its military forces were called the Khmer People's National Liberation Armed Forces (KPNLAF). Supported by China, Thailand and the West respectively, these three factions fought against the PRK regime<sup>9</sup> and its Cambodian People's Armed Forces (CPAF) which were backed by Vietnam, the Soviet Union and the Eastern European bloc. In 1982, the three resistance parties forces formed a coalition party led by Prince Sihanouk. The party, known initially as the Coalition Government of Democratic Kampuchea, and later as the National Government of Cambodia, took the seat for Cambodia in the United Nations.

By the late 1980's, it became clear that the military conflict between the three resistance parties and the Phnom Penh government would lead to nowhere. While the Phnom Penh government was unable to defeat the Khmer Rouge and its coalition partners, the latter was not in a position to overthrow the former any time soon either. In the meantime, following the dramatic transformation of the international environment from the Cold War to the post-Cold War period, concerned regional and global powers perceived fewer and fewer rationalities for

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<sup>9</sup> After May 1989, it was renamed the State of Cambodia (SOC).

continuing their involvement in the conflict and for supporting their respective clients. In other words, both domestic military stalemate and international *détente* prepared the stage for a diplomatic settlement.

## II. The Road to the Peace Agreement

The international community's effort to bring a peaceful settlement to the Cambodian conflict started soon after the Vietnamese invasion. However, it did not bear fruit until the major powers reached a consensus and were willing to pressure the warring factions to make a deal. The Cambodian issue was first discussed in the UN Security Council in 1979. But the discussion went nowhere due to disagreement among its five permanent members.<sup>10</sup> In 1981 the General Assembly convened a five-day International Conference on Kampuchea, representing the first multilateral effort to address the issue. Seventy-nine member states attended the conference; however, the Phnom Penh Government (PRK) and its Soviet-bloc allies boycotted the meeting because it was aimed at addressing the issue of the Vietnamese invasion. No tangible results came out of this conference.<sup>11</sup>

In the following years, while the UN did not take major initiatives on Cambodia, high-ranking UN officials visited the region many times. In early 1985, Secretary-General Javier Pérez de Cuéllar did so personally. In his report to the General Assembly that year, he outlined for the first time the main elements of a comprehensive political settlement.<sup>12</sup> At the same time, some regional players tried hard to mediate among the Cambodian factions. In late 1987 and early 1988, Prince Sihanouk and Mr. Hun Sen, Prime Minister of the Phnom Penh Government, met in France twice as a result of India and Indonesia's mediation.<sup>13</sup> Building on this momentum, Indonesia convened two Jakarta Informal Meetings in July 1988 and February 1989 at which the four Cambodian factions (PRK, PDK, FUNCINPEC and KPNLF) talked to each other face-to-face for the first time. Vietnam, Laos, and the Association of Southeast Asian Nations

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<sup>10</sup> The United Nations and Cambodia, 1991-1995, The United Nations Blue Books Series, Volume II (hereafter cited as Blue Book II), New York: Department of Public Information, United Nations, 1995, p. 5.

<sup>11</sup> Steven R. Ratner, "The United Nations in Cambodia: A Model for Resolution of Internal Conflicts?" in Lori Fisler Damrosch (ed.), *Enforcing Restraint, Collective Intervention in Internal Conflicts*, New York: Council on Foreign Relations Press, 1993, p. 244.

<sup>12</sup> Blue Book II, *op. cit.*, n. 10, p. 6.

<sup>13</sup> Findlay, *op. cit.*, n. 3, p. 4.

(ASEAN) countries also joined the discussion. The communiqués of the Informal Meetings outlined the key components of a comprehensive solution.<sup>14</sup>

By this time, some international rivalries underlying the Cambodian conflict started to ease. The Sino-Soviet rapprochement was on the agenda. In September 1988, a Sino-Soviet meeting was held in Beijing which paved the way for the reconciliation between China and Vietnam. The meeting was followed by talks between China and Vietnam, and between the PRK and Thailand, in January 1989. These meetings led to Vietnam's announcement, in April 1989, that it would withdraw its troops from Cambodia by September 1989.<sup>15</sup>

This development removed the biggest obstacle for a political solution to the Cambodian issue. France and Indonesia took the initiative of convening the Paris Conference on Cambodia from 30 July to 30 August 1989. Nineteen countries and the four Cambodian factions attended the conference. The conference made some progress on issues such as military arrangements, neutrality guarantees, and refugee matters, but there were two major issues which could not be resolved. One was the role of the PDK in future peace agreements. Some member states were opposed to including the PDK in an interim government due to its notorious record of human rights violations in the late 1970's. The other was the formula for power-sharing among the four factions during the transitional period before a new government was established. The three resistance factions were in favor of establishing a coalition government while Phnom Penh opposed any plan of power-sharing. Many countries, particularly ASEAN countries, insisted that a comprehensive settlement should address both internal and external dimensions of the issue. It was unacceptable to end the Vietnamese occupation while leaving the Phnom Penh regime in power, since it had been installed by foreign troops. The idea of letting the Phnom Penh government hold an election was also rejected on the ground that the election would not be free and fair. As a result of this deadlock, the first Paris Conference ended without a comprehensive peace agreement.<sup>16</sup>

The role of the United Nations at this conference was not significant. Mr. Raffeuddin Ahmed was only present as a representative of the Secretary-General in his personal capacity. The PRK (now renamed the State of Cambodia, SOC)

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<sup>14</sup> Ratner, *op. cit.*, n. 11, p. 245.

<sup>15</sup> Findlay, *op. cit.*, n. 3, p. 5.

<sup>16</sup> Blue Book II, *op. cit.*, n. 10, p. 7; Ratner, *op. cit.*, n. 11, p. 245; Findley, *op. cit.*, p. 5; Sylvie Bermann, "Crafting the Paris Agreements on Cambodia", in *Conference Papers*, *op. cit.*, n. 1, p. 19.

and Vietnam did not want a major role to be played by the United Nations.<sup>17</sup> The idea of an enhanced role for the United Nations in the Cambodian peace process originally came from Prince Sihanouk who thought that the only solution would be to place the country under United Nations trusteeship. Initially nobody took this remark seriously since such a role was unprecedented in international law for a sovereign and independent country.<sup>18</sup> In the wake of the failed Paris Conference, the idea was picked up first by US Congressman Stephen Solarz in his discussion with Australian Foreign Minister Gareth Evens. Evens then developed it into a formal and detailed proposal for establishing a UN-supervised transitional authority in Cambodia.<sup>19</sup>

In response to this proposal, the dynamics of the peace process shifted to the five permanent members of the UN Security Council. With the Cold War drawing to an end, international conditions for a settlement of the Cambodian conflict became ripe. First, the perceptions of the Cambodian issue by the indirectly involved major powers (the United States, the Soviet Union and China) changed considerably. While in the past they saw some utility for their respective interests in sustaining the conflict, they now all wanted to remove the Cambodian issue from their foreign policy agendas. The gradual warming up of US-Soviet relations and Sino-Soviet relations removed the political rationale for their competition in Cambodia. Because of the crisis of the Soviet empire, the most important economic and military assistance to both the Vietnamese and Phnom Penh governments was drastically reduced and eventually ceased. China, still in the shadow of post-Tiananmen diplomatic isolation, had every reason to keep a distance from the infamous Khmer Rouge and was eager to improve its image as a responsible power. The United States, France and the United Kingdom, who once supported the resistance factions (including the PDK) to contain Soviet influence in the region, were now apprehensive that the PDK might regain power after the withdrawal of Vietnamese troops. Second, the significant regional players also perceived benefits from an early resolution to the conflict which had destabilized the region for decades. Vietnam realized the damage its costly expedition inflicted upon its own economic development and international position. Thailand and other ASEAN countries perceived a lesser danger of Vietnamese expansionism and hence were less inclined to sustain the resistance factions. Other related powers such as Australia and Japan also wanted to see a

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<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*, p. 18.

<sup>19</sup> Findlay, *op. cit.*, n. 3, p. 6; Ratner, *op. cit.*, n. 11, p. 246.

successful conclusion of the peace process. In short, for the first time in two decades, both major and regional powers, although for different reasons, shared a common interest in pushing the warring factions in Cambodia to make compromises so that a peaceful agreement could be reached.

Starting in January 1990, the Permanent Five Members of the Security Council held a series of meetings in New York and Paris to discuss the Cambodia issue. During their consultations, four fact-finding missions were dispatched to Cambodia by the Secretary-General. Two of these missions were led by the United Nations Development Program (UNDP) to study communication and transportation infrastructure, water supply sanitation and housing. The administrative structure of the current Phnom Penh administration was the subject of a third mission, while a fourth studied modalities for the repatriation of refugees.<sup>20</sup> Meanwhile, parallel meetings were held among the four Cambodia factions at Jakarta in February 1990 and at Tokyo in June 1990. In particular, China and the USSR, respective patrons for the resistance forces and the Phnom Penh government, kept their allies informed of the Five's consultation and pushed them to accept the conditions the Five set for peace in Cambodia. In turn, they also conveyed the concerns of the four factions to the Five's discussions.<sup>21</sup>

At their sixth meeting on 27 and 28 August 1990, the Five reached an agreement on the Framework Document for a peace settlement in Cambodia.<sup>22</sup> This document defined the key elements of a comprehensive political settlement of the Cambodian conflict based on an enhanced UN role. These elements included the creation of the Supreme National Council (SNC) as a unique political body governing the country throughout the transitional period. They also included the establishment of UNTAC, the organization and conduct of free and fair elections, human rights protection, and international guarantees of the independent and neutral status of Cambodia. On 20 September 1990, the Security Council endorsed the framework in Resolution 668.<sup>23</sup> Subsequently, the four factions accepted the Framework Document and agreed to form the SNC which consisted of six members from the SOC and two from each of the three resistance

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<sup>20</sup> UNHCR, Press Release, September 1990.

<sup>21</sup> *Ibid.*

<sup>22</sup> See Statement of the Five Permanent Members of the Security Council of the United Nations on Cambodia, A/45/472/-S/21689, 31 August 1990, Blue Book II, *op. cit.*, n. 10, pp. 88-92.

<sup>23</sup> Security Council Resolution on settlement of the Cambodia situation, S/RES/668 (1990), 20 September 1990, Blue Book II, *op. cit.*, n. 10, p. 94.

factions. The SNC would represent Cambodia externally and occupy the seat of Cambodia at the United Nations.<sup>24</sup>

The Five called upon France and Indonesia, the co-chairmen of the Paris Conference, to lead the negotiations of transforming the framework into a full-fledged peace agreement. On 26 November 1990, the Five agreed on a draft peace agreement, and the text was released.<sup>25</sup> The three resistance factions immediately accepted the draft while the SOC and Vietnam complained that the UN's authority was too broad and that a complete demobilization of the SOC's troops was unacceptable. The President of the SOC considered that accepting such a peace agreement would be an "invitation to commit suicide".<sup>26</sup> This can be seen as the first sign of the difficulties later encountered in disarmament. At the same time, the fighting intensified in early 1991 as all factions desired to maximize their respective positions on the ground before the signing of a peace agreement. On 22 April 1991, the UN Secretary-General issued a joint appeal with France and Indonesia for a temporary cessation of hostilities between the Cambodian factions as a gesture of good faith.<sup>27</sup> The first cease-fire in 12 years then went into effect in Cambodia. To resolve the remaining differences among the four factions, a series of talks was held during the summer of 1991 in Jakarta, Beijing, Pattaya, New York, and Paris. Prince Sihanouk was elected president of the SNC, and the Security Council modified the draft peace plan to ask for only a 70% demobilization of the four factions' armed forces instead of 100% to win the SOC's endorsement. By September, all remaining issues had been resolved.<sup>28</sup> A long-awaited peace agreement was ready for signature.

The second session of the Paris Conference on Cambodia was held from 21 to 23 October 1991. The historic Paris Accords on Cambodian, a product of a

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<sup>24</sup> Joint Statement on Cambodia issued at the end of talks held in Jakarta, 9-10 September 1990, A/45/490-S/21732, 17 September 1990, Blue Book II, *op. cit.*, n. 10, pp. 93-94.

<sup>25</sup> Communiqué of the five permanent members of the Security Council concerning settlement of the Cambodia situation issued at the end of talks held in Paris, 23-26 November 1990; Letter dated 8 January 1991 from France and Indonesia transmitting statement issued at the end of a meeting between the Co-Chairmen of the Paris Conference on Cambodia and the Supreme National Council of Cambodia in Paris, 21-23 December 1990, A/45/829-S/21985, 6 December 1990, Blue Book II, *op. cit.*, n. 10, pp. 95-111.

<sup>26</sup> Findlay, *op. cit.*, n. 3, p. 8; Ratner, *op. cit.*, n. 11, p. 247.

<sup>27</sup> Appeal for a voluntary cease-fire in Cambodia was issued on 22 April 1991 by the co-chairmen of the Paris Conference on Cambodia and the United Nations Secretary-General, A/46/161-S/22552, 29 April 1991, Blue Book II, *op. cit.*, n. 10, p. 113.

<sup>28</sup> For details of these negotiations, see documents 7, 9, 10, 11, 12, 14, 15, and 16 in Blue Book II, *op. cit.*, n. 10.



decade long diplomatic effort, were signed by nineteen countries including Cambodia (represented by the SNC), the five permanent members of the Security Council, the six members of ASEAN, and Vietnam. The United Nations signed the accords as a witness. It included: the Agreement on a Comprehensive Political Settlement of the Cambodian Conflict; the Agreement concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality, and National Unity of Cambodia; and the Declaration on the Rehabilitation and Reconstruction of Cambodia.<sup>29</sup> On 31 October 1991, the Security Council passed Resolution 718 to express its full support for the Paris agreements. The resolution authorized the Secretary-General to designate a special representative (SRSG) for Cambodia to act on his behalf and requested the Secretary-General to submit a report for a detailed implementation plan for the mandate envisaged in the agreements.<sup>30</sup>

The chief goal of the Paris Agreements was to define the nature and function of a provisional body of authority to govern Cambodia during the period of transition from cease-fire to election and the conditions and modalities for a democratic election. The United Nations Security Council was granted the power and responsibility to establish UNTAC with civilian and military components under the direct supervision of the Secretary-General of the United Nations. The accords stipulated the relationship between UNTAC and the SNC. The SNC was defined as "the unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence and unity of Cambodia are enshrined".<sup>31</sup> Yet the SNC "delegates to the United Nations all powers necessary to ensure the implementation of this (Paris) agreement".<sup>32</sup> The SNC could offer advice to UNTAC which would comply with this advice only if there was a consensus among the members of the SNC and when the advice was consistent with the objectives of the agreement. In case there was no consensus among the members of the SNC, the President, namely Prince Norodom Sihanouk, would be entitled to make the decision on what advice to offer to UNTAC. If the President was not in a position to make such a decision, his power of decision would transfer to the SRSG -- the head of UNTAC. In all

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<sup>29</sup> For the text of the Paris Agreements, see A/46/608-S/23177, 30 October 1991, Blue Book II, *op. cit.*, n. 10, pp. 134-148.

<sup>30</sup> Security Council Resolution on political settlement of the Cambodia situation, S/RES/718 (1991), 31 October 1991, Blue Book II, *op. cit.*, n. 10, pp. 149-150.

<sup>31</sup> Agreement on a comprehensive political settlement of the Cambodia conflict, Article 3.

<sup>32</sup> *Ibid.*, Article 6.

cases, whether advice or action of the SNC was consistent with the agreement would be determined by the SRSG.<sup>33</sup> The relationship between UNTAC and the existing government structure was also defined. All administrative agencies in the field of foreign affairs, national defense, finance, public security and information would be placed under the direct control of UNTAC to ensure their strict neutrality. For other administrative institutions, the SRSG, in consultation with the SNC, would determine which could influence the outcome of elections and therefore should be placed under direct control of UNTAC, and which could continue to operate in order to ensure normal daily life in the country.<sup>34</sup> It was over this issue of control that the UN, SOC and PDK later collided concerning the interpretation and implementation of the Paris Agreements.

The peace agreement provided UNTAC with an extensive mandate to exercise power in political, military, economic and other functional domains, ranging from organizing and conducting elections to coordinating the repatriation of Cambodian refugees; from disarming and demobilizing military forces of warring parties to guaranteeing the Cambodian people's human rights; from coordinating a major program of economic and financial support for rehabilitation and reconstruction to stopping outside military assistance and verifying the total withdrawal of foreign forces. In sum, the comprehensiveness of UNTAC's mission went far beyond the mandate of narrowly-defined traditional peacekeeping of partitioning warring parties to governing an independent country, thus representing the UN's greatest test of the so-called second generation peacekeeping operation.

### **III. The Paris Agreement in Action**

#### **A. UNAMIC -- Prelude to UNTAC**

The UN presence in Cambodia started before the signing of the Paris Agreements. Prince Norodom Sihanouk, the advocator of the UN trusteeship of Cambodia, was particularly eager to see an early UN presence in his country to prevent further deterioration of the political and military situation. At his request on 16 July, the UN Secretary-General sent a survey mission to Cambodia to evaluate the modalities of controlling the cease-fire and the cessation of foreign

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<sup>33</sup> *Ibid.*, Annex 1, Section A.

<sup>34</sup> *Ibid.*, Annex 1, Section B.

military assistance in cooperation with the SNC Military Working Group.<sup>35</sup> The survey mission, led by Major-General Timothy Dibuama and consisting of six military officers and six civilian staff members, visited Cambodia from 19 August to 4 September 1991. The mission, however, was unable to begin concrete preparations for the implementation of the military aspects foreseen for UNTAC since the warring parties were not ready to provide necessary information.<sup>36</sup>

On 26 August 1991, Prince Norodom Sihanouk again requested that the United Nations send at least 200 UN personnel to Cambodia as "observers" in order to assist the SNC in controlling the cease-fire and the cessation of foreign military assistance.<sup>37</sup> In response to this request, the Secretary-General recommended that the Security Council establish the United Nations Advance Mission in Cambodia (UNAMIC). In its resolution on 16 October 1991, the Security Council approved the proposal and asked that UNAMIC be sent to Cambodia immediately after the signing of the Paris Agreements.<sup>38</sup>

The mandate for UNAMIC was very limited. It was mainly designed to assist the Cambodian parties in maintaining the cease-fire and in resolving cease-fire violations. The mission called for a team of 50 military liaison officers, in their good offices role, to facilitate communication between the military headquarters of the four Cambodian parties in matters relating to the cease-fire. UNAMIC was also asked to serve as liaison with the SNC on preparations for the deployment of UNTAC and on other related matters. Another task was its mine-awareness role. A 20-person unit would be sent to train civilians in how to avoid land-mines and booby traps. The mission asked for 268 personnel and a budget of \$19.9 million. The duration of the Mission's mandate would extend from the signing of the Peace Agreement until the establishment of UNTAC by the

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<sup>35</sup> Letter dated 18 July 1991 from the President of the Supreme National Council transmitting communiqué of the Council's Informal Meeting in Beijing, 16-17 July 1991, A/46/310-S/22808, 18 July 1991; Letter dated 8 August 1991 from the Secretary-General to the President of the Security Council, S/22945, 14 August 1991, Blue Book II, *op. cit.*, n. 10, pp. 115-116, 119.

<sup>36</sup> Report of the Secretary-General on proposals for a United Nations Advance Mission in Cambodia, S/23097, 30 September 1991, Blue Book II, *op. cit.*, n. 10, p. 125.

<sup>37</sup> Letter dated 23 September 1991 from the President of the Supreme National Council transmitting final communiqué of the Council's meeting in Pattaya, 26-29 August 1991, A/46/494-S/23066, 24 September 1991, Blue Book II, *op. cit.*, n. 10, p. 122.

<sup>38</sup> Security Council resolution on UNAMIC and political settlement of the Cambodia situation, S/RES/717 (1991), 16 October 1991, Blue Book II, *op. cit.*, n. 10, pp. 131-132.

Security Council. It was expected that UNAMIC would merge into UNTAC less than six months after the signing of the agreement.<sup>39</sup>

UNAMIC was formally established in Phnom Penh and became operational on 9 November 1991. Mr. A. H. S. Ataul Karim (Bangladesh) and Brigadier General Michel Loridon (France) were appointed as Chief Liaison Officer and Senior Military Liaison Officer respectively.<sup>40</sup> UNAMIC deployed military liaison officers to the four factions' military headquarters. These officers were controlled by a small headquarters to which was attached a handful of planning staff.<sup>41</sup> The UNAMIC mandate was later expanded to include a mine-clearance program to make physical preparation for UNTAC. The mission required an additional 1,090 military personnel, 34 civilian staff, and budget of \$24.7 million.<sup>42</sup> When the first peacekeepers arrived and Prince Sihanouk returned to Cambodia after more than two decades in November 1991, there were high expectations and popular euphoria among Cambodians. The peace process seemed to be making progress as 17 new diplomatic missions were opened and the three resistant factions opened their offices in Phnom Penh as members of the SNC.<sup>43</sup>

However, UNAMIC's mission of maintaining the cease-fire soon ran into great difficulties due to its limited mandate and resources.<sup>44</sup> It was further weakened by the strained relationship between its civil and military components.<sup>45</sup> UNAMIC was unable to stop and investigate numerous cease-fire violations as well as political violence in the country. Because UNAMIC was created under the UN Security Council and was not actually mentioned in the Paris Peace Agreements, the warring factions, especially the PDK, in many cases refused to

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<sup>39</sup> S/23097, Blue Book II, *op. cit.*, n. 10, pp. 125-130.

<sup>40</sup> Report of the Secretary-General on UNAMIC, S/23218, 14 November 1991, Blue Book II, *op. cit.*, n. 10, p. 130.

<sup>41</sup> J. M. Sanderson, "UNTAC: Successes and Failures" in Hugh Smith (ed.), *International Peacekeeping-Building on the Cambodian Experience*, Canberra: Australian Defence Studies Centre, 1994, p. 18.

<sup>42</sup> Report of the Secretary-General on the expansion of UNAMIC's mandate, S/23331, 30 December 1991, Blue Book II, *op. cit.*, n. 10, pp. 152-154.

<sup>43</sup> Findlay, *op. cit.*, n. 3, p. 23.

<sup>44</sup> For the analysis of UNAMIC, see Findlay, *op. cit.*, n. 3, pp. 22-26; Jarat Chopra, John Mackinlay, and Larry Minear, "Report on the Cambodian Peace Process", *Research Report* 165, Oslo: Norwegian Institute of International Affairs, February 1993, pp. 16-17.

<sup>45</sup> Findlay, *op. cit.*, n. 3, p. 26.

recognize UNAMIC's legitimacy.<sup>46</sup> The absence of an effective authority in this crucial early stage of the peace process left the four Cambodian factions at large. They took advantage of this lawless period of transition to expand their respective political and military influence. On 27 November, PDK leader Khieu Samphan was almost killed in a SOC-orchestrated riot against the Khmer Rouge only hours after he returned to Phnom Penh. He fled back to Bangkok and the PDK office in Phnom Penh was ransacked. In January 1992, civilian anti-corruption riots against the government erupted, and the Phnom Penh government responded with bloody suppression.<sup>47</sup> Cambodians soon became disappointed with UNAMIC's powerlessness. With the political and military situation further worsening, on 30 December, the SNC, including the PDK, asked the UN to accelerate the deployment of UNTAC.<sup>48</sup> Prince Sihanouk reiterated his wish to see an early arrival of UNTAC to prevent any erosion of the peace process.<sup>49</sup>

## B. UNTAC's Mandate

While fighting and violence in Cambodia were continuing, the UN headquarters in New York was busy putting together a detailed package for implementing the Paris Agreements. On 9 January 1992, the Secretary-General appointed Under Secretary-General Yasushi Akashi of Japan, head of the then UN Department of Disarmament Affairs, as his Special Representative and head of UNTAC. Lieutenant-General John Sanderson of Australia was appointed Commander of UNTAC's military force. The UN did very little substantial advance planning for UNTAC although diplomats and officials in the negotiating process were able to foresee an agreement as early as August 1991. UNAMIC planners were anxious to begin immediately preparing for deployment but their

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<sup>46</sup> Col. Willem A. Huijssoon, "UNAMIC & UNTAC", unpublished manuscript distributed at a presentation at UNIDIR, Geneva, 9 March 1995, p. 2; Jerold Brown, *UN Peacekeeper in Cambodia, 1991-1992: An Interview with Major George Steuber*, Fort Leavenworth, Kansas: Combat Studies Institute, US Army Command and General Staff College, 1992, p. 1.

<sup>47</sup> In General John Sanderson's (Force Commander of UNTAC) view, these two events were the initial major infraction of the Paris Agreements, "A Review of Recent Peacekeeping Operations", paper presented to the Pacific Armies Management Seminar (PAMS) XVIII Conference, Dacca, January, 1994, p. 6.

<sup>48</sup> *Ibid.*, p. 25.

<sup>49</sup> Letter dated 18 January 1992 from the Secretary-General to the President of the Security Council, S/23458, 24 January 1992, Blue Book II, *op. cit.*, n. 10, p. 156.

joint sessions with UN secretariat officials were not held until late January 1992.<sup>50</sup> The operational plan for UNTAC was eventually submitted to the Security Council by the Secretary-General on 19 February 1992, four months after the conclusion of the Paris Peace Conference.<sup>51</sup> At an estimated cost of US \$1.9 billion, excluding costs for repatriation and rehabilitation, he recommended that some 15,900 troops, 3,600 CIVPOL monitors and 1,000 international staff be sent to Cambodia. In addition, 1,400 international election monitors and 56,000 Cambodians recruited locally to work with polling teams would join UNTAC at election time. These figures made UNTAC one of the largest and most expansive peacekeeping operations in UN history.

Based on the provisions stipulated in the Paris Agreements, the Secretary-General articulated the UN mandate for UNTAC's seven components in the following order: human rights, elections, military, civil administration, civil police, repatriation and rehabilitation. The human rights component was responsible for fostering an environment in which respect for human rights was ensured during the transitional period. For this purpose, several key measures would be taken. First, encouraging the SNC to ratify the relevant international human rights instruments so as to provide a framework in Cambodian law in which Cambodians could undertake activities for the protection and promotion of their rights and freedom. Second, conducting an extensive campaign of human rights education to promote respect for and understanding of human rights. Third, exercising general human rights oversight in all of the existing administrative structures in Cambodia especially in those agencies exercising law-enforcement and judicial functions. Fourth, providing a mechanism for the investigation of human rights abuses occurring during the transitional period in Cambodia.

The electoral component was entrusted with the task of organizing and conducting free and fair general elections in Cambodia. The objective was to facilitate the broadest possible participation of Cambodians in the election of their representatives. It was responsible for designing and implementing a system for every phase of the election of 120 members to the constituent assembly. This included establishing a legal framework that would consist of an electoral law and regulations to govern the electoral process; conducting large-scale civic education and training on the purposes and importance of the elections, particularly, the secrecy and integrity of the ballot; conducting registration of voters and political

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<sup>50</sup> Chopra, *et al.*, *op. cit.*, n. 44, p. 19.

<sup>51</sup> For details of the plan, see Report of the Secretary-General on Cambodia containing his proposed implementation plan for UNTAC, including administrative and financial aspects, S/23613, 19 February 1992, Blue Book II, *op. cit.*, n. 10, pp. 158-184.

parties; and finally, organizing the polling to permit all registered voters to exercise their franchise rights conveniently and in the absence of fear.

The military component's objective was to establish the security situation and to build confidence among the four Cambodian factions during the transitional period. The achievement of these objectives was a necessary precursor to the successful conduct of the functions of the other components. Its functions included verifying the withdrawal and non-return of all categories of foreign forces, their arms, ammunition and equipment; supervising the cease-fire and related measures, including regroupment, cantonment, disarming and demobilization of the forces of the four Cambodian factions; weapons control, including monitoring the cessation of outside military assistance and locating and confiscating caches of weapons and military supplies throughout Cambodia; and assisting with mine clearance, including training programs and mine awareness programs.

The civil administration component gave the United Nations an unprecedented level of involvement in a country's official activities during a peacekeeping operation. In order to ensure a neutral political environment conducive to free and fair elections, the United Nations was to exercise direct supervision or control over the SOC's administrative agencies, bodies and offices which could directly influence five key areas: national defense, finance, public security and information. A lesser degree of scrutiny was to be extended to other administrative structures, such as those concerned with public health, education, agriculture, fishing, transport, energy, tourism and historic monuments. The SRSG was to have the right of unrestricted access to all administrative operations and information, as well as the right to reassign or dismiss officials when necessary.

The police component was to ensure that law and order among the civilian population were maintained effectively and impartially and that human rights and fundamental freedoms were fully protected. Although responsibility for the management of Cambodia's police forces would continue to rest with the Cambodian factions, they were to operate under UNTAC's supervision or control during the transitional period. UNTAC CIVPOL monitors would be deployed in the field down to the district levels to ensure that the local police were functioning in the desired manner and also to enhance public confidence and help in fostering an atmosphere conducive to free and fair elections.

The repatriation component was designed to make sure that more than 360,000 Cambodian refugees and displaced persons would have the right to return to Cambodia and to live in safety, security and dignity, free from intimidation or coercion of any kind. They should be allowed to return

voluntarily and to the place of their choice with their human rights and fundamental freedoms fully respected. This component would be carried out by the United Nations High Commissioner for Refugees (UNHCR) as the lead agency, together with the Children's Fund (UNICEF), the World Food Program (WFP), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Labour Organization (ILO).

The rehabilitation component was aimed at addressing immediate needs and laying the groundwork for future development. Particular attention was given to humanitarian needs in terms of food, health, housing and other essential needs of all Cambodians; to resettlement needs, comprising essential agricultural inputs, improved access, drinking water supplies, health and education facilities, vocational training; and to essential restoration, maintenance and support of basic infrastructure, institutions, utilities and other essential services.

The plan also set a calendar for the whole operation. It was recommended that full deployment of the military component should be accomplished by the end of May 1992. The regroupment and cantonment processes, as well as the demobilization of at least 70 percent of the cantoned forces, would be completed by the end of September 1992. Then the registration of voters would commence in October 1992 and proceed for three months. Elections would be scheduled sometime between the end of April to the beginning of May 1993. On 28 February 1992, the Security Council approved the plan and UNTAC was formally established. The resolution decided that UNTAC shall be established for a period not to exceed eighteen months and the elections be held in Cambodia by May 1993 at the latest.<sup>52</sup>

The Secretary-General in his report also outlined four essential conditions for a successful UNTAC mission. First, UNTAC must at all times have the full support of the Security Council. Second, it must operate with the full cooperation, at all times, of the Cambodian parties and all other parties concerned. Third, it must enjoy full freedom of movement and communication. Fourth, the necessary financial resources must be provided by Member States in full and in a timely manner.<sup>53</sup> Unfortunately, not all these conditions were met during the operation.

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<sup>52</sup> Security Council resolution on UNTAC and implementation of the Paris Agreements, S/RES/745 (1992), 28 February 1992, Blue Book II, *op. cit.*, n. 10, p. 184.

<sup>53</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 179.



### C. A Bumpy Start

Five months after the signing of the Paris Accords, the Secretary-General's Special Representative, Yasushi Akashi, and the Force Commander, Lieutenant-General John M. Sanderson, arrived in Phnom Penh on 15 March 1992, and UNTAC kicked off its mission along the lines of the seven components set out in the mandate.<sup>54</sup>

With progress in some areas such as drafting the Electoral Law and repatriation, UNTAC soon ran into two major difficulties. One was of the UN's own making. The deployment of UNTAC was unfortunately delayed because UNTAC's administrative structure was slow to take shape. Most UNTAC departments were only beginning to be established as late as May. Three of five section heads of the Administrative Division did not arrive until August, and only 20 percent of its staff were in Cambodia for the first three months of UNTAC's existence. The Information Division did not have a deputy director even a year after it was established. The Civilian Police were not fully in the field until October 1992. The Electoral Component, more than two months after the establishment of UNTAC, had only a handful of people. The military force's 12 battalions were still not fully deployed by June 1992 when the cantonment and disarmament of the factions were scheduled to commence.<sup>55</sup> The necessary vehicles, prefabricated housing, office and communications equipment, and other items were slow to arrive in Cambodia.<sup>56</sup> The 400-500 civil administrative staff was not fully deployed until 27 September.<sup>57</sup> As a whole, UNTAC was not fully operational until July or August 1992.

The Secretary-General attributed the delay to several factors. First, the sheer size of the UNTAC operation prevented a quick deployment. Second, the cumbersome procedures for procurement and budget authorization within the United Nations slowed deployment. Third, the difficulty of recruiting highly specialized personnel to fulfill UNTAC's various civilian functions impeded progress. Fourth, the Security Council decided to establish the United Nations Protection Force (UNPROFOR) in response to the conflict in the former Yugoslavia. The organization's ability to respond was stretched to the limit by

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<sup>54</sup> Blue Book II, *op. cit.*, n. 10, p. 15.

<sup>55</sup> Findlay, *op. cit.*, n. 3, pp. 33-35.

<sup>56</sup> Blue Book II, *op. cit.*, n. 10, p. 35

<sup>57</sup> Chopra, *et al.*, *op. cit.*, n. 44, p. 22.

two large and complicated peacekeeping missions at the same time.<sup>58</sup> The slowness in deployment reduced the chance of effective implementation of the UN mandate in some important areas. For instance, the lack of administrative personnel allowed factions, especially the SOC, to resist UN control of some key government institutions.<sup>59</sup>

The other more critical challenge was the PDK's decision to stay out of the cantonment and disarmament process.<sup>60</sup> On 9 May 1992, the UNTAC Force Commander announced that Phase I of the official cease-fire, in effect since the signing of the Paris Agreement, would be followed by Phase II, namely the regroupment, cantonment, disarming and demobilization of forces, starting on 13 June. While the other three factions agreed to enter the process, the PDK declared that it would postpone its disarmament until the withdrawal and non-return of Vietnamese military personnel had been verified by UNTAC and until a neutral political environment was established through UNTAC's effective control of the SOC's administrative structure.<sup>61</sup>

Therefore the question arose of whether Phase II should be implemented as scheduled since the success of it depended on the cooperation of all parties and would not be sustainable for long without such cooperation. Largely out of concern over UNTAC's ability to adhere to the UN timetable, the Secretary-General proposed that Phase II should begin as scheduled regardless of the PDK's refusal to cooperate.<sup>62</sup> His proposal was endorsed by the Security Council, and as a result, Phase II of the cease-fire officially commenced on 13 June 1992.<sup>63</sup>

Meanwhile UNTAC tried to take some measures to address the PDK's concerns, including establishing more border checkpoints and strengthening mobile patrol. The international community also carried out a series of diplomatic activities in an attempt to resolve the impasse with the PDK. All these efforts failed to persuade the PDK to walk into the cantonment sites. Taking the PDK's non-compliance as an excuse, the other three factions, especially the SOC, became increasingly reluctant to continue the disarmament. Although in his

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<sup>58</sup> Blue Book II, *op. cit.*, n. 10, p. 16.

<sup>59</sup> Chopra, *et al.*, *op. cit.*, n. 44, pp. 3, 22-23. Its impact on disarmament will be discussed in the next section.

<sup>60</sup> For a more detailed analysis, see next section.

<sup>61</sup> Blue Book II, *op. cit.*, n. 10, pp. 17, 22.

<sup>62</sup> Special report of the Secretary-General on UNTAC and phase II of the cease-fire, S/24090, 12 June 1992, Blue Book II, *op. cit.*, n. 10, p. 193.

<sup>63</sup> Statement by the President of the Security Council concerning difficulties encountered by UNTAC in implementation of the Paris Agreements, S/24091, 12 June 1992, Blue Book II, *op. cit.*, n. 10, p. 194.

second Special Report on 14 July 1992, the Secretary-General suggested continuing the process and the Security Council endorsed his position, in reality the operation of disarmament soon came to a halt.<sup>64</sup> On 15 November, the Secretary-General had to announce that it was no longer possible to continue the cantonment process, and it had to be effectively suspended<sup>65</sup>

#### D. Election Without Peace

With the failure of the cantonment operation, a more critical question came to the fore: should the electoral component be implemented as envisaged in the mandate? The circumstances were not at all conducive to a free and fair election which was supposed to be held under peaceful and neutral political conditions. The continuing existence of a large number of armed forces posed a potential threat to the electoral process; nevertheless, the Secretary-General and Security Council chose to carry out the electoral component without disarmament. On 13 October 1992, the Security Council confirmed that the electoral process should proceed according to the original schedule and again demanded that the PDK cooperate with UNTAC.<sup>66</sup> On 30 November 1992, the Security Council passed a resolution reconfirming that the elections for a constituent assembly would be conducted no later than May 1993. The resolution authorized UNTAC to proceed with preparations for elections in all areas of the country to which UNTAC had full and free access as of 31 January 1993.<sup>67</sup>

Preparations for elections were therefore undertaken in the midst of political and military uncertainty and tension. The Electoral Law was adopted by the SNC on 5 August 1992 and promulgated one week later. The voter registration process began on 5 October 1992. To ensure the registration of the maximum number of voters, the registration period was extended from its original closing date of 31 December 1992 to 31 January 1993 in which some 4.6 million Cambodians registered to vote, representing nearly all of the estimated eligible voters to which

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<sup>64</sup> Second special report of the Secretary-General on UNTAC and phase II of the cease-fire, S/24286, 14 July 1992; Security Council resolution on implementation of the Paris Agreements S/RES/766 (1992), 21 July 1992, Blue Book II, *op. cit.*, n. 10, pp. 203, 205.

<sup>65</sup> Report of the Secretary-General on the implementation of Security Council resolution 783 (1992) on the Cambodia peace process, S/24800, 15 November 1992, Blue Book II, *op. cit.*, n. 10, p. 231.

<sup>66</sup> Security Council resolution on implementation of the Cambodia peace process, S/RES/783 (1992), 13 October 1992, Blue Book II, *op. cit.*, n. 10, pp. 225-226.

<sup>67</sup> Security Council resolution on implementation of Cambodia peace process, S/RES/792 (1992), 30 November 1992, Blue Book II, *op. cit.*, n. 10, pp. 243-246.

UNTAC had territorial access. While the UNTAC electoral staff managed to enter some zones controlled by the PDK and register some voters, in most cases, UNTAC was denied access to the PDK-controlled areas which were considered to be inhabited by about 5 percent of the total population.<sup>68</sup>

The provisional registration of political parties began on 17 August 1992. On 27 January 1993, 20 of the 22 provisionally registered political parties applied for official registration by submitting a list of at least 5,000 registered voters who were members of the party. The PDK announced in November 1992 the formation of a political party, the National Unity of Cambodia Party (NUCP), but it did not register for the elections. On 28 January 1993, the SNC decided that the election would be held from 23 to 25 May 1993. The Secretary-General recommended that three additional voting days be added to allow mobile polling units to reach remote areas. The election campaign would run from 7 April through 19 May 1993, followed by a four-day cooling-off period.<sup>69</sup> The UN Secretary-General visited Cambodia on 7 April to mark the start of the electoral campaign. Before his visit, the PDK officially announced that it would not participate in the elections. On 13 April 1993, the PDK closed its office in Phnom Penh, citing security reasons.<sup>70</sup> At the same time, training was under way for some 900 International Polling Station Officers from 44 countries and the Inter-Parliamentary Union, 130 more from the United Nations Secretariat and 370 from within UNTAC, as well as for more than 50,000 Cambodian electoral staff. Polling stations were also established in New York, Paris and Sydney for those voters overseas. By mid-May, all the necessary electoral equipment and supplies, including the ballot papers and boxes, had been delivered to various locations in Cambodia.<sup>71</sup>

The whole registration/campaign period, however, witnessed a high degree of violence, murders, intimidation, and coercion. First, cease-fire violations increased, mainly due to the clashes or exchange of fire between PDK forces and the SOC army in the central and western parts of the country. Second, several serious incidents of killing ethnic Vietnamese civilians, attributed mainly to the PDK, prompted more than 21,000 ethnic Vietnamese to flee their homes for safety. Third, politically motivated murders, abductions, bombings, threats and

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<sup>68</sup> Blue Book II, *op. cit.*, n. 10, p. 29. According to Findlay, thousands registered in PDK-controlled areas, including NADK soldiers and even some commanders. The PDK was able to tolerate the registration process. Findlay, *op. cit.*, n. 3, p. 55.

<sup>69</sup> *Ibid.*, p. 31.

<sup>70</sup> *Ibid.*, p. 38.

<sup>71</sup> *Ibid.*, p. 39.

other forms of intimidation also intensified. Most of them were carried out by soldiers, police or supporters of the SOC against FUNCINPEC and the Buddhist Liberal Democratic Party (BLDP).<sup>72</sup> On the other hand, other factions also engaged in various degrees in misleading propaganda and political coercion. They coerced the local population under their control to register as party members and to vote for them. The PDK intensified its propaganda and intimidation to discourage people from participating in the electoral process and also carried out violence and intimidation to disrupt the process. According to UNTAC investigations, just between the beginning of April and the middle of May, 100 Cambodians were killed and 179 injured as a result of violence. The victims included members of all four Cambodian factions as well as members of UNTAC itself. Finally, there was a growing reluctance on the part of the three factions, particularly the SOC to accept UNTAC control over their administrative structure for foreign affairs, public security, defense and information.<sup>73</sup>

As a result of the political violence, the political antagonism among various factions had increased and UNTAC was blamed by all sides for the problems.<sup>74</sup> Prince Sihanouk, on 4 January 1993, informed UNTAC that the persistent violent attacks on FUNCINPEC offices and staff had obliged him to cease cooperation with UNTAC.<sup>75</sup> The following day, his son, Prince Norodom Ranariddh, the President of FUNCINPEC, stated that he would suspend working relations with UNTAC until effective measures were taken to put an end to the climate of violence.<sup>76</sup> In facing the SOC's ruthless violent attacks, FUNCINPEC and the BLDP at one point considered pulling out of the process.<sup>77</sup> Sihanouk alleged that "in order to be able to tell the UN and the world that they have succeeded in their mission, UNTAC is going to have an election despite the fact that none of the

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<sup>72</sup> BLDP and the Liberal Democratic Party (LDP) were two parties that emerged from the KPNLF, one of the four parties which signed the Paris Agreements.

<sup>73</sup> Blue Book, *op. cit.*, n. 10, pp. 29, 34-35, 41-42.

<sup>74</sup> People joked that UNTAC had finally managed to unite the factions in opposition to itself. James A. Schear, "Beyond Traditional Peacekeeping: The Case of Cambodia" in Donald C. F. Daniel and Bradd C. Hayes (eds), *Beyond Traditional Peacekeeping*, (New York: St. Martin's Press, 1995, p. 259.

<sup>75</sup> Blue Book II, *op. cit.*, n. 10, p. 35-36.

<sup>76</sup> Letter dated 5 January 1993 from Prince Norodom Ranariddh to the Secretary-General, Blue Book II, *op. cit.*, n. 10, pp. 251-252.

<sup>77</sup> Akashi, *op. cit.*, n. 5, p. 13.

conditions for the election have been met. None. It is a hideous comedy".<sup>78</sup> On the other hand, the SOC called UNTAC a "paper tiger" which failed to control the PDK.<sup>79</sup> Hun Sen asked for the expulsion of the PDK from the SNC and for enforcement measures under Chapter VII of the Charter of the United Nations.<sup>80</sup>

In sum, "there was an air of tense expectations on all sides in the final days before the polling started".<sup>81</sup> Cambodians were stockpiling food and other supplies in fear of increasing violence during the elections. There were also reports of large-scale troop movements by PDK forces around the perimeters of Phnom Penh and intelligence reports about strategic locations being targeted during the weeks preceding the scheduled vote.<sup>82</sup> Anticipating escalating violence, at one point UN headquarters in New York ordered families of UNTAC's international staff to leave the country until after the election.<sup>83</sup>

Under such circumstances, questions of whether the election should be conducted and whether the result would have any legitimacy were repeatedly raised as late as the eve of election. However, the SRSG, the Secretary-General and the Security Council remained firm that the election should move forward. Mr. Akashi noticed that the PDK's disruptions were not nationwide, but were confined to certain provinces, most of which were sparsely populated. Since most Cambodians lived in the south and southwest of the country where the PDK strength was weak, at least 60% of the registered Cambodians would vote in the elections.<sup>84</sup> The Secretary-General concluded that despite the disturbing situations, the essential conditions for the election were present.<sup>85</sup> In his last two pre-election reports to the Security Council, the Secretary-General suggested that the international community had maintained unreasonable standards for a neutral election environment in Cambodia, given the country's internal divisions and traumatized population. He pledged that UNTAC would conduct the most

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<sup>78</sup> *Far Eastern Economic Review*, 4 February 1993, p. 21.

<sup>79</sup> Findlay, *op. cit.*, n. 3, p. 80.

<sup>80</sup> Letter dated 5 January 1993 from Mr. Hun Sen to the Secretary-General, Blue Book II, *op. cit.*, n. 10, p. 249.

<sup>81</sup> Blue Book II, *op. cit.*, n. 10, p. 42.

<sup>82</sup> *Ibid.*

<sup>83</sup> Findlay, *op. cit.*, n. 3, p. 81.

<sup>84</sup> Akashi, *op. cit.*, n. 5, p. 3.

<sup>85</sup> Blue Book II, *op. cit.*, n. 10, p. 38.

impartial election possible under imperfect circumstances and that all steps would be taken to ensure maximum security.<sup>86</sup>

For this purpose, UNTAC took a number of measures to maximize the neutrality and security of the political environment. For instance, to ensure fair access to the media during the campaign, Radio UNTAC offered weekly segments to each political party for the broadcast of political materials. UNTAC took particular issue with the SOC for its efforts to limit or deny other political parties access to SOC-controlled media and their right to freedom of movement. As a result of strong intervention by UNTAC, FUNCINPEC was able to obtain the release from the SOC of the television broadcasting equipment it had imported for campaign purposes. All political parties had access to UNTAC information media, and three political parties were granted assistance from UNTAC with air transport for campaign purposes.<sup>87</sup> To check political violence, an UNTAC directive was issued on 17 March 1993 prohibiting the possession and carrying of firearms and explosives by unauthorized persons. The resulting confiscation of firearms led to a significant decrease in reported serious crimes in Phnom Penh.<sup>88</sup> Also, security for all polling stations and their vicinity was provided and strengthened by the UNTAC military forces. No polling would be conducted in the area controlled by the PDK or in the remote, thinly populated areas in which PDK forces were operating.<sup>89</sup>

The international community threw its weight behind UNTAC when the dates for the election drew near. On 23 April all the signatory states to the Paris Accords, including China, issued a declaration of support for the election and for UNTAC.<sup>90</sup> On 6 May, China, France and Japan organized a crisis meeting of the SNC in Beijing without the participation of the PDK. The three Cambodian parties agreed to proceed with the election despite pressures within both

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<sup>86</sup> Fourth progress report of the Secretary-General on UNTAC, S/25719, 3 May 1993; Report of the Secretary-General on preparations for the election for the constituent assembly in Cambodia, S/25784, 15 May 1993, Blue Book II, *op. cit.*, n. 10, pp. 300-301, 303-305.

<sup>87</sup> Blue Book II, *op. cit.*, n. 10, p. 39.

<sup>88</sup> *Ibid.*, p. 42.

<sup>89</sup> *Ibid.*, p. 43.

<sup>90</sup> Letter dated 23 April 1993 from France and Indonesia, as Co-Chairmen of the Paris Conference on Cambodia, transmitting statement by the signatory States of the Paris Agreements concerning implementation of peace process in Cambodia and acts of violence, S/25658, 23 April 1993, Blue Book II, p. 283.

FUNCINPEC and the BLDP to withdraw.<sup>91</sup> On 20 May, three days before the election, the Security Council expressed full support for the measures taken by UNTAC to protect the polls and reminded all Cambodian parties of their obligation to comply fully with the election results.<sup>92</sup> This resolution was a clear expression of the Council's determination to go forward with the elections as scheduled. The Foreign Ministers of ASEAN also issued a statement of support on 18 May.<sup>93</sup> On 22 May, one day before the election, the Security Council again called on the Cambodian people to exercise their right to vote.<sup>94</sup> On the same day, showing his personal support, Prince Sihanouk returned to Phnom Penh from Beijing and urged Cambodians to vote for the parties of their choice.<sup>95</sup>

To some extent, the election was a political gamble and at the mercy of the PDK's intention and strategy. To many people's relief, the worst possible scenario did not come to pass. Except for a few isolated incidents of violence and the killing of one Cambodian civilian when several mortar rounds were fired in Kampong Cham Province, the election was carried out in a generally peaceful atmosphere.<sup>96</sup> Obviously the PDK decided not to disrupt the process.<sup>97</sup> From 23 to 28 May, more than 4.2 million voters cast their ballots, representing nearly 90 percent of the registered voters. About 200 NADK soldiers and several hundred members of their families also voted.<sup>98</sup> It was reported that the PDK had sent hundreds of officials and civilians living in western and northwestern guerrilla zones to the nearest polling stations to vote for FUNCINPEC.<sup>99</sup>

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<sup>91</sup> Findlay, *op. cit.*, n. 3, pp. 79-80.

<sup>92</sup> Security Council resolution on the election for the constituent assembly in Cambodia, S/RES/826 (1993), 20 May 1993, Blue Book II, *op. cit.*, n. 10, pp. 306-307.

<sup>93</sup> Letter dated 19 May 1993 from Singapore transmitting statement by the ASEAN foreign Ministers on the elections in Cambodia, Blue Book II, *op. cit.*, n. 10, p. 82.

<sup>94</sup> Statement by the President of the Security Council concerning the act of violence against UNTAC on 21 May 1993, S/25822, 22 May 1993, Blue Book II, *op. cit.*, n. 10, p. 308.

<sup>95</sup> Blue Book II, *op. cit.*, n. 10, p. 44.

<sup>96</sup> *Ibid.*

<sup>97</sup> According to Findlay, outside pressure, especially from China, restrained the PDK from disrupting the voting process. China publicly announced in April 1993, that it would not support any Cambodian party that resumed the civil war. China also reportedly warned Khieu Samphan during his visit to Beijing in late May not to disrupt the election. China's support for a strongly worded Security Council resolution on the eve of the election was no doubt partly motivated by the fact that the PDK had accidentally killed several Chinese peacekeepers in attacks on SOC forces. Findlay, *op. cit.*, n. 3, p. 87-88.

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*, p. 84.



The election process was observed in its entirety by international observers. Addressing the SNC on 29 May 1993, Special Representative Akashi, on behalf of the Secretary-General, declared that the conduct of the election had been free and fair.<sup>100</sup> The Security Council endorsed this declaration on 2 June 1993 in Resolution 835.<sup>101</sup> However, as an early account of the voting showed that FUNCINPEC was taking a lead, the Cambodian People's Party (CPP, the political party of SOC) subsequently asserted that the elections had been tainted by irregularities and fraud. It requested that UNTAC hold new elections in seven provinces, including the capital, Phnom Penh. UNTAC conducted investigations into the complaints. The final result of the election was released on 10 June 1993. FUNCINPEC won 45 percent of the vote, CPP came in second with 38 percent, the BLDP won 4 percent, and the rest of the vote was shared among the 17 other political parties.<sup>102</sup> On the same day, the Secretary-General authorized the SRSG to declare that the results "fairly and accurately reflect the will of the Cambodian people and must be respected". The SRSG also stated that the alleged irregularities cited by the CPP did not amount to fraud and that "none of the CPP's allegations, even if true, would affect the outcome".<sup>103</sup> The Security Council endorsed the election results in Resolution 840 of 15 June 1993, fully supporting the new Constituent Assembly.<sup>104</sup> The SOC formally recognized the election results on 21 June 1993.<sup>105</sup>

Riding on the momentum of the successful election, on 10 June 1993, the leaders of the armed forces of FUNCINPEC, the KPNLF and the SOC, through the coordination of the Mixed Military Working Group (MMWG), agreed to merge their troops into a single army, the Cambodian Armed Forces. On 14 June, the new Assembly was sworn in to begin drafting a new Constitution. At its inaugural meeting Prince Sihanouk was proclaimed head of state. But the Constituent Assembly was immediately challenged by a "secession" movement in the eastern part of the country. On 12 June 1993, an "autonomous zone" of

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<sup>100</sup> Letter dated 2 June 1993 from the Secretary-General transmitting statement made by the Special Representative of the Secretary-General for Cambodia at Supreme National Council meeting on 29 May 1993, S/25879, 2 June 1993, Blue Book II, *op. cit.*, n. 10, p. 311.

<sup>101</sup> Security Council resolution on the completion of the election in Cambodia, S/RES/835 (1993), 2 June 1993, Blue Book II, *op. cit.*, n. 10, pp. 311-312.

<sup>102</sup> Report of the Secretary-General on the conduct and results of the election in Cambodia, S/25913, 10 June 1993. Blue Book II, *op. cit.*, n. 10, p. 315.

<sup>103</sup> *Ibid.*, p. 316.

<sup>104</sup> Security Council resolution on the results of the election in Cambodia, S/RES/840 (1993), 15 June 1993, Blue Book II, *op. cit.*, n. 10, p. 318.

<sup>105</sup> Blue Book II, *op. cit.*, n. 10, p. 47.

seven eastern provinces was proclaimed by Prince Norodom Chakrapong, the Deputy Prime Minister of the SOC and a son of Prince Sihanouk. He rejected the results of the elections and asked UNTAC to withdraw from the seven provinces, saying that he could not guarantee the safety of UNTAC personnel. Following attacks on UNTAC officers and vehicles and threats to some civilian peacekeepers, UNTAC ordered a temporary withdrawal from three provinces and Prince Ranariddh prepared to use military force against the rebellion. It was believed that hard-line members of the CPP were involved. On 15 June, the secession movement collapsed and Prince Chakrapong fled to Vietnam.<sup>106</sup>

Putting the first political crisis behind him, on 16 June, Prince Sihanouk announced the formation of an Interim Joint Administration (IJA) with Prince Ranariddh and Mr. Hun Sen as the Co-Chairmen of a Council of Ministers.<sup>107</sup> The administration would include representatives of all the parties which had won seats in the Assembly. The PDK would not be represented. The UN provided emergency financial assistance of \$10 million to the IJA. The IJA was accepted by the Constituent Assembly on 1 July and sworn in the following day. To make a political balance, Prince Ranariddh and Hun Sen became Co-Presidents and Co-Ministers of Defence and the Interior and Public Security.<sup>108</sup>

The high turnout in the election and its successful conclusion significantly weakened the PDK's political status. Its initial reaction to the election results seemed to be positive. It declared that it would accept the outcome of the election.<sup>109</sup> On 13 July 1993, Mr. Khieu Samphan returned to Phnom Penh, ending the PDK's three-month absence from the capital. At the meeting of the SNC on the same day, he spoke of the need for national reconciliation and said the PDK might be willing to merge its forces into a national army and end its resistance.<sup>110</sup> Khieu Samphan held tentative discussions with Sihanouk and UNTAC to see if the PDK could play a role in the new government. Prince Sihanouk had been a strong advocate of including the PDK in the government. Now he retreated from his position, saying that it could only be involved in an "advisory" capacity. The PDK had originally said that it would be content with

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<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*

<sup>108</sup> Findlay, *op. cit.*, n. 3, pp. 92-93.

<sup>109</sup> Report of the Secretary-General pursuant to paragraph 7 of resolution 840 (1993) on the possible role of the United Nations and its agencies after the end of UNTAC's mandate according to the Paris Agreements, S/26090, 16 July 1993, Blue Book II, *op. cit.*, n. 10, p. 321.

<sup>110</sup> Blue Book II, *op. cit.*, n. 10, p. 48.

this advisory role, but obviously it wanted more than that. The talks did not yield any results.<sup>111</sup>

### E. The End of the Mission

On 27 August, the Security Council confirmed that UNTAC's mandate would end upon the creation of a new Cambodian Government and took note of the request by the Interim Joint Administration to maintain UNTAC's mandate until the Constituent Assembly had completed its work on the Constitution and a new Government was established.<sup>112</sup> On 24 September 1993, the new Constitution was formally promulgated by Prince Sihanouk. The document established a constitutional monarchy, "The Kingdom of Cambodia". Prince Sihanouk was then elected King by the Royal Council of the Throne. In his first act, King Sihanouk named Prince Ranariddh and Mr. Hun Sen as First and Second Prime Ministers in the new government. The Constituent Assembly transformed itself into a legislative assembly. A late addition to the Constitution stipulated that the Council of Ministers had to be chosen from parties represented in the National Assembly, thus effectively preventing the Khmer Rouge from joining the new government. With the IJA turning into the Royal Government of Cambodia, the SNC formally handed sovereignty to the new government and dissolved itself.<sup>113</sup>

UNTAC's mandate officially ended on 24 September 1993 with the establishment of the new Cambodian Government. Leaving a successful election and other accomplishments such as the smooth repatriation of 362,209 Cambodian refugees,<sup>114</sup> UNTAC started to pull out of the country. Special Representative Yasushi Akashi left Phnom Penh on 26 September. UNTAC troops began withdrawing from Cambodia on 2 August 1993. By this time, the repatriation component and most of the electoral staff had already left the country. The CIVPOL were completely gone by 30 September and the military withdrew completely by 15 November. By the end of 1993, most UNTAC personnel had

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<sup>111</sup> Findlay, *op. cit.*, n. 3, p. 95.

<sup>112</sup> Security Council resolution on the withdrawal of UNTAC, S/RES/860 (1993), 27 August 1993, Blue Book II, *op. cit.*, n. 10, pp. 330-331.

<sup>113</sup> Findlay, *op. cit.*, n. 3, pp. 96-97.

<sup>114</sup> Blue Book II, *op. cit.*, n. 10, p. 33. These refugees returned to Cambodia from Thai camps. There were also several thousands of refugees repatriated from Vietnam, Malaysia, Singapore, and Australia.

left. Only a small number of administrative and other personnel stayed in Cambodia until the end of May 1994.<sup>115</sup>

However, the exclusion of the PDK from this process cast clouds over the political future of the new government. Also some UNTAC components such as the mine-clearance program needed more time to finish or transfer its task to Cambodians. In early October 1993, the two Prime Ministers of the Cambodian government asked the United Nations to consider dispatching some 20 to 30 unarmed military observers to Cambodia as a confidence-building measure contributing to the stability of the country and its new Government.<sup>116</sup> On 4 November 1993, the Security Council adopted a resolution to extend the period of withdrawal of the mine-clearance and training unit until 30 November and for elements of the military police and medical components of UNTAC until 31 December. The Security Council also established a team of 20 military liaison officers for a single six-month period to report on matters affecting security in Cambodia, maintain a liaison with the Government, and assist the Government in dealing with residual military matters related to the Paris Agreements<sup>117</sup> In April 1994 at the request of the new government, the Secretary-General appointed Mr. Benny Widoyo (Indonesia) as his Representative in Cambodia to coordinate the UN presence there.<sup>118</sup> On 13 May 1994, the Security Council decided not to extend the mandate of the 20-person Military Liaison Team but rather agreed that the Secretary-General should appoint three military advisers to assist the Secretary-General's Representative in Cambodia following the end of the Team's mandate.<sup>119</sup> On 10 October 1994, the Security Council decided to

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<sup>115</sup> S/26090, Blue Book II, *op. cit.*, n. 10, p. 321; Further report of the Secretary-General pursuant to paragraph 7 of resolution 840 (1993), S/26360, 26 August 1993, Blue Book II, *op. cit.*, n. 10, pp. 321, 327-328; Findlay, *op. cit.*, n. 3, pp. 98-99; Blue Book II, *op. cit.*, n. 10, p. 53.

<sup>116</sup> Further report of the Secretary-General pursuant to paragraph 7 of resolution 840 (1993) conveying request by the Government of Cambodia for the dispatch of 20 to 30 unarmed United Nations military observers to Cambodia for six months following the end of UNTAC mandate, S/26546, 7 October 1993; Further report of the Secretary-General on the establishment in Phnom Penh of a team of 20 military liaison officers, S/26649, 27 October 1993, Blue Book II, *op. cit.*, n. 10, pp. 335-337.

<sup>117</sup> Security Council resolution on transitional period in Cambodia following the withdrawal of UNTAC, S/RES/800 (1993), 4 November 1993, Blue Book II, *op. cit.*, n. 10, pp. 339-340.

<sup>118</sup> Blue Book II, *op. cit.*, n. 10, p. 52.

<sup>119</sup> Final report of the Secretary-General on the United Nations Military Liaison Team in Cambodia, S/1994/645, 31 May 1994, Blue Book II, *op. cit.*, n. 10, pp. 345-346.

extend Mr. Widiono's term for another six months to April 1995 and that he should continue to be assisted by three military advisers for the same duration.<sup>120</sup>

## IV. Aborted Disarmament

One characteristic that distinguishes UNTAC from other peacekeeping operations is that its military component was designed to serve a paramount political goal: fulfilling the UN timetable for election. Initially its major task was to disarm and demobilize at least 70 percent of the four Cambodian warring parties to create a neutral and secure political environment in which a "fair and free" election could be held. It was on this critical issue, however, that UNTAC encountered insurmountable difficulties which eventually led to the suspension of the entire disarmament operation. After this episode, the mission of the military component turned directly to protecting the election process, a task which was not foreseen in the Paris Agreements and UN mandate. To the UNTAC military component, the traditional function of peacekeeping *per se* was not always the first priority.

### A. UN Mandate, Task and Plan

The basic framework of the UNTAC mandate on military functions in general and on disarmament of warring parties in particular, was provided in the Paris Agreement and its Annex 1 and Annex 2.<sup>121</sup> As mentioned in the last section, the primary objectives of military arrangements during the transitional period were to stabilize the security situation and build confidence among the parties to the conflict. The achievement of these objectives was a necessary precursor to the successful conduct of the functions of other components.<sup>122</sup> The Secretary-General, in his proposed implementation plan for UNTAC on 19 February 1992, divided the mandate into four main aspects:

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<sup>120</sup> Letter dated 10 October 1994 from the Secretary-General to the President of the Security Council informing the Council of his decision to extend for six months the term of the Secretary-General's representative in Cambodia, S/1994/1182, 19 October 1994, Blue Book II, *op. cit.*, n. 10, p. 346.

<sup>121</sup> See Agreement on a comprehensive political settlement of the Cambodia conflict, Section IV, Annex 1 and Annex 2, Blue Book II, *op. cit.*, n. 10, pp. 136, 139, 140-144.

<sup>122</sup> *Ibid.*, p. 136; S/23613, Blue Book II, *op. cit.*, n. 10, p. 163.

- (a) Verification of the withdrawal and non-return of all categories of foreign forces and their arms and equipment;
- (b) Supervision of the cease-fire and related measures, including regroupment, cantonment, disarming and demobilization;
- (c) Weapons control, including monitoring the cessation of outside military assistance, locating and confiscating caches of weapons and military supplies throughout Cambodia, storing the arms and equipment of the cantoned and demobilized military forces;
- (d) Assisting with mine-clearance, including training programs and mine awareness programs.<sup>123</sup>

With regard to the withdrawal of foreign troops, the Paris Accords stipulated that by 23 October 1992, when the Paris Agreements were signed, all foreign forces, advisers and military personnel remaining in Cambodia, together with their weapons, ammunition and equipment, should have been withdrawn from Cambodia. After its deployment, the UNTAC military component would continue its effort to verify the non-presence and non-return of any foreign forces. To accomplish this mission, UNTAC would post military observers at fixed locations where foreign forces would be likely to enter Cambodia. Twenty-four such ingress/egress points were identified along the borders with Thailand, Vietnam, Laos, at the ports of Kompong Som and Phnom Penh, and at the airports of Phnom Penh, Battambang, Siem Reap and Stung Treng. These military observers would report to UNTAC headquarters in Phnom Penh regarding any movement of combatants or arms into Cambodia. In addition, UNTAC would deploy mobile monitoring teams of military observers to investigate allegations of the presence of foreign forces.

In terms of weapons control, the UNTAC military component was responsible for monitoring the cessation of outside military assistance. This would be accomplished by military observers at fixed posts at ingress/egress points and through the monitoring and investigative activities of the mobile teams. The naval unit within the military component would supervise the patrolling of coastal areas and inland waterways for possible transportation of weaponry. UNTAC mobile teams of engineers were charged with promptly investigating reports of weapons caches and military supplies inside Cambodia. Any such caches found would be confiscated and destroyed. Also, the military component should ensure that all the cantoned military forces were disarmed and

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<sup>123</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 164. For more details, see pp. 164-167.

all of the discharged arms, ammunition and equipment were placed under UNTAC custody. Once in custody, measures should be taken to ensure that the arms were secure and progressively transferred to designated areas. For these purposes, secure facilities would be established at the designated cantonment areas to deposit the weapons, ammunition, and equipment of the forces.

With regard to mine-clearance, the Paris Agreement stipulated that UNTAC shall conduct a massive public education program in the recognition and avoidance of explosive devices; train Cambodian volunteers to dispose unexploded ordnance devices; and provide emergency first-aid training to Cambodian volunteers. As mentioned earlier, UNAMIC already started some mine awareness and clearance programs in late 1991. The UNTAC military component was supposed to take over those programs. Continuation and management of these programs would be entrusted to the engineer unit within the military component. It was required that the demining effort should be undertaken in the very early stages of the mission to facilitate UNTAC's deployment and its activities.

In addition, the military component was charged with the task of undertaking investigations, on complaint from one of the parties or on its own, of alleged non-compliance with any of the provisions related to military arrangements, providing assistance to the release of prisoners-of-war and to the repatriation of Cambodian refugees.

Among these four tasks, the second one, namely disarming the warring parties, was the "centrepiece"<sup>124</sup> since its success "was indispensable if UNTAC is to be able to carry out its mandate in an effective and cost-efficient manner".<sup>125</sup> The purpose was to "create a neutral security environment as a prelude to activities aimed at creating a neutral political environment".<sup>126</sup> The Paris Agreement required that all troops in Cambodia should be disarmed and at least 70% of them should be demobilized before the election.<sup>127</sup> This task was quite formidable in military terms even without facing any political problems.

Before the establishment of UNTAC in Cambodia, a UN Military Survey Mission visited Cambodia from 17 November to 16 December 1991 to collect data and negotiate preliminary arrangements with the four factions. In its report,

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<sup>124</sup> John M. Sanderson, "UNTAC: The Military Component View", in *Conference Papers*, *op. cit.*, n. 1, p. 73.

<sup>125</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 164.

<sup>126</sup> Personal correspondence with Lt. Gen. John Sanderson (Force Commander) and Lt Col. J. D. Healy (Chief Secretariat of the MMWG), 26 May 1995.

<sup>127</sup> See Annex 2 to the Paris Agreement, Blue Book II, *op. cit.*, n. 10, p. 142.

the four warring parties provided data on their respective armed forces.<sup>128</sup> Among the four factions, the Phnom Penh government (SOC) by far had the largest armed forces (Table 1). Its CPAF was 131,000 strong; organized into three services, the army, the navy and the air force; and classified into three categories, regular forces, provincial forces and militia. The army numbered some 126,000, all ranks. The navy had a total strength of about 4,000 of all rankings and was equipped with 18 naval and 38 riverine vessels. The air force had a total strength of about 1,999 all ranks and was equipped with 21 MIG fighter aircraft, 4 MIT helicopters and 32 anti-aircraft missiles. There was also a 220,290 man militia which operated in almost all villages in the territory under the control of the SOC. They were basically armed to protect their communities. The regular forces were equipped with 181,816 weapons of all types, 168 tanks, 210 armored personnel carriers and 499 artillery pieces while the militia was equipped with a total of 91,427 weapons. The total ammunition holding of the army was about 79,082,027 rounds of small arms and 123,048 of tank and artillery.

**Table 1: Armed Forces of Four Factions**

	<b>Armed forces</b>	<b>Militia</b>	<b>Weapons</b>	<b>Heavy weapons*</b>	<b>Ammunition</b>
CPAF	131,000	220,290	273,343	877	79,205,175
NADK	27,000		20,000	176	516,000
ANKI	17,500		13,500		742,000
KPNLAF	27,800		13,600		266,000
<b>Total</b>	<b>203,300</b>	<b>220,290</b>	<b>320,443</b>	<b>1,053</b>	<b>80,729,175</b>

\* Including tanks, armoured personnel carriers, artillery.

Source: UN military survey mission report, December 1991.

The second strongest military force was the PDK's (Khmer Rouge) NADK. It had a total strength of about 27,000 (all ranks) consisting of a regular force of about 25,000 (all ranks) and an auxiliary force of some 2,000 (all ranks). It was deployed in more than 100 clearly defined areas and locations. The NADK was

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<sup>128</sup> For more details, see Report of the United Nations Military Survey Mission to Cambodia (hereafter cited as Survey Mission Report), New York: United Nations, 24 December 1991, pp. 6-7.



equipped with a total of some 20,000 infantry weapons of different caliber, 172 artillery pieces and four tanks. It held about 513,000 rounds of small arms ammunition, about 3,000 artillery and tank rounds. It also had about 1,180 tons of ammunition in depots.

FUNCINPEC and the KPNLF's military muscle was relatively modest. FUNCINPEC's National Army of Independent Kampuchea (ANKI) had a total strength of about 17,500 (all ranks). The force was deployed over 35 locations. It was equipped with some 13,500 weapons ranging from pistols to medium mortars and held some 742,000 rounds of small arms ammunition and mortar rounds. The KPNLF's Khmer People's National Liberation Armed Forces (KPNLAF) had about 27,800 personnel, all ranks, and was deployed in some 114 localities. It was equipped with some 13,600 weapons of all caliber and held some 2,666,000 rounds of small arms ammunition.

It was estimated that the SOC controlled 85% to 90% of Cambodia's territory. The PDK was believed to have about 10-15% of the territory under its control. The other two smaller factions only held some isolated territories in the north and west border areas. So far as the population is concerned, the SOC controlled the most populated areas in the country, and the population under the PDK control was believed to be only about 5%. However, the actual areas of control were constantly shifting.<sup>129</sup>

Based on the data provided by the four factions, it was estimated that UNTAC would need to canton and disarm over 200,000 regular military forces deployed in some 650 separate locations and some 250,000 militia forces operating in almost every village in the country. It also had to secure over 300,000 weapons of all types and some 80 million rounds of ammunition.<sup>130</sup>

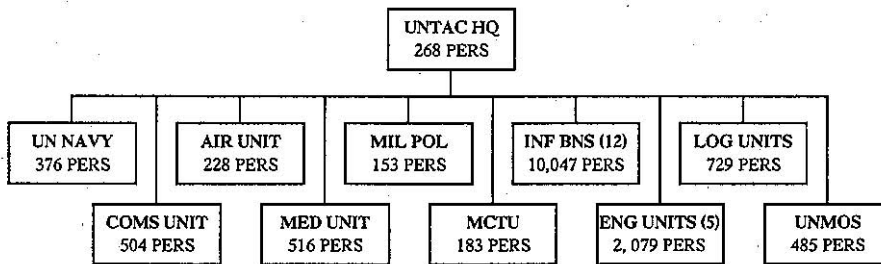
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<sup>129</sup> Chopra, *et al.*, *op. cit.*, n. 44, p. 8; Interviews with Col. Willem Huijssoon (Chief of Plans of the Military Component), 22-23 May 1995, Apeldoorn, The Netherlands.

<sup>130</sup> S/23613, Blue Book II, *op. cit.*, n. 10, pp. 165, 167. There are different opinions regarding the accuracy of the data provided by the four factions. Findlay considered the figures vastly inflated, *op. cit.*, n. 3, p. 31. Lt. Col. Dukers, commander of the first Dutch battalion deployed closest to PDK areas, never saw many NDPK soldiers there. He suspected that one of the reasons why the PDK was reluctant to enter cantonment was for fear of its weakness being exposed. Col. Huijssoon, the Chief of Plans of UNTAC, however, held that it is going a little bit too far to say that the factions vastly inflated their numbers. They did their best to give the UN Survey Mission the information available. The problem is even the factions themselves did not know how many troops they really had. For instance, during Operation Paymaster after the election, UNTAC discovered military units in the field which were not known to their headquarters. Interview with Lt. Col. Dukers, 19-21 May 1995, Den Helder, The Netherlands; and with Col. Huijssoon, *op. cit.*, n.129.

To disarm such huge armed forces and arsenals, the Secretary-General in his implementation plan for UNTAC asked for a massive deployment of military forces for an extended period in Cambodia. It required a strength of about 15,900, all ranks, to carry out the mandate. This force included (a) 204 force headquarters officers, (b) 12 infantry battalions (850, all ranks, each), (c) 485 military observers, (d) 582 signals unit members, (e) an engineer unit of 2,230, (f) an air support group of 326, (g) a naval unit of 376, (h) a logistic battalion of 872; (i) a medical unit of 541; and (j) a military police company of 160.<sup>131</sup> All together, 34 countries contributed uniformed personnel. The twelve battalions came from eleven different countries: Bangladesh, Bulgaria, France, Ghana, India, Indonesia (two), Malaysia, the Netherlands, Pakistan, Tunisia and Uruguay (Figure 1 and Table 2).<sup>132</sup>

**Figure 1: Force Structure of the UNTAC Military Component**



For the purpose of deployment, Cambodia was divided into nine sectors. Each sector had its share of infantry personnel and military observers and was supported by appropriate engineer, aviation signal, medical and logistic subunits. In seven of the sectors, one battalion each was deployed. Two bigger sectors had two battalions each, thus requiring the establishment of separate sector headquarters. One battalion was served as the force reserve.<sup>133</sup> Each battalion was

<sup>131</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 167.

<sup>132</sup> Lt. Col. Steve Ayling, "UNTAC: The Ambitious Mission", in Hugh Smith (ed.), *International Peace Keeping: Challenges for the Future*, Canberra: Australian Defence Studies Centre, 1993, p. 79.

<sup>133</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 168.

responsible for five cantonment sites within its area of operation and was at least five companies strong.<sup>134</sup>

**Table 2: Countries Contributing Military Personnel to UNTAC (as of June 1993)**

Country	N	Country	N
Algeria	16	Japan	605
Argentina	2	Malaysia	1,090
Australia	685	Namibia	43
Austria	17	Netherlands	809
Bangladesh	942	New Zealand	67
Belgium	5	Pakistan	1,106
Brunei	3	Philippines	127
Bulgaria	748	Poland	666
Cameroon	14	PRC	444
Canada	218	Russia	52
Chile	52	Singapore	35
France	1,350	Senegal	2
Germany	137	Thailand	716
Ghana	912	Tunisia	883
India	1,336	United Kingdom	130
Indonesia	1,779	USA	49
Ireland	11	Uruguay	940
		<b>Total</b>	<b>15,991</b>

The force headquarters was located at Phnom Penh. It comprised the traditional branches of military staff of an operational-level headquarters. Below it there were two sector headquarters and seven sectors.<sup>135</sup> The battalion commanders were also Sector Commanders. Other units in the sector were under

<sup>134</sup> United Nations Institute for Disarmament Research, *Analysis Report of Practitioners' Questionnaire on Weapons Control, Disarmament, and Demobilization during Peacekeeping Operations: Cambodia*, UNIDIR/UNTAC/002 (Geneva: United Nations, unpublished draft), p. 18. Normally a battalion consists of three companies. The battalions were thus structured for their specific tasks.

<sup>135</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 168.

the command of the Sector Commander for security matters, but the functional command remained with the UNTAC HQ military component.<sup>136</sup>

Twelve infantry battalions were mainly responsible for disarmament. Military observers would check the numbers of troops and weapons in cantonment areas, supervise the demobilization process, and establish verification teams, check-points, and liaison offices in neighboring countries for the purpose of investigating non-compliance and monitoring cessation of outside military assistance. Engineer units were in charge of the demining programs. The signals unit would establish the force's communication network. The air support unit would be responsible for providing support to all components of UNTAC. The naval unit would take care of patrolling waterways to monitor outside military supply and disarm SOC naval forces. The logistic battalion and medical unit would provide support to the military component as well as other civilian components.<sup>137</sup>

The key mechanism through which the UNTAC military component coordinated its various operations with Cambodian factions was the MMWG. The MMWG was established in December 1991 under the chairmanship of the Senior Military Liaison Officer of UNAMIC. It would be taken over by the commander of the military component of UNTAC. As the scale of UNTAC's activities increased, similar liaison arrangements would be made at other command levels.<sup>138</sup> During the UNTAC mission, the MMWG consisted of several levels. At Phnom Penh HQ level, the MMWG was chaired by the Force Commander and included commanders of the faction armies. A secretariat, composed of a senior UNTAC military staff officers and military staff of the faction armies, was established under MMWG HQ to handle the coordination and negotiations between the UNTAC military component and the factions on daily basis. At the sector level, the MMWG was chaired by Sector Commanders and consisted of local military representatives of factions. The lowest level of MMWG was located at the cantonment site and coordinated by the local UNTAC military commander.<sup>139</sup>

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<sup>136</sup> Personal Correspondence with Col. Willem Huijssoon, 11 and 17 May 1995.

<sup>137</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 169.

<sup>138</sup> *Ibid.*, p. 164.

<sup>139</sup> Personal correspondence with Mary Eliza Kimball (Political Affairs Officer and Desk Officer, UNTAC), 7 June 1995; Personal Correspondence with Capt. Peter A. Bartu (Special Assistant to the Force Commander), 22 May 1995. The MMWG at HQ level became Force Commander's main instrument for dealing with the armed forces of the factions. Many major initiatives (such as UNTAC redeployment, cooperative arrangements for security during the election, unification of the armed forces) were negotiated through it. The MMWG at sector

The Paris Accord and UN mandate contained a detailed plan for the implementation of disarmament and demobilization. During its visit prior to UNTAC, the Military Survey Mission negotiated and worked out preliminary arrangements of disarmament with the four factions. The factions submitted their requests for sites first. The UN then renegotiated the number of sites in relation to the total UN force. On the one hand, the factions asked for a large number of regroupment and cantonment areas. They wanted to stay close to their villages and families. They also did not want to mix their own troops with other factions in regroupment and cantonment areas.<sup>140</sup> On the other, the UN had to man each site and therefore could only manage a finite number of sites, approximately five per UN battalion. The UN also rejected some sites due to their unsuitability (e.g. the site was subject to inundation, too remote or beyond logistic support) and made sure that all the sites were accessible by car.<sup>141</sup> After negotiations, the four factions agreed to reduce the number of regroupment areas from their desired total of 325 to 95 and the number of cantonment areas from their desired total of 317 to 52.<sup>142</sup> The 95 regroupment areas and 52 cantonment areas were distributed among the four factions:

- (a) 48 regroupment areas and 33 cantonments for the CPAF;
- (b) 30 regroupment areas and 10 cantonments for the NADK;
- (c) 8 regroupment areas and 6 cantonments for the KPNLAF;
- (d) 9 regroupment areas and 3 cantonments for the ANKI.<sup>143</sup>

In light of the Paris Agreements, disarmament was a part of the general process of cease-fire. The Phase I of the cease-fire entered into effect with the signing of the Agreement. The four factions would observe a cease-fire and

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level, however, was not very effective largely due to NADK's non-cooperation. Sanderson and Healy personal correspondence, *op. cit.*, n. 126; Dukers interview, *op. cit.*, n. 130.

<sup>140</sup> Interviews with Col. Huijssoon, 10-11 March 1995, UNIDIR, Geneva, Switzerland.

<sup>141</sup> Bartu, *op. cit.*, n. 139; Huijssoon interviews, *op. cit.*, n. 129.

<sup>142</sup> In February 1992, it was agreed that all cantonment information be placed on one map, providing transparency to all parties. Later evidence suggested that the SOC might have used this information to launch attacks on the NADK. The NADK liaison officer who had agreed this arrangement was never seen again. Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>143</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 165. Following further discussion with the Cambodian parties, the number of cantonment areas increased to a total of 55. See First progress report of the Secretary-General on UNTAC, S/23870, 1 May 1992, Blue Book II, *op. cit.*, n. 10, p. 188.

would immediately order their armed forces to disengage and refrain from all hostilities and any deployment, movement or action that would increase the amount of territory they control. The disarmament would take place in Phase II of the cease-fire and pass through four consecutive stages: regroupment, cantonment, disarmament and demobilization.<sup>144</sup> As soon as the Phase II of the cease-fire started, regroupment of forces would begin simultaneously nationwide in accordance with the timetable to be drawn up by the commander of the military component of UNTAC. The regrouped forces would then proceed with their commanders to the designated cantonment areas. At this stage the four parties were expected to produce all declared troops, weapons, ammunition and equipment. When the commander of the military component of UNTAC concluded that proper account had been rendered by all parties, the demobilization process would be conducted according to the timetable to be drawn up by UNTAC in consultation with the four factions.<sup>145</sup>

In principle, troops of all four factions would be regrouped and cantoned in the same manner; however, some special arrangements were made for the CPAF's navy and air force, the Ministry of Defence and its personnel located in Phnom Penh, and the engineer and logistic units.<sup>146</sup>

The SOC militia members were also subject to modification of standard procedure. They were organized and armed to protect their communities and villages. Yet their main work was farming and other civilian activities. If they had to leave their village to enter the cantonment sites as regular forces did, the disarmament would disrupt the normal social and economic life of Cambodia. To reduce the negative social impact of disarmament, all militia forces would not be physically cantoned. Instead they would be asked to report to the local headquarters designated by UNTAC in order to turn in their weapons.<sup>147</sup>

To fulfill these tasks of disarmament, the UNTAC mandate also specified the sequence and timetable for the force deployment and mission completion. The deployment of the military force would start with engineer units who would continue and expand the mine program and undertake rehabilitating vital infrastructure. It would be followed by the arrival of logistics units who would establish a logistic base for UNTAC. The remaining military personnel would be deployed by one week prior to the start of Phase II of the cease-fire, namely the

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144 A/46/608-S/23177, Annex 2 to Paris Agreement, Blue Book II, *op. cit.*, n. 10, p. 140.

145 S/23613, Blue Book II, *op. cit.*, n. 10, p. 165.

146 For details, see *Ibid.*

147 *Ibid.*

disarmament. The infantry battalions would be deployed at the designated regroupment and cantonment areas. Other military personnel of UNTAC would be deployed mainly at the ingress/egress points. It was proposed that full deployment of the military component be accomplished by the end of May 1992. The regroupment and cantonment processes, as well as the demobilization of at least 70% of the cantoned forces, should be completed by the end of September 1992.<sup>148</sup>

The original implementation plan foresaw a quick force reduction following an effective regroupment, cantonment and demobilization process. The numbers of military observers and infantry personnel would be reduced to approximately 330 and 5,100 respectively after 30 September 1992, the designated date for the completion of demobilization. At the same time, the sizes of the signals unit, air support group, engineer element and logistics and medical units would not change significantly in order to support the other components of UNTAC throughout this period. After the election, it might be possible to reduce considerably the size of each of the elements of the military component.<sup>149</sup>

### **B. Inadequate Preparation for Disarmament**

While the UN mandate for the military component and its implementation plan was miraculously articulated and mechanically rationalized, the reality on the ground was often too difficult to be solved even by the best plan on paper. In both the deployment of the UNTAC military component and the conduct of its mission of disarmament, the Force Commander had to constantly make adjustments to adapt to the changeable circumstances.

Both practitioners and scholars agree that the commencement of Phase II of the cease-fire in June 1992 did not have a solid human and material basis. Among other things, the deployment of the military component was far behind schedule. As of the end of April 1992, the total number of troops within Cambodia was only 3,694. Of the 24 checkpoints planned to monitor the withdrawal of foreign forces and verify the cessation of external weapon supplies, only three had been established. By 13 June when Phase II was supposed to start, 2 out of 12 battalions had not yet arrived in Cambodia. Only 4 UNTAC battalions were fully deployed to their sectors with all equipment ready to start cantonment. The logistic units were not operational and the medical system consisted of only battalion aid posts and a hospital in Phnom Penh. Until April 1992, there were

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<sup>148</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 169.

<sup>149</sup> *Ibid.*, 168.

only three officers in Phnom Penh to look after all the logistics aspects of UNAMIC and to plan for the arrival of UNTAC. Anticipating the difficulties in supply, the UN mandate required that all battalions should arrive in Cambodia with 60 days' self sufficiency without resupply. But some units did not do so. One battalion arrived with 850 men with just rucksacks and rifles. The deployment was poorly coordinated. Contrary to the original plan, infantry battalions arrived before the logistic and engineering units. The procurement of transport and tenders for vital logistic support contracts had fallen behind schedule.<sup>150</sup>

On the Cambodian side, the physical conditions for a large scale cantonment were simply not present. According to the UN plan, the four factions would take the responsibility for the preparation of cantonment sites and for providing food and services to the cantoned troops.<sup>151</sup> In practice, this was an impossible task for them. As early as November/ December 1991, the factions informed the UN Military Survey Mission that they would have great problems in providing adequate shelters for their forces in the cantonment areas. This problem would be even more serious if it was not addressed before the start of the rainy season. They also stressed that the resupply or feeding of all the troops cantoned would also be difficult. Unless this problem was adequately resolved there would be a large incidence of deserters in search of food. Such a development would have had a very negative effect on the whole disarmament aspect.<sup>152</sup>

These predicted difficulties emerged soon after UNTAC went into effect. Col. Huijssoon estimated that by June 1992, the factions had only constructed 10% of the required shelters in the cantonments.<sup>153</sup> Lt. Col. Dukers "never found anything (in his sector) which resembled preparation for cantonment".<sup>154</sup> If all faction forces were cantoned, about 200,000 soldiers would arrive in the cantonment areas. They had to build their own shelters. Most cantonment sites were not located near fresh water supplies. The factions had the responsibility for the supply of food and medical care, but none of them had normal military logistic and medical capabilities. A lack of daily necessities could have caused serious trouble. There was also a shortage of human resources on the UNTAC side. On the average, each UNTAC infantry platoon of 35 men faced 1200 faction

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<sup>150</sup> See *Ibid.*; S/23870, Blue Book II, *op. cit.*, n. 10, p. 187; Col. Willem Huijssoon, Briefing on Cambodia and UNTAC, 9 March 1995, UNIDIR, Geneva, Switzerland; Briefing to the Countries' Representatives Providing Contingents to UNTAC, 6 April 1992, New York, p. 1/9; Findlay, *op. cit.*, n. 3, pp. 33; 36; Chopra, *et al.*, *op. cit.*, n. 44, pp. 19-20.

<sup>151</sup> UNTAC Military Component SOP, p. 3.29.

<sup>152</sup> Survey Mission Report, *op. cit.*, n. 128, p. 11.

<sup>153</sup> Huijssoon briefing, *op. cit.*, n. 150.

<sup>154</sup> Dukers interview, *op. cit.*, n. 130.



soldiers. In some cases, one platoon assisted by an UNMO team had to canton and disarm 3000 faction soldiers.<sup>155</sup>

In summary, as General Michel Lorida (Deputy Force Commander) pointed out, "even had they [Khmer Rouge] agreed to disarm, we would have had major problems in carrying out the operation because it had been so badly prepared at the technical and psychological level".<sup>156</sup> That was why when the cantonment process was eventually abandoned in face of the lack of cooperation by the PDK. Many in the UNTAC military forces felt relieved and the Force Commander even said, "They saved us".<sup>157</sup>

Against this background of inadequate preparation, the Force Commander, General Sanderson, announced on 9 May that Phase II of the cease-fire -- the regroupment, cantonment, disarming and demobilization -- would start on 13 June. He and his senior staff were caught in a dilemma. On the one hand, he realized that the troops were not fully deployed and operational yet. So from the military point of view, Phase II should be postponed. As he later recalled, he made "the 'perilous decision' to begin (disarmament) on 13 June with only 8 1/2 infantry battalions".<sup>158</sup> On the other hand, he could not delay the start of the disarmament for two reasons. First, the delay would frustrate the UNTAC schedule which required that the demobilization should be completed by the end of September 1992 to avoid delaying the election. Second, he was concerned that if the disarmament was not carried out during the rainy season, there was a risk of the return of warfare in the dry season beginning in November.<sup>159</sup> As he described it, "13 June was the earliest possible date to begin Phase II. It was also the latest possible date to have cantonment and disarmament completed before the beginning of the [dry] season".<sup>160</sup> In the final analysis, political considerations prevailed over military rationales.

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<sup>155</sup> Huijssoon briefing, *op. cit.*, n. 150.

<sup>156</sup> Brig. Gen. Michel Lorida, Letter dated 8 March 1995.

<sup>157</sup> Huijssoon briefing, *op. cit.*, n. 150. However, it is interesting to note that people on the civilian side do not always share this concern of the military side. Mary Eliza Kimball, for instance, held that UNTAC would not have faced any major difficulties in carrying out disarmament, had the PDK cooperated. Kimball personal correspondence, *op. cit.*, n. 139.

<sup>158</sup> Janet E. Heininger, *Peacekeeping in Transition, the United Nations in Cambodia*, New York: The Twentieth Century Fund Press, 1994, p. 69.

<sup>159</sup> Huijssoon briefing, *op. cit.*, n. 150.

<sup>160</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

### C. The PDK's Non-Compliance

The disarmament phase of the mission was further confounded by the PDK's refusal to enter Phase II. In the initial stage of the UNTAC mission, the PDK seemed to be cooperating though without enthusiasm. The cease-fire was generally maintained. There were some armed clashes in Kompong Hom where forces of all four Cambodian parties were present. The UNTAC investigation indicated that the PDK was responsible for the clashes, but the PDK denied it. UNTAC forces were able to restore the cease-fire by deploying 200 UN troops in the town of Kompong Thom to verify the withdrawal of opposing forces. The PDK also started removing some restrictions on access by UNTAC to proceed with the reconnaissance and identification of sites for the regroupment and cantonment of forces.<sup>161</sup> It permitted deployment of Military Liaison Officers who were still there and operating as Military Observers.<sup>162</sup> The PDK, like other factions, agreed to deploy military representatives to the other factions' headquarters.<sup>163</sup> Khieu Samphan actively participated in SNC meetings. The PDK accepted UNTAC's repatriation program and UNTAC civilians in contested areas. It did not object to the SNC's decision to join international human rights instruments and attended UNTAC's police training program.<sup>164</sup> Before the Force Commander announced the date of Phase II, he obtained assurances from the factions, including the PDK, that they would grant freedom of movement to UNTAC personnel, vehicles and aircraft; mark minefields in the areas under their control; and provide UNTAC with information on their troops, arms, ammunition and equipment by 20 May 1992.<sup>165</sup> In fact, the PDK was the one who insisted on the earliest date of commencement of Phase II of the cease-fire.<sup>166</sup> Although Mr. Akashi was "not fully satisfied at the freedom of movement" in PDK-controlled areas, he acknowledged that at the outset of the UNTAC operation, "there was still a distinct impression that DK was willing to cooperate with UNTAC".<sup>167</sup>

However, it soon became quite clear that the PDK had changed its attitude toward disarmament. Increasingly it chose not to fulfill its commitments in this

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<sup>161</sup> S/23870, Blue Book II, *op. cit.*, n. 10, p. 188.

<sup>162</sup> Ataul Karim, "A Political Analysis of the Cambodian Situation", in *Conference Papers*, *op. cit.*, n. 1, p. 67.

<sup>163</sup> Frank Frost, "The Peace Process in Cambodia: The First Stage", Background Paper Number 14, Australia: Department of the Parliamentary Library, 24 June 1992, p. 5.

<sup>164</sup> Findlay, *op. cit.*, n. 3, p. 51.

<sup>165</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 191.

<sup>166</sup> Karim, *op. cit.*, n. 162, p. 67.

<sup>167</sup> Frost, *op. cit.*, n. 163, p. 5; Akashi, *op. cit.*, n. 2, p. 189.

respect. After the Force Commander announced the date of Phase II, the PDK refused to allow the Dutch battalion into Sector 1, the Pakistani battalion into Sector 3 and other battalions into the area under its control and planned cantonment sites. The Dutch battalion was responsible for Sector 1 which was largely controlled by the PDK. The troops were sent to Thailand in May. From there they were supposed to enter Sector 1 and establish Sector Headquarters in Pailin, the official headquarters of PDK. However, they were stopped at the border by NADK and forced to remain in the reception area in Pattaya in Thailand.<sup>168</sup> On 30 May, the SRSG, the Force Commander, and other senior UNTAC officials tried to get to the Thai border from Pailin to meet the Dutch troops. Nevertheless, NADK soldiers prevented them from doing so. The PDK also failed to provide information about its troops to UNTAC and mark minefields in its areas.<sup>169</sup> On 3 June, the day that officially kicked off Phase II, the Secretary-General sent Mr. Khieu Samphan a personal appeal for the implementation of Phase II. The response from the PDK was not committed.<sup>170</sup> On 9 June, Mr. Akashi received a letter from the PDK stating that it was not in a position to allow UNTAC forces to proceed with their deployment in the areas under its control.<sup>171</sup> On 10 June, the PDK formally announced that it would not participate in Phase II.<sup>172</sup>

Exactly why the PDK changed its strategy remains anybody's guess even today.<sup>173</sup> First of all, although hard evidence never emerged in a systematic way, observers and practitioners alike believed that the PDK was not a monolithic body

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<sup>168</sup> The Dutch battalion commander and a few of his staff managed to get in the area and even visited Pailin by using various tactics, but later on they were denied all the entrances. Dukers interview, *op. cit.*, n. 130.

<sup>169</sup> S/24090, Blue Book II, *op. cit.*, n. 10, pp. 192-193. As a result of PDK's non-cooperation, the Dutch troops had to deploy themselves in Cambodia in June along the rim of the PDK-controlled areas with the Sector Headquarters in Ssophon. One Dutch company was also able to establish a limited presence in the Southern part of Sector One (Sok San) with the help of KPNLF. This was an enclave surrounded by PDK-controlled areas and was believed to be very close to the PDK's real headquarters. The UNTAC presence proved to be a nuisance to the PDK which repeatedly threatened it. UNTAC maintained a company there even when the battalions were redeployed according to new sectors and until the end of its mission. Before its withdrawal, the KPNLF troops asked UNTAC to help them evacuate. For unknown reasons, their request was refused. It is said that these people were all killed by the PDK after the UN pulled out. Dukers interview, *op. cit.*, n. 130.

<sup>170</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 192.

<sup>171</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 192.

<sup>172</sup> Frost, *op. cit.*, n. 163, p. 9.

<sup>173</sup> For a general discussion of various theoretical explanations, see Findlay, *op. cit.*, n. 3, pp. 49-51.

but was divided on the issue of the peace process from the very beginning. The moderates probably saw the Paris Agreements as the only way to retain some of the PDK's power while the hard-liners might have been uninterested in any arrangements which might eliminate their chance to regain power.<sup>174</sup> The balance between the moderates and hard-liners was often tipped by internal power struggles and external developments.

The situation immediately after the signing of the peace agreements certainly did not help the moderates within the PDK. The attempts by the SOC and Prince Sihanouk to outmanoeuvre the PDK alarmed the hard-liners. Upon his return to Phnom Penh in November 1991, Sihanouk declared an alliance with Hun Sen and repudiated his earlier alliance with the PDK, suggesting that the top leadership of the PDK should be put on trial.<sup>175</sup> This was followed by the SOC-orchestrated riots against Khieu Samphan and his associates on 27 November. These two incidents, according to Sanderson and Healy, undermined any ascendancy that the moderates in the PDK might have commanded.<sup>176</sup>

The hard-liners' hand was further strengthened by the unfortunate delay of UNTAC's deployment. It was well-recognized that the delay lost the PDK's confidence in and respect for UNTAC and enhanced its defiance. The PDK was among the most active in advocating an early deployment of UNTAC. The failure to quickly establish a credible UN military presence in Cambodia especially around DPK-controlled areas was seen by the PDK as an indication of weakness. For instance, when the Dutch battalion first approached Pailin by road from Thailand, the NADK was unimpressed by its slowness and unpreparedness and turned it back. By the time a more impressive arrival was planned to coincide with the presence of the SRSG and the Force Commander in Pailin, the NADK position had irrevocably hardened.<sup>177</sup> Another incident that might have made the PDK unhappy was that in April 1992 when the PDK requested that a particular contingent from ASEAN countries instead of the Dutch battalion be sent to its territory. They promised to facilitate immediate deployment if their request was

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<sup>174</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126; Kimball personal correspondence, *op. cit.*, n. 139; Huijssoon interview, *op. cit.*, n. 129.

<sup>175</sup> Findlay, *op. cit.*, n. 3, p. 24; Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>176</sup> *Ibid.*

<sup>177</sup> See Chopra, *et al.*, *op. cit.*, n. 44, pp. 20-21.

satisfied. This demand was turned down on the ground that UNTAC must have the final say on such matters and the parties had no right to choose.<sup>178</sup>

It was also widely believed that the PDK's lack of cooperation was related to the unofficial support the PDK had received from the Thai military on the western border of Cambodia. The PDK was provided fuel, food, and machinery from Thailand. UNTAC at once perceived the financial needs of the Cambodian factions as soft spots to cultivate their cooperation and designed an extensive rehabilitation component to guarantee steady rewards for cooperative behavior. However, the PDK's highly profitable log and gem trade for weapons and other necessities with the Thai military made it financially better off than other factions, and thus the UN economic aid less attractive.<sup>179</sup> As an American military observer said, "As long as the KR are making money, there's no incentive for them to follow any of the stipulations in the peace agreement".<sup>180</sup> Lt. Col. Dukers also held that Thai support was the key to the problem. If Thailand shut down its border to PDK, the conflict could be over very soon. As it was, the PDK did not see much benefit in turning this rich sector over to the UNTAC and sharing it with other factions. Moreover, Dukers believed that NADK did not have as many soldiers as it claimed. By keeping UNTAC out, they could avoid exposing their weakness.<sup>181</sup>

The reasons officially presented by the PDK for its non-compliance were related to its confidence and trust in UNTAC. Among other things, the PDK asserted that Vietnamese troops were still present in Cambodia. For security reasons, the PDK had to defer its obligation in participating in the disarmament until the Vietnamese withdrawal and non-return had been verified by UNTAC.<sup>182</sup> To some extent, this view was also shared by two other resistance parties although they did not make it a condition for their participation in Phase II. The

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<sup>178</sup> Karim, *op. cit.*, n. 162, p. 68; Sanderson and Healy personal correspondence, *op. cit.*, n. 126. According to them, UNTAC could not respond to the PDK's attempts to identify "good UNTAC's" which could enter its zones and "bad UNTAC's", which could not. Factions cannot be given authority to manipulate the UN command in this way. In Lt. Col. Dukers' opinion, the PDK once tried to make a deal with the Dutch battalion through the Thai military. After the Dutch refused to do so, the PDK requested the replacement of the Dutch battalion. Dukers interview, *op. cit.*, n. 130.

<sup>179</sup> Frost, *op. cit.*, n. 163, p. 11; Michael W. Doyle, "UNTAC: Sources of Success and Failure", in Hugh Smith (ed.), *International Peacekeeping, Building on the Cambodian Experience*, Canberra: Australian Defence Studies Centre, 1994, pp. 94, 97.

<sup>180</sup> Brown, *op. cit.*, n. 46, p. 21.

<sup>181</sup> Dukers interview, *op. cit.*, n. 130.

<sup>182</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 193.

difficulty with this issue was what the PDK and other factions had in mind was not just Vietnamese troops in uniform but the large quantity of ethnic Vietnamese in Cambodia. Many of them settled in Cambodia following the tanks of Vietnamese troops. Thousands also entered the country to take advantage of the economic opportunities created by the UNTAC presence.<sup>183</sup> After centuries of antagonism with Vietnam, Cambodians had acquired a strong anti-Vietnamese sentiment. The three resistance parties and many other Cambodians opposed their participation in the political process, including the election, fearing that it would affect the neutral political environment.<sup>184</sup> Mr. Son Sann, the leader of KPNLF, noted: "To state that there is no evidence of the presence of Vietnamese troops in Cambodia is equivalent to the declaration by the Cambodians that there is no evidence of the total withdrawal of the Vietnamese troops". He demanded that all Vietnamese settlers who came to Cambodia since the Vietnamese invasion in 1979 must return to Vietnam before the election.<sup>185</sup>

UNTAC denied the charge that there were still military troops in Cambodia; however, it did take some measures to address the PDK's concerns. It established Strategic Investigation Teams (SIT's) to follow up allegations of the continued presence of foreign forces.<sup>186</sup> It established 10 border checkpoints, one more than envisaged in the implementation plan, on the Cambodia-Vietnamese border. It invited the representatives of the four parties to participate in manning these checkpoints. On 30 May, UNTAC launched mobile military teams to carry out investigations of any alleged violation of the provisions of Annex 2 to the Paris Agreement and invited the parties to submit any such allegations regarding the presence of foreign troops. On 1 June, the PDK submitted a list of allegations regarding the presence of foreign forces in Cambodia. UNTAC requested the PDK to send people to accompany UNTAC's investigation of these allegations. The PDK did not do so.<sup>187</sup> As Force Commander Sanderson pointed out, although the PDK complained about Vietnamese troops, it never helped in any way to investigate the matter. No allegation was ever substantiated and no forces with

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<sup>183</sup> Doyle, *op. cit.*, n. 179, p. 87.

<sup>184</sup> Karim, *op. cit.*, n. 162, p. 67; Findlay, *op. cit.*, n. 3, pp. 45, 48; *Phnom Penh Post*, 7 August 1992, p. 4.

<sup>185</sup> Contribution dated 30 September 1992 by Mr. Son Sann to the search for a solution to the deadlock in the implementation of the Paris Agreement, Document 48, Blue Book II, *op. cit.*, n. 10, p. 224.

<sup>186</sup> S/25719, Blue Book II, *op. cit.*, n. 10, p. 291.

<sup>187</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 193.

any significance in terms of the agreements were ever found.<sup>188</sup> However, seven Vietnamese soldiers were identified in early 1993.<sup>189</sup> While the number was insignificant, UNTAC's credibility was questioned by the Cambodians.<sup>190</sup>

The second major allegation lodged by the PDK was that UNTAC did not exert effective control of SOC's administrative structures as stipulated in the Paris Accords and the UN mandate. As a result, a neutral political environment did not exist for the disarming of its troops. In his letter dated 27 June, Khieu Samphan argued that there should be no government in Cambodia during the transitional period. Authority in Cambodia should emanate from the cooperation between UNTAC and the SNC. He proposed to establish a Consultative Committee of the SNC within the existing administrative structures and the police forces of all the Cambodian parties.<sup>191</sup> In a proposal dated 12 July 1992, the PDK further required that necessary measures be taken without delay to enable the existing administrative structures of the four Cambodian parties to function free from the directives and policies of any "government". It more specifically related the implementation of the cantonment of its armed forces week by week in conjunction with the so-called "depoliticizing" of the five main Ministries of National Defence, Public Security, Foreign Affairs, Finance, Information, and the People's Assembly.<sup>192</sup>

This demand, of course, was a political issue beyond the capacity of the military component. UNTAC regarded the PDK demand as asking for "the

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<sup>188</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, p. 74.

<sup>189</sup> UNTAC, Military Component, Spokesman's Office, 30 April 1993; S725719, Blue Book II, *op. cit.*, n. 10, p. 291.

<sup>190</sup> Conversation with Mark Lemieux (UNTAC Volunteer, District Electoral Supervisor), 7 March 1995, UNIDIR, Geneva.

<sup>191</sup> Letter dated 7 July 1992 from Mr. Khieu Samphan, member of the Supreme National Council, transmitting proposal of the Party of Democratic Kampuchea (PDK) on cooperation between UNTAC and the Supreme National Council. Blue Book II, *op. cit.*, n. 10, pp. 198-199.

<sup>192</sup> He proposed the following timetable for disarmament: 1st week, the PDK would accept the regroupment and cantonment of 10 percent of its armed forces if the SOC agreed to de-politicize the Ministries of National Defence and Public Security; 2nd week, disarmament of another 20 percent of its armed forces with the de-politicization of the Ministries of Foreign Affairs and Finance; 3rd week, disarmament of another 30 percent of the troops with the de-politicization of the Ministry of Information; 4th week, disarmament of remaining 40 percent of the troops with the de-politicization of the People's Assembly, the chairmanship of the Council of Ministers, the presidency of the State of Cambodia and other ministers. Proposal dated 12 July 1992 of the Party of Democratic Kampuchea on the implementation of phase II of the cease-fire and the regroupment and cantonment of the forces of the PDK, Blue Book II, *op. cit.*, n. 10, pp. 200-201.

dissolution" of the main SOC structures and institutions and therefore going beyond the mandate of the Paris Agreements, which asked that UNTAC control be exercised through the "existing administrative structure" of each of the four Cambodian parties rather than abolishing or dismantling them.<sup>193</sup> In reality, only the SOC had a nationwide administrative structure and apparatus. FUNCINPEC and the KPNLF had very little and the PDK's was localized and not accessible.<sup>194</sup> While the PDK's standards might be too high and prejudiced, it is widely recognized that UNTAC's control and supervision of the SOC government was ineffective.<sup>195</sup> Due to lack of sufficient administrative staff and political will, as well as SOC's resistance, UNTAC was unable to exercise control over the five key ministries required by the UN mandate, especially SOC's security and police forces which were systematically used for the political intimidation and violence described in the last section.<sup>196</sup> The SOC long resisted disarming its 36,000 strong police forces. As General Sanderson pointed out, these were not community police, but the politicized forces of a one-party state. With the armed forces of the parties cantoned, the relative power of the police would have been greater. In his words, "With the SOC police intact and still under Party control, the Khmer Rouge could not allow UNTAC to disarm the NADK without making themselves vulnerable".<sup>197</sup>

#### D. Coping with the Renegade PDK

PDK's refusal to enter Phase II presented UNTAC with a difficult choice: whether it should postpone the mission until the PDK agreed to cooperate or follow the original schedule even though the PDK's military forces would remain armed. The UN chose to follow the original dates announced by General Sanderson. In his special report to the Security Council, the Secretary-General argued that "any significant delay in the implementation of the military aspects of the plan would result in a loss of the momentum that has been carefully built up in recent weeks and would jeopardize UNTAC's ability to organize the

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<sup>193</sup> Second special report of the Secretary-General on UNTAC and phase II of the cease-fire, S/24286, 14 July 1992, Blue Book II, *op. cit.*, n. 10, p. 202.

<sup>194</sup> Findlay, *op. cit.*, n. 3, p. 59.

<sup>195</sup> Since this study focuses on disarmament, no detailed analysis of this issue is attempted. Those interested can read Chopra, *op. cit.*, n. 44, pp. 22-23; Findlay, *op. cit.*, n. 3, pp. 59-63; Doyle, *op. cit.*, n. 179, pp. 88-89.

<sup>196</sup> Findlay, *op. cit.*, n. 3, p. 60.

<sup>197</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, pp. 73-74.



elections by April or May 1993".<sup>198</sup> The Security Council endorsed his position on 12 June.<sup>199</sup> Consequently Phase II of the cease-fire, namely the disarmament of warring parties, formally commenced on 13 June 1992 without the participation of the PDK.

However, the Secretary-General was aware that the operation would not be sustainable for more than a brief period without the cooperation of all parties. So he regarded the adherence to the original schedule as a short term solution and asked for full-fledged efforts be made to draw the PDK onto the board.<sup>200</sup> Diplomatic attempts were made in this regard through several channels. At the Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia held in Tokyo on 22 June 1992, an informal "proposal for discussion" (Tokyo proposal) was presented to the Cambodian factions, setting out a number of measures designed to respond to the concerns expressed by the PDK, including having the SNC assume a more active role in advising the Special Representative, accelerating UNTAC's deployment of its civil administration staff and having observers from each of the four factions work with UNTAC in investigating allegations concerning foreign forces and other military matters. Three Cambodian factions accepted the proposal at an emergency meeting of the SNC convened in Tokyo that same day, but the PDK was not satisfied.<sup>201</sup>

Facing the PDK's continuing resistance to disarmament, on 14 July 1992 (one month after the kick off of Phase II), the Secretary-General again raised two possible courses of action to the Security Council: the first was to suspend the operation of disarmament until all parties could be persuaded to fulfill their obligation, and the second was to continue the process to demonstrate that the international community remained determined to implement the Paris Agreements according to its timetable. Again he was preoccupied with whether the election could be held as scheduled. He recommended the continuation of regroupment and cantonment wherever possible although he limited the operation to areas where there was no military confrontation. Also, some cantoned troops might be permitted to keep their weapons until the situation was clarified. In the meantime, he asked for continuing efforts to persuade the PDK to join the process.<sup>202</sup>

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<sup>198</sup> S/24090, Blue Book II, *op. cit.*, n. 10, p. 193.

<sup>199</sup> S/24091, Blue Book II, *op. cit.*, n. 10, p. 194.

<sup>200</sup> S/24090, Blue Book II; *op. cit.*, n. 10, p. 193.

<sup>201</sup> Blue Book II, *op. cit.*, n. 10, p. 21.

<sup>202</sup> S/24286, Blue Book II, *op. cit.*, n. 10, p. 203.

Another round of diplomatic effort was made to mediate the disagreement between the PDK and UNTAC. The Security Council invited Japan and Thailand to carry out this mission and report the results to the Co-Chairmen of the Paris Conference by 31 October 1992. Japan and Thailand undertook four consultations with the PDK during late October. In the dialogue, the PDK noted that considerable progress had been made by UNTAC in verification of the withdrawal from Cambodia of all categories of foreign forces and their non-return to the country. However, they were still not satisfied with the weak supervision and control of the existing administrative structures by UNTAC. The PDK asserted that UNTAC cooperated with only one of the Cambodian parties rather than with the SNC in its implementation of the Paris Agreements. Therefore, on 31 October 1992, Thailand and Japan reported that they had been unable to resolve the difficulties.<sup>203</sup>

The repeated diplomatic frustration triggered debates within UNTAC and the international community about whether stiffer actions should be taken to deal with the PDK. The Paris Agreements did not contain any explicit provisions to deal with non-compliance. They were premised on the "good faith" of the factions to carry out their obligations. The only thing that allowed room for more discrete interpretation was Article 29 which says:

Without prejudice to the prerogatives of the Security Council of the United Nations, and upon the request of the Secretary-General, the two Co-Chairmen of the Paris Conference on Cambodia, in the event of a violation or threat of violation of this Agreement, will immediately undertake appropriate consultation, including with members of the Paris Conference on Cambodia, with a view to taking appropriate steps to ensure respect for these commitments.<sup>204</sup>

This article was cited by some parties to advocate stronger measures to force the PDK enter the disarmament. As Secretary-General noted, "that debate -- over whether peacekeeping should at some point become something more assertive -- was joined at several points during the course of the operation".<sup>205</sup>

One possible course of action was to put economic pressures on the PDK. In his letter to the Secretary-General dated 27 July, SRSB Yasushi Akashi

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<sup>203</sup> Report by the Governments of Japan and Thailand addressed to the Secretary-General of the United Nations and the Co-Chairmen of the Paris International Conference on Cambodia dated 31 October 1992, Blue Book II, *op. cit.*, n. 10, pp. 234-235.

<sup>204</sup> Agreement on a comprehensive political settlement of the Cambodian conflict, Blue Book II, *op. cit.*, n. 10, p. 138.

<sup>205</sup> Blue Book II, *op. cit.*, n. 10, p. 18.

concluded that "So long as we stand firm on the strict implementation of the Paris Accord, there is not too much we can do to satisfy the DK". He suggested that the Security Council should take stronger resolutions against the PDK. UNTAC could use economic pressures on the PDK by strengthening the border checkpoints adjacent to the DK zones in order to control the inflow of arms and petroleum and the outflow of gems and logs which were the major source of the PDK's income. He believed that under such external pressure, the PDK might well change its mind in two months or so and allow UNTAC to enter their zones and start cantonment.<sup>206</sup> His idea was echoed by a proposal put forward by Australia in September. The document, entitled: "Cambodia: next step", suggested that the Security Council should set a date to impose economic sanctions against the PDK. If the PDK remained uncooperative, UNTAC should move the peace process ahead even if it meant an election without the PDK.<sup>207</sup> This approach of imposing economic pressure was partially adopted by the Security Council. On 30 November 1992, the Security Council called for measures to prevent the supply of petroleum products from reaching areas occupied by any Cambodian faction not complying with the military provisions of the Paris Agreements. The Council also began to consider other measures, such as freezing PDK assets held outside Cambodia, should the PDK continue to obstruct implementation of the peace plan.<sup>208</sup> As Findlay put it, the resolution was a compromise between the hard-line approach of the USA and the UK, a softer-line French draft, and the opposition of the UN Secretary-General to any type of sanctions at that stage.<sup>209</sup> The measure was not effective simply because UNTAC

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<sup>206</sup> Letter dated 27 July 1992 from the Special Representative of the Secretary-General for Cambodia to the Secretary-General concerning the situation in Cambodia, Blue Book II, *op. cit.*, n. 10, pp. 206-207.

<sup>207</sup> "Cambodia: Next Steps", Australian paper dated 16 September 1992, Blue Book II, *op. cit.*, n. 10, pp. 208-210.

<sup>208</sup> Security Council resolution on implementation of Cambodia peace process, S/RES/792 (1992), 30 November 1992, Blue Book II, *op. cit.*, n. 10, p. 244. The measure, however, was more symbolic than substantial. To avoid China's possible veto, the motion was passed as a non-binding resolution. China cast its only abstention in the whole process by saying that it fully supported the agreements' implementation, but could not support the resolution's provisions that seemed to encourage an economic embargo or raised the possibility of proceeding with an election that would have the participation of only three Cambodian parties. See *UN Chronicle*, March 1993, p. 25.

<sup>209</sup> Findlay, *op. cit.*, n. 3, p. 44.

had no access to PDK-controlled areas. More important, Thailand refused to allow UNTAC to establish checkpoints on its territories.<sup>210</sup>

A more radical approach was to turn the operation from peacekeeping to peace-enforcing by using military force to disarm the NADK. Within UNTAC, "from beginning to end", the Force Commander "was plagued by appeals for the UNTAC military component to become involved in internal security operations".<sup>211</sup> The pressure mainly came from the civilian side. In the military component, Deputy Force Commander General Loridon was the one who advocated such an approach. He was quoted as suggesting that he would accept the deaths of up to 200 soldiers, including his own, to end the PDK threat once and for all.<sup>212</sup> Under pressure and frustrated by the impotence in carrying out the mission in the PDK area, Mr. Akashi at one point contemplated this option. Sometime in July, he ordered the military component to draw up a contingent plan called "dovetail". The plan pointed out that after all options to persuade the NADK to join Phase II had failed, it was necessary to take measures to break the impasse. One such step was to establish border check points northwest of Pailin on the Thai-Cambodian border to exercise the right of freedom of movement and to ensure that the civil components were permitted to carry out their tasks without hindrance. More specifically, the Dutch battalion with affiliated military and civil components was responsible for establishing border check points at Ban Bung Chanang and Khao Katoï both of which were major crossing points in this area. The plan envisaged various contingencies that might arise. Force could be used to overcome possible resistance by the NADK. The objective was to demonstrate that UNTAC was in control in Cambodia by showing force. In August, reconnaissance was made for the operation.<sup>213</sup>

The Force Commander Sanderson, and most of his senior military staff, thought that such an operation was ill-advised. It was also opposed by the Dutch battalion commander who would be responsible for carrying out the operation. They argued that such an operation could gain little from success but lose a lot from failure. With casualties, UNTAC might be able to fight its way in and build some check points in the PDK-controlled areas. However, the troops would stay

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<sup>210</sup> *Ibid.*

<sup>211</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, p. 76.

<sup>212</sup> He was later relieved of his position, Findlay, *op. cit.*, n. 3, pp. 37-38. However his advocating of the use of force in dealing with the PDK was not the only reason for his dismissal. He and the Force Commander obviously did not agree on other matters such as the command and control of military observers. His successor was largely kept out of the decision-making process. Huijssoon interview, *op. cit.*, n. 129.

<sup>213</sup> Dukers interview, *op. cit.*, n. 130; Huijssoon interview, *op. cit.*, n. 129.

in a no-man's land, surrounded by mines, and unable to do anything. Also, because of the existence of a large number of UNTAC civilian and police staff in the area, they would be vulnerable to a NADK attack, and therefore UNTAC would be creating its own hostage situation. More importantly, establishing check points by force without a positive change in NADK's attitude would get nowhere near bringing the PDK into the process of disarmament. Rather the confrontation between the PDK and UNTAC would escalate. Lacking support from the military component, the operation was finally cancelled in September.<sup>214</sup>

On a more general level, the military component believed that using force in Cambodia was beyond UNTAC's mandate and capacity. As General Sanderson and Col. Huijssoon indicated first, because the Paris Agreements did not provide any mechanism for peace-enforcement in the event of a violation or threat of violations, peace-enforcement would require a totally new mandate from the Security Council. The international community as well as Cambodians were split over who should be blamed for the problem. If enforcement became necessary, the Security Council consensus would collapse and many countries such as Japan would certainly pull their contingents out. Second, the UNTAC military component did not have the right force structure, right color and right attitude. It was not organized for offensive operations. The military component did not have air force, artillery, combat engineer capabilities, etc. The officers and soldiers were trained and instructed for peacekeeping and not for peace-enforcing.<sup>215</sup> In General Sanderson's words, peace-enforcement "would have required a force several times larger than the one we had, one structured and equipped for a protracted conflict, and at a significant greater cost".<sup>216</sup> Yet he was convinced that even if such a force had been available, it "would have been doomed to disaster, even if it had been given wide international support, since it would have required a UN force to take sides in an internal conflict".<sup>217</sup> In other words, he did not believe that UN military forces were able to resolve a domestic conflict.

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<sup>214</sup> *Ibid.*

<sup>215</sup> Huijssoon briefing, *op. cit.*, n. 150; Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>216</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, p. 75.

<sup>217</sup> *Ibid.*

## E. A Short-Lived Phase II

Phase II of the cease-fire was thus carried out under very precarious political circumstances with one major faction reneging on its commitments. This surely further complicated the already difficult task of disarmament even if all factions cooperated. The UN military component had very detailed Standard Operating Procedures (SOP's) for regroupment, cantonment and disarmament.<sup>218</sup> As mentioned earlier, for operational purposes, Cambodia was divided into nine sectors. Each of these sectors had a number of sites where the armed forces of the four factions would be cantoned. One battalion each would be deployed in each sector except Sectors 5 and 9 which would each have two battalions. Where possible, the cantonments of various factions were kept distinct from each other and were grouped in such a way that their identity was maintained. The implementation was divided into a cantonment phase and a demobilization phase. During the cantonment phase, UNTAC Cantonment Area Commanders were supposed to meet with local Cambodian commanders or their representatives at an early opportunity before D-Day to form a Cantonment Coordination Working Group (CCWG). The CCWG should start functioning well before the commencement of regroupment and continue till the end. Through the CCWG, the regrouped and cantoned troops would be briefed on what was to occur and their responsibilities and necessary directions, instructions and policies would be passed to those troops. Regroupment was defined as a process in which Cambodian faction forces pull out of their tactical deployment and concentrate at pre-selected checkpoints/rendezvous under the command and control of their own arrangements for further cantonment and demobilization. The complete responsibility of pulling out and relocating within the checkpoints lay with the factions themselves. Regroupment points would be those points on ground manned by UNTAC personnel from where the status of Cambodian Forces changed and UNTAC personnel assumed the responsibility of escorting these forces from regroupment points to cantonment sites.

On receiving clearance from the Cantonment Area Commander, the forces to be cantoned would depart for the cantonment area under UNTAC escort. The regroupment center commander would turn over the forces to the escort commander. At the designated entrance to the cantonment area, a reception center

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<sup>218</sup> Even the speeches that were to be delivered to the troops to be disarmed were prepared in SOP's. For details, see UNTAC Military Component SOP, Part 3 Operations. They were largely adapted and expanded from the SOP's used in the UN mission in Namibia. Ayling, *op. cit.*, n. 132, p. 81.

would be established where the Escort Commander reported and handed over responsibility for the escorted forces to the cantonment area commander. The forces would then be directed to a processing area and the Cambodian Forces Commander would then be requested to order his soldiers to prepare their weapons for storage. Each soldier's individual details would then be recorded and his weapons and ammunition handed in to UNTAC custody and a receipt would be given to him. The weapons would then be moved to a location for storage. The handing in of weapons could be followed by payment of a sum of money or a quantity of food as an inducement to others to turn in their weapons. This would be followed by a brief medical check of each soldier's basic conditions. They would also be issued with any clothing, food and necessities which would be immediately required in the cantonment area. Following this, the soldiers would be moved under unit arrangements to the designated accommodation area.

The cantoned forces must remain in the Cantonment Area until demobilized, or until responsibility was accepted for them by the legitimate Cambodian Government following the election. UN forces were responsible for making sure that these troops remained in cantonment sites and were not rearmed. These forces, however, would remain under the command of their own officers and any incidents requiring UNTAC intervention should be resolved. In the event of non-cooperation of any member of the Cambodian forces, the matter should be taken up to the next highest Cambodian forces and raised at the MMWG if necessary. UN forces should avoid becoming involved in conflict in any way other than in legitimate self-defense. Should a situation become out of control, evacuation of UNTAC personnel might be warranted.

Following withdrawal from the Cambodian forces, weapons and ammunition must be secured and placed under UN control. The buildings should be locked and under effective 24-hour surveillance. Access to weapons should only be permitted for routine maintenance reasons under arrangements determined by the CCWG. Any access beyond this should only be in accordance with policies laid down by the MMWG. The infantry battalions would be responsible for the movement of weapons and ammunition from cantonment sites to the nominated collection points under adequate security.

Prior to demobilization, the policy on forces to be demobilized would be determined by the MMWG. The MMWG policy would be defined in detail progressively by the regional MMWG and the CCWG. The ultimate destination of each individual would need to be determined by UNHCR in consultation with Cambodian authorities. The Cambodian faction forces would be demobilized in phases. Thirty percent of the forces would remain in cantonments or would be carrying out their functions in important assignments.

To some extent, these well-articulated SOP's had not even been really tested on the ground due to the very limited implementation of disarmament. Initially, irrespective of the PDK's non-compliance, the other three factions still agreed to enter the process. Nevertheless, seeing no signs of the PDK's compliance, the other three factions became increasingly reluctant to disarm. The UNTAC timetable anticipated the completion of the regroupment and cantonment process within four weeks. However, barely 5 percent of the estimated 200,000 soldiers had been cantoned by 10 July, one month after the commencement of Phase II.<sup>219</sup>

There was evidence that many NADK soldiers were willing to join the disarmament process.<sup>220</sup> Those low level commanders told UNTAC that they were just waiting for the order to walk into cantonment sites.<sup>221</sup> The PDK occasionally also sent out some mixed signals. For instance, on 27 August, a senior PDK spokesman announced that NADK was prepared to enter cantonment even before full verification of the withdrawal and non-return of foreign forces although without setting a date.<sup>222</sup> On 17 September, the NADK liaison officers returned to the MMWG meetings in Phnom Penh after a three months' absence. This greatly facilitated crisis management (e.g. hostage-taking) and detailed negotiations on a range of issues aimed at finding common ground.<sup>223</sup> However, the promise about disarmament was never substantiated. By 10 September UNTAC had only cantoned a little more than 50,000 troops and taken into custody approximately 50,000 weapons (Table 3).<sup>224</sup>

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<sup>219</sup> S/24286, Blue Book II, *op. cit.*, n. 10, p. 201.

<sup>220</sup> *Phnom Penh Post*, 24 July 1992. p. 3.

<sup>221</sup> Huijssoon interview, *op. cit.*, n. 129. His opinion is that the PDK originally ordered its troops to get ready for the disarmament. When it changed its policy and decided to stay out of the process, the new order did not get communicated effectively to all levels. Some NADK units were not aware of it. Plus, many soldiers were tired of war and wanted to have a peaceful life. In the third quarter of 1993, NADK strengthened its control by reorganizing small units into large units and sending more officers and political commissars from Pailin to its units.

<sup>222</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213.

<sup>223</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>224</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213.



**Table 3: Cantoned and Disarmed Forces of the Four Factions  
(as of 10 September 1992)**

	N	%
CPAF	42,368	81.08
NADK	3,445	6.58
KPNLAF	6,479	12.39
ANIK	0	0
<b>Total</b>	<b>52,252</b>	<b>100</b>

Source: The United Nations and Cambodia, 1991-1995, p. 213.

By November, the Secretary-General reported that some 55,000 troops of the three participating factions, or approximately a quarter of the estimated total number of troops, had entered the cantonment sites and handed over their weapons. Although the PDK refused to enter Phase II, some 200 personnel of the NADK spontaneously presented themselves to UNTAC.<sup>225</sup> About 80 percent of these troops belonged to the CPAF.<sup>226</sup> The estimation of how big a percentage of each faction's armed forces had been disarmed varies due to the lack of accurate information on their actual strength. It is believed that FUNCINPEC and KPNLF cantoned roughly 50 percent of their forces while merely 25% of the SOC's forces was disarmed.<sup>227</sup> As a result, while the two small factions no longer existed as meaningful fighting forces, the CPAF and NADK remained two significant armies which could plunge the country again into a civil war.

The actual cantonment process did not always follow the SOP's. For instance, most cantoned troops did not stay in cantonment sites until demobilization as required by the SOP's. As mentioned earlier, the factions prepared very little for cantonment. In many cantonment sites, there was nothing to accommodate cantoned soldiers: no huts, no water and no food. Most faction commanders were not even aware that they had to prepare anything for

<sup>225</sup> S/24800, Blue Book II, *op. cit.*, n. 10, p. 231.

<sup>226</sup> Huijssoon briefing, *op. cit.*, n. 150.

<sup>227</sup> See Akashi, *op. cit.*, n. 2, p. 196; Judy L. Ledgerwood, "UN Peacekeeping Missions: The Lessons from Cambodia." *Asia Pacific Issues* 11 (March 1994), p. 6. According to Chopra, *et al.*, however, the ANS cantoned the largest element of its forces estimated at 28%, the KPNLF 25%, the CPAF only 14%. Chopra, *et al.*, *op. cit.*, n. 44, p. 21.

cantonment. Moreover, many of these soldiers were not regular armed forces. They were so-called farmer soldiers. They lived in villages and had to take care of their families, look after their cows, and so on. UNTAC also had difficulty feeding these soldiers if they had to stay in the cantonment sites. To adapt to the situation on the ground, many soldiers were allowed to go home after they registered their names and turned in their weapons. They just returned to the cantonment occasionally for a head count. In Phnom Penh, the SOC air force was cantoned. All the weapons were turned in. But the soldiers did not stay in cantonment sites even a single day. Also, no soldiers were ever given any money or other material incentives when they handed over their weapons as required by the SOP's.<sup>228</sup>

About 38,000 of the cantoned troops were granted so called "agricultural leave" in order to harvest the rice crop after handing over their weapons and identification cards.<sup>229</sup> This idea first came from the CPAF in July 1992 when about 40,000 of its troops were cantoned but with no immediate prospect of demobilization. It was later endorsed by UNTAC for several reasons. First, it was a normal practice for CPAF soldiers to help rice planting during the wet season when military activity slowed down, and they were particularly needed for that year due to the floods in 1991 which caused a poor harvest in early 1992. Second, logistic problems in terms of feeding troops, taking care of soldiers' families and so on were anticipated if these troops remained in cantonment sites when the wet season was coming. The SOC did not have the financial resources to do so indefinitely. Third, these troops could also cause social problems if they had nothing to do and just hung around.<sup>230</sup>

Upon the approval from the SRSF and Force Commander, the idea was developed into a two-phase policy. In the preparatory phase (1-15 August 1992), instructions were given to all troops about the agricultural leave program. Then those troops interested in the program moved into cantonments. The lists and leave certificates were also prepared. In the implementation phase (16-25 August 1992), joint inspection of personnel, weapons and their documents were carried out by UNTAC and the factions. Then soldiers were asked to deposit their weapons, documents and faction ID cards (with photographs). Afterwards, leave certifications were issued to soldiers with ID cards. Engineers, logistics, command and control elements, and specialist personnel, such as doctors, were

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<sup>228</sup> Huijssoon interviews, *op. cit.*, nn. 129, 140; Dukers interview, *op. cit.*, n. 130.

<sup>229</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213.

<sup>230</sup> Huijssoon personal correspondence, *op. cit.*, n. 136; Bartu, *op. cit.*, n. 139; Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

not allowed to take "agricultural leave". Finally, Sector HQ's should send detailed reports concerning the soldiers on leave to UNTAC Military Component Plans Branch by 30 August. The duration of the leave was not specified. But they were subject to recall at two weeks' notice to return to cantonment at the date specified by the Force Commander before the process of formal demobilization began.<sup>231</sup> Since demobilization never formally happened, these troops were never called back. Many of them, instead of helping harvesting, picked up hidden weapons and became bandits, illegally collecting money for a living.<sup>232</sup>

While the majority of CPAF soldiers were released on "agricultural leave", soldiers of the two small factions, ANKI and KPNLAF, did not participate in this program and more or less stayed in cantonment although most of them never became real camps. So it turned out that only several thousand soldiers stayed in cantonment sites and some of them remained there until the integration of the three faction forces after the election. The World Food Program rather than factions themselves fed these cantoned soldiers.<sup>233</sup> The families were allowed to camp on the outskirts of the sites, but usually they were not provided food or supplies from the UN.<sup>234</sup> For these soldiers, some vocational training and civic action programs were carried out to prepare them for a post-demobilization career. These included a functional literary program, entrepreneurship development projects, a cottage industry development project, a driver training project, industrial employment projects, and so on.<sup>235</sup> For instance, some cantoned soldiers completed a training course in literacy teaching and were sent out to the countryside to teach their fellow cantoned soldiers and nearby villagers to read and write.<sup>236</sup> However, the UN civil administration was reluctant to release money for training soldiers in cantonment. They were even unwilling to provide simple distractions like volleyball and football kits. The UN also vetoed a request for

<sup>231</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213; Bartu, *op. cit.*, n. 139.

<sup>232</sup> Huijssoon interviews, *op. cit.*, nn. 129, 140.

<sup>233</sup> *Ibid.* In September, the United States gave UNTAC 1.5 million "Meals Ready to Eat" to feed cantoned Cambodian soldiers. Worth US \$4.5 million, this food was left over from the Gulf War. The packets of spaghetti, chicken stew, and macaroni with beef came with goodies like chewing gum, Kool-aid, cheese cake and cherry crumb cake and were a "nice treat" for the cantoned soldiers. Each soldier received one Meal Ready to Eat a week to supplement the fish and rice they were given by the World Food Program. The soldier's adult relatives each received two of the meal packets a week and their children one a week. *Phnom Penh Post*, 25 September 1992, p. 3.

<sup>234</sup> Bartu, *op. cit.*, n. 139.

<sup>235</sup> UNTAC Spokesman's Office, Vocational Training for Cantoned Soldiers and Military Component Civic Action Programmes, 4 May 1993.

<sup>236</sup> *Phnom Penh Post*, 1-14 January 1993, pp. 1, 14.

cantonment T-shirts as a way of giving a positive identity to the soldiers. Those training programs were largely supported by the UNDP and other non-governmental organizations (NGO's).<sup>237</sup>

The whole process of disarmament was short-lived. The diplomatic failure to persuade the PDK to enter Phase II, the reluctance of the CPAF to continue the cantonment in light of the PDK noncompliance, and the unfeasibility of other more effective options, forced the Secretary-General to announce in November that it was not possible to carry the cantonment process towards its conclusion.<sup>238</sup>

## F. The Impact on Peacekeeping Mission

The abortion of Phase II seriously undermined the prospect of establishing a peaceful and neutral political environment prior to the election. Security conditions deteriorated steadily since November 1992. First, the continuing existence of the two largest armies of the CPAF and NADK made large-scale military conflict possible. With the beginning of the dry season, cease-fire violations increased and tensions rose in some parts of the country, especially the armed clashes between the NADK and CPAF. Both sides tried to gain a strategic advantage *vis-à-vis* the other side.<sup>239</sup> The SOC claimed that NADK had made territorial gains. However, reports from UN military and naval observers in the countryside did not confirm this claim, but indicated that the CPAF had tried to restore the territory over which NADK extended its influence during the rainy season, while NADK was attempting to consolidate its gains and interrupt the CPAF's communication.<sup>240</sup> In December 1992, frequent exchanges of shelling took place between the NADK and CPAF throughout the month in the Bavel area of Battambang province, causing about 15, 000 local residents to flee their homes.<sup>241</sup> In February 1993, the CPAF launched attacks on the NADK in at least 10 provinces, focusing on the west-central Battambang province, the northwestern Kompong Thom, and the south-central Preah Vihear provinces. Using combinations of artillery, armoured vehicles and tanks, the CPAF drew closer to the PDK-held district town of Pailin in the province of Battambang. It

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<sup>237</sup> Bartu, *op. cit.*, n. 139; p. 8; Sanderson and Healy personal correspondence, *op. cit.*, n. 126; *Analysis Report: Cambodia*, *op. cit.*, n. 134, pp. 7, 35.

<sup>238</sup> S/24800, Blue Book II, *op. cit.*, n. 10, p. 231.

<sup>239</sup> Third progress report of the Secretary-General on UNTAC, S/25154, 25 January 1993, Blue Book II, *op. cit.*, n. 10, p. 255.

<sup>240</sup> *Ibid.*, p. 258.

<sup>241</sup> *Ibid.*, p. 259.

was described by UNTAC officials as the largest cease-fire violation it had registered and as going "beyond the SOC's right to defend itself against any hostile action by the PDK".<sup>242</sup> Apparently UNTAC could do very little to stop the CPAF's military offensive other than lodging a protest and asking the SOC to refrain from violating the cease-fire and to exercise self-restraint.<sup>243</sup>

Second, with the resentment and frustration over UNTAC's failure to meet its conditions increasing, the PDK mounted hostile actions against UNTAC in the form of armed attacks on UNTAC personnel and vehicles. From September 1992 to January 1993, 11 attacks on UNTAC helicopters took place.<sup>244</sup> In one case, an UNTAC helicopter suffered a loss in hydraulic pressure as a result of small-arms fire above a village and was forced to land.<sup>245</sup> On several occasions, UNTAC had to evacuate its military and civilian personnel under heavy artillery shelling.<sup>246</sup> In a number of incidents, UNTAC military personnel and other personnel were detained or kidnapped. Between 15-18 December 1992 alone, a total of 67 UNTAC hostages were taken. Another 11 were kidnapped on the 19th.<sup>247</sup> In early February 1993, especially since the CPAF attacked the Pailin area where its headquarters were located, the NADK tightened restrictions on a group of 12 UNTAC personnel (including military observers, mine-clearance personnel, signals staff and interpreters) deployed in the town. They were virtually subject to house arrest.<sup>248</sup> In his letter dated 20 December 1992, Khieu Samphan asserted that UNTAC should not enter PDK-controlled zones without prior authorization and that UNTAC must assume full responsibility for incidents that occurred as a result of its failure to obtain such authorization.<sup>249</sup>

More seriously, starting in March and April 1993, the NADK directly attacked UNTAC troops and personnel using military forces. On 27 March 1993, an UNTAC post in the Angkor Chum district in Siem Reap Province occupied by

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<sup>242</sup> *UN Chronicle*, June 1993, pp. 23, 25; Report of the Secretary-General on the implementation of Security Council resolution 792 (1992), S/25289, 13 February 1993, Blue Book II, *op. cit.*, n. 10, p. 270; Findlay, *op. cit.*, n. 3, p. 47.

<sup>243</sup> *Ibid.*

<sup>244</sup> S/25154, Blue Book II, *op. cit.*, n. 10, p. 260.

<sup>245</sup> S/24800, Blue Book II, *op. cit.*, n. 10, p. 231.

<sup>246</sup> *Ibid.*, pp. 231, 259.

<sup>247</sup> Jarat Chopra, "United Nations Authority in Cambodia", *Occasional Paper 15*, Providence: The Thomas J. Watson Jr. Institute for International Studies, 1994, p. 27.

<sup>248</sup> S/25289, Blue Book II, *op. cit.*, n. 10, p. 270.

<sup>249</sup> Letter dated 20 December 1992 from Mr. Khieu Samphan to the Secretary-General transmitting statement by PDK on violation by UNTAC of the PDK-controlled zones, Blue Book II, *op. cit.*, n. 10, pp. 146-148.

a unit of the Bangladesh contingent came under mortar and small-arms attacks by the NADK for about one hour. A Bangladeshi soldier was killed and became the first UNTAC casualty from enemy fire.<sup>250</sup> On 2 April a more serious incident occurred in which three Bulgarian soldiers were killed at an UNTAC post at Phum Prek in Kompong Speu Province.<sup>251</sup> In May, even Chinese peacekeepers suffered casualties. In an attack on a SOC police station in Kompong Cham, two Chinese soldiers were killed and seven others wounded by rocket fire.<sup>252</sup> On 15 May 1993, the Secretary-General reported that 13 UNTAC civilian and military personnel had lost their lives and 52 were wounded as a result of hostile action.<sup>253</sup>

Third, banditry and robbery imposed a big security threat resulting from the failed disarmament. After the factions stopped cantonment, a large number of soldiers from all four factions turned to banditry for survival. They formed heavily-armed bandit groups to rob helpless citizens. Faction leaders were losing control over their troops.<sup>254</sup> Many soldiers were on duty during the day and became bandits at night.<sup>255</sup> All this armed violence, plus violence against political opponents described in Section III seriously eroded public confidence in UNTAC's ability to maintain peace and security before the election.<sup>256</sup>

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<sup>250</sup> Letter dated 26 April 1993 from the Secretary-General to the President of the Security Council transmitting information relating to recent incidents which resulted in the deaths of members of UNTAC. S/25669, 27 April 1993; S/25719, Blue Book II, *op. cit.*, n. 10, pp. 284, 290.

<sup>251</sup> S/25669, Blue Book II, *op. cit.*, n. 10, p. 284. The incident was a deliberate murder. In the evening of that day, the local NADK commander, accompanied by two soldiers, joined the 11 members of the Bulgarian battalion for dinner. Relations between the Bulgarian soldiers and the local NADK members had previously been good. After dinner the NADK commander left and returned with 10 to 15 armed soldiers. They opened fire on the unarmed Bulgarian soldiers with automatic weapons and hand grenades. It was believed that this local NADK commander had to prove himself as still loyal to the PDK by killing UNTAC soldiers because of his previous friendly relations with the battalion. Huijssoon interview, *op. cit.*, n. 140.

<sup>252</sup> Letter dated 28 May 1993 from the Secretary-General to the President of the Security Council reporting further on the shelling in Kompong Cham Province, Cambodia, 21 May 1993, S/25871, 1 June 1993, Blue Book II, *op. cit.*, n. 10, p. 309.

<sup>253</sup> S/25784, Blue Book II, *op. cit.*, n. 10, p. 304.

<sup>254</sup> *Phnom Penh Post*, 7 August 1992, p. 4; United States General Accounting Office, *UN Peacekeeping, Lessons Learned in Managing Recent Missions*, Washington DC, December 1993, p. 50.

<sup>255</sup> Interview with Gerard Fischer (Senior Economist, UNCTAD), 8 May 1995, Geneva, Switzerland.

<sup>256</sup> Findlay, *op. cit.*, n. 3, p. 47.

### G. Changing the Function of the Military Component

The most important consequence of the abortive disarmament, however, was the subsequent change of the function of the military component. When Phase II was given up, the original mission of the military component was brought into question. As envisaged by the original UN mandate and specified in the military component's SOP, the primary task of the military component was to create a stable security situation and neutral environment by disarming and demobilizing the warring parties. As soon as this task was finished, the strength of the military component would be reduced by more than one half. The role of supporting election was not emphasised.

Since the disarmament was incomplete, UNTAC and the international community realized that the mandate in this regard had to be modified. The Australian paper on Cambodia, dated 16 September 1992, suggested that UNTAC infantry battalions would need to be redeployed to cooperate with the three factions' forces to protect the voter registration and elections process throughout non-PDK territory. Instead of reduction, this might mean an increase in the UNTAC military budget.<sup>257</sup> Force Commander General Sanderson also realized by September 1992 that the PDK was unlikely to enter the Phase II cease-fire and that the secure environment for the elections could not be guaranteed without the military component behind it.<sup>258</sup> On 15 November, the Secretary-General approved his Special Representative's recommendation that UNTAC should adjust the deployment of its military component to foster a general sense of security among the Cambodian people and to enhance its ability to protect the voter registration and the polling process. Therefore he proposed that the present level of military deployment be maintained until the elections.<sup>259</sup> With the decision to hold the election as scheduled irrespective of the failed disarmament, UNTAC decided that all other components, including the military and the police, should support the electoral component.<sup>260</sup>

Consequently, as a high UNTAC official put it, "ensuring the security of the electoral process in its entirety is now.... the principle mission of the military component...".<sup>261</sup> The first crucial move in fulfilling this new mandate was to redeploy battalions. Originally, they were deployed around regroupment and

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<sup>257</sup> "Cambodia: Next Steps", Blue Book II, *op. cit.*, n. 10, p. 209.

<sup>258</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, p. 79.

<sup>259</sup> S/24800, Blue Book II, *op. cit.*, n. 10, p. 233.

<sup>260</sup> Akashi, *op. cit.*, n. 5, p. 21.

<sup>261</sup> Sanderson, "UNTAC: The Military Component's View", *op. cit.*, n. 124, p. 80.

cantonment sites. Now the pattern changed to correspond with the borders of the Cambodian provinces in conformation with the deployment of electoral components. This redeployment was mainly aimed at dealing with potential threat from the NADK forces to disrupt the elections. As Findlay put it, the purpose was to keep a "reasonable line of distance, both physically and psychologically, between areas of KR operation and those where electoral preparations were taking place".<sup>262</sup> In General Sanderson's words, the new military deployment would serve as a deterrent, make more effective the protection of UNTAC activities through escort and patrol operations, ensure rapid reaction at potential trouble-spots and permit direct contact and negotiation with those threatening the electoral process.<sup>263</sup> While the redeployment as a whole went smoothly, it encountered some administrative and logistics difficulties. In addition, the military units had to re-establish liaisons and a working rapport with the existing administrative structure and factions controlling the area.<sup>264</sup> The redeployment of the military component was completed on 31 December 1992.<sup>265</sup>

There was also a change of focus of the military component from the cantonment process to more active patrolling, movement control and more security-oriented tasks. Specifically, the new function of the military component was reflected in several dimensions. First, there was improving coordination between the military component and electoral and other components. A mechanism of coordination in planning and control was formed around the Military Plans Branch in Phnom Penh, which included the Electoral Component, Information and Education Division and CIVPOL. Similar structures were established around the military component Sector Headquarters in provincial capitals.<sup>266</sup>

Second, security was provided for the registering, campaigning, and voting processes. Military observers were now supposed to accompany electoral teams in order to negotiate with local authorities or forces that might hinder

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<sup>262</sup> Findlay, *op. cit.*, n. 3, p. 40.

<sup>263</sup> John M. Sanderson, "Preparation for, Deployment and Conduct of Peacekeeping Operations: A Cambodia Snapshot", International Seminar on UN Peacekeeping at the Crossroads, Canberra 21-24 March 1993. p. 12.

<sup>264</sup> Kimball personal correspondence, *op. cit.*, n. 139.

<sup>265</sup> S/25154, Blue Book II, *op. cit.*, n. 10, p. 259.

<sup>266</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 263, p. 80; Sanderson and Healy personal correspondence, *op. cit.*, n. 126.



registration.<sup>267</sup> The coordination between the military components and the CIVPOL component was also strengthened. Teams of military observers worked with UNTAC civilian policemen in monitoring political rallies and gatherings throughout the country, and personnel from both components assisted electoral staff with the civic education campaign.

The key for a successful election, of course, was the security of polling stations. A very detailed plan was worked out to provide for the fullest possible security during the polling process. The whole country, except PDK controlled areas, was rated as high (red), middle (orange) or low (green) risk zones. The security measures involved fixed guards, mobile patrols and general area security. Each infantry battalion and strategic investigation team established a mobile reserve unit capable of responding to threats within 1 hour and other mobile reserve units capable of responding within 6 hours. In addition to establishing 12 local area mobile reserves, General Sanderson also created a force Commander's Mobile Reserve on "60 minutes" notice. The central feature of the arrangements was that the security of the polling stations and their immediate vicinity was provided exclusively by UNTAC forces. In high-risk zones, armed UNTAC military personnel were stationed at and around polling stations. Physical fortifications were strengthened and staff was issued protection gear. Quick Reaction Forces and medical support units were also organized.

However, due to the very dispersed locations of the polling stations, UNTAC military personnel fell short of providing security other than polling stations. As a result, the military forces of three cooperating factions were allowed to play a role in providing security for the election. In April 1993, the UNTAC military component reached an agreement with three factions through the MMWG on participating in protecting the election process from possible military attack. A division of labour was assigned. UNTAC was responsible for all security measures to be taken to protect polling stations as well as UN personnel and property. Permitted to use minimum force and proportionate response, the armed forces of three factions were responsible for general security in the zones under their control and for providing information on possible or actual threats to the election.<sup>268</sup> In other words, faction troops became an extension of the UNTAC peacekeeping force. UNTAC used "the armed elements of three factions against

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<sup>267</sup> S/25154, Blue Book II, *op. cit.*, n. 10, p. 259.

<sup>268</sup> See S/25719, S/25784, Blue Book II, *op. cit.*, n. 10, pp. 290, 304; Sanderson and Healy personal correspondence, *op. cit.*, n. 126; Sanderson, "A Cambodian Snapshot", *op. cit.*, n. 263, p. 12.

the fourth in a way that did not jeopardise (the UN's) impartiality".<sup>269</sup> This measure served two purposes. First, it committed the factions' forces to the election process. Second, it supplemented the manpower shortage of the military component. Such a function for the warring factions, however, was never foreseen in the Paris Accords and the original UN mandate. They were created out of necessity on the ground.

Third, the military component provided not only security but also logistic support for the election. For instance, engineering units repaired roads and bridges needed by electoral teams for access to remote areas.<sup>270</sup> In a senior UNTAC military officer's words, "if we sent 6 battalions home according to the mandate, we could never send all needed materials to all the polling stations with only six battalions".<sup>271</sup> During the election period, UNTAC battalions turned into transportation teams to bring all the necessary equipment, ballot boxes, chairs, generators, tables and so on to the polling stations. There were several more reasons which made the participation of military component indispensable. First, after the materials arrived in the local areas, they had to be guarded all the time. Otherwise, Cambodians would take everything away. Second, anticipating the PDK's disruption, the location of polling stations was kept secret as long as possible until the last day. Therefore, everything had to be on the spot the same day, which could only be accomplished with the high mobility of the military component. Third, during the voting period, all the ballot boxes had to be taken away everyday and stored in UNTAC military locations under the watch of all the factions. The two smaller factions would not feel safe if ballot boxes were stored in a SOC police station. Then the next morning, all the ballot boxes were sent to the polling station again by helicopters and vehicles. The same military officer argued that even if UNTAC had successfully done the disarmament and demobilization, battalions might still have been needed to simply provide the logistics for the election.<sup>272</sup>

After the election, the UNTAC military component was devoted to helping the newly integrated Cambodian Armed Forces function. Operation Paymaster was one of such efforts. The mission was set up to ensure that all military, police and civil service employees from all factions were paid during the transitional period after the elections so as to facilitate the integration process, consolidate the

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<sup>269</sup> Karl Farris, "UN Peacekeeping in Cambodia: On Balance, A Success", in *Parameters, US Army War College Quarterly* 1, Spring 1994, p. 47.

<sup>270</sup> United States General Accounting Office, *op. cit.*, n. 254, p. 54.

<sup>271</sup> Huijssoon interview, *op. cit.*, n. 140.

<sup>272</sup> *Ibid.*

power of the new government, and promote a stable political environment in Cambodia. The operation was planned and executed through the MMWG. The military component was responsible for sending salaries to the new armed forces. The operation involved large-scale logistic support. Between 26 July and 10 September 1993, 150 helicopter missions totalling 1,350 flying hours were tasked to distribute 60 tons of money. The total sum distributed to pay 120,623 officers and soldiers during the two month period was Riels 10,741,058,500. The major problem encountered in this operation was the lack of accurate information on unit designations and locations. This made it very difficult to verify troop strength. The operation was the first time that declared strengths were required to be supported by nominal rolls and validated on the ground. All the military factions attempted to cheat by widespread recruiting efforts to increase unit strengths to match previously declared totals, by doubling entries of names on nominal rolls, by issuing false ID cards, by employing demobilized soldiers to bolster numbers, and by using women, children and invalids as "soldiers". In addition, there were attempts by senior officers to deduct soldiers' pay for unauthorized and unaccountable expenses.<sup>273</sup>

Finally, the functional change of the military component was also reflected in the way conflict resolution and escalation was handled. In this regard, as in other UN peacekeeping missions, the UNTAC Force Commander "has no legal jurisdiction over international contingents under his operational command".<sup>274</sup> National contingents from different countries usually place instructions from their own government ahead of the rules of engagement (ROE) and SOP's issued by UNTAC. During the first few months of UNTAC, there were no mission-wise ROE available.<sup>275</sup> Some contingents such as the Dutch battalion invented their own ROE.<sup>276</sup> But even after the SOP and ROE had been issued by UNTAC, "there was interpretation of the meaning of self-defense among contributing countries ranging from just handing over your weapons to anyone who points a gun at you, to opening up with everything at the slightest provocation" and

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<sup>273</sup> "Operation Paymaster-Post Operation Report", M/Plans/4/53, 20 September 1993; Sanderson, "UNTAC: Successes and Failures", in H. Smith (ed.), *International Peacekeeping: Building on the Cambodian Experience*, Canberra: Australian Defence Studies Centre, 1994, p. 28.

<sup>274</sup> Sanderson, "Successes and Failures", *op. cit.*, n. 273, p. 29.

<sup>275</sup> According to Major Steuber, when he left Cambodia after six months, neither UNAMIC nor UNTAC had yet published a SOP for doing anything. Brown, *op. cit.*, n. 46, p. 5.

<sup>276</sup> It was mainly an adaptation of the Dutch national ROE for peacetime conditions to the local situation. Dukers interview, *op. cit.*, n. 130.

"actions in UNTAC covered the full spectrum".<sup>277</sup> Some contingents such as Dutch, French, and Pakistani battalions won the reputation of being tough in dealing with attacks and provocation. Others such as the Indonesian and Japanese battalions were perceived as weak in conflict control. They were particularly reluctant to incur any casualties.<sup>278</sup> Overall, before the change of military function, the UNTAC military exercised the ROE in a quite passive fashion and interpreted the right of self-defense in the strictest sense. UNTAC troops did not resist detention of their soldiers and even handed over their weapons and vehicles to the PDK.<sup>279</sup> In General Sanderson's view, those military units that were not prepared to defend themselves emboldened elements opposed to the peace process and therefore added to the insecurity of other military units and civil components.<sup>280</sup>

The abandonment of Phase II of the cease-fire and the shift of the military focus from disarmament to protection of the election changed the rules of the game. The military component's mission was revised into what Sanderson called "an interposition strategy, but not between opposing forces. Rather, it was between a highly moral act sanctioned under international law and supported by international consensus, and any person or group which might threaten it".<sup>281</sup> The implication was that the UNTAC would do "peacekeeping" between the area under its control and the PDK rather than between faction forces. There were some misgivings among battalions in early 1993 about this new mission. Several nations indicated that their troops were not to be employed to protect the election. This included the Japanese, Chinese and Thai engineering battalions and some of the non-combatant units involved in medical duties. But by May 1993, all infantry battalions participated in securing the elections.<sup>282</sup>

Two direct consequences of the failed disarmament were the intensification of NADK's direct attacks on the UNTAC military and the fighting between the SOC and the PDK. The UNTAC military became more assertive in defending itself. All units of the military component in all locations were directed to increase vigilance and enhance their security measures. The military component reinforced its defensive position all over Cambodia, particularly in Siem Reap and

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<sup>277</sup> Sanderson, "A Review of Recent Peacekeeping Operations", presentation to PAMS XVIII. Conference, Dacca, January, 1994, p. 8.

<sup>278</sup> Steven Ayling, *op. cit.*, n. 132, p. 81; Findlay, *op. cit.*, n. 3, p. 133.

<sup>279</sup> Akashi, *op. cit.*, n. 5, p. 24.

<sup>280</sup> Sanderson, "A Review of Recent Peacekeeping Operations", *op. cit.*, n. 277, p. 8.

<sup>281</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>282</sup> Bartu, *op. cit.*, n. 139.

Kompong Thom Provinces. These positions had been expanded to allow the construction of bunkers and overhead protection as well as firing bays from which soldiers can return fire.<sup>283</sup> The military units were more ready to return fire when directly attacked and incurred casualties on the enemy.<sup>284</sup>

However, the military interpreted its mission as mainly protecting the electoral process rather than UNTAC civilians. Suffering from the faction attacks, civilian personnel, especially the UN volunteers, demanded greater military protection. They complained that some military units were too passive in protecting their security and that it was very difficult to communicate with the military. But the military argued that its principle role was to protect the electoral process and that it lacked the resources to protect all UN personnel in the field.<sup>285</sup> General Sanderson considered that the UNTAC civilians made unrealistic demands for their own security while at the same time were rarely prepared to sacrifice any freedom of action on their own part which might enhance their own security and avoid placing the peacekeepers' lives at unnecessary risk.<sup>286</sup>

The military was also reluctant to be involved in peacekeeping in its traditional sense. Hun Sen at one point called for UNTAC forces to be deployed between the SOC and the PDK as a "buffer zone".<sup>287</sup> Akashi reportedly also proposed the same idea to UN headquarters to end the fighting. But General Sanderson thought it was impossible for his troops to fulfill such a role.<sup>288</sup> Some senior military staff argued that the situation for a classic peacekeeping mission between warring factions simply did not exist. The NADK units were very dispersed, and in most areas, it was very difficult to draw a line between the two factions. As Col. Huijssoon put it, "if you would cycle them all with UNTAC separation force, you would have needed maybe 50 battalions".<sup>289</sup>

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<sup>283</sup> S/25719, Blue Book II, *op. cit.*, n. 10, p. 290.

<sup>284</sup> Akashi, *op. cit.*, n. 5, p. 24; Findlay, *op. cit.*, n. 3, p. 133; S/25669, Blue Book II, *op. cit.*, n. 10, p. 284; Huijssoon interview, *op. cit.*, n. 129.

<sup>285</sup> Findlay, *op. cit.*, n. 3, p. 79.

<sup>286</sup> Sanderson, "Successes and Failures", *op. cit.*, n. 273, p. 24.

<sup>287</sup> S/25289, Blue Book II, *op. cit.*, n. 10, p. 270.

<sup>288</sup> Findlay, *op. cit.*, n. 3, p. 47.

<sup>289</sup> Huijssoon interview, *op. cit.*, n. 129.

## H. Other Aspects of Disarmament

### 1. Weapons Control

Another dimension of the UNTAC mission in disarmament was weapons control. To be sure, with the abandonment of cantonment and demobilization, an effective weapons control became impossible. All three factions made efforts to maintain the teeth of their forces. The weapons surrendered by the CPAF were mainly old spares and reserves so that the fighting capability of "disarmed" units could be easily restored.<sup>290</sup> A journalist described a cantonment ceremony of the KPNLAF in the following words:

The guerrillas brought an array of largely ancient and rusting carbines, assault rifles, machine guns, rocket-propelled grenade launchers and mortars -- 7,648 in total -- most of which would probably be more dangerous to the user than the target. More impressive were nine field artillery pieces, a T-54 tank, and an armoured personnel carrier--all captured from Phnom Penh government forces. Gen. Dien Del admitted that his forces were keeping back some of their better equipment and men for self defense. If UNTAC can protect us 100 percent, we wouldn't need soldiers out of cantonment.<sup>291</sup>

During the election period, some weapons were even handed back to the factions so that they could provide security for the polling process.<sup>292</sup> It was not just the NADK which attempted to maintain their arsenal. Other factions did the same. For instance, because the SOC police were not included in the cantonment process, they held stocks of weapons in depots.<sup>293</sup> Although they were supposed to provide a comprehensive list of all weapons and ammunition for every cantonment site and to provide assistance in finding and clearing weapons caches, those cantoned troops mostly turned in unserviceable old weapons while hiding their better arms at home or in caches. Most respondents to UNIDIR's Practitioners' Questionnaire got the impression that there were hidden caches of weapons in their sectors. Even the very cooperative faction such as the KPNLF cheated UNTAC by stockpiling weapons it never reported. In a battalion commander's words: "everyone cheated everyone else".<sup>294</sup>

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<sup>290</sup> Chopra, *et al.*, *op. cit.*, n. 44, p. 21.

<sup>291</sup> *Phnom Penh Post*, 24 July 1992, pp. 1, 3.

<sup>292</sup> Blue Book II, *op. cit.*, n. 10, p. 43.

<sup>293</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126.

<sup>294</sup> Dukers interview, *op. cit.*, n. 130; *Analysis Report: Cambodia*, *op. cit.*, n. 134, pp. 13-14, 19, 32.

The UNTAC mandate required that all external supply of weapons should be suspended during the peacekeeping operation. Although there was no solid evidence that Cambodian factions had any substantial external military assistance from their former patrons such as China, Vietnam, and the United States,<sup>295</sup> many military observers and personnel believed that the factions still had access to an external supply of weapons and it was very difficult to control these supplies.<sup>296</sup> For instance, the PDK continued to enjoy a supply of weapons. First, in anticipating the change of China's policy, the PDK began stockpiling ammunition and weapons several years ago in secret jungle caches throughout Cambodia. They were thought to have stocked enough ammunition to last two to five years of continued warfare.<sup>297</sup> Second, the PDK never lacked the financial sources to purchase weapons from across the Thai-Cambodian border. The profitable border trade of hardwood timber and gemstones with the Thai military provided money for arms.<sup>298</sup> UNTAC was supposed to establish check points around the border areas to monitor the possible flow of weapons and foreign troops. Such a mandate, as a military officer points out, looked good on paper, but not implementable on the ground given Cambodia's length of border, terrain and vegetation, let alone the PDK's denial of access to the border area under its control.<sup>299</sup> Moreover, the Thais never allowed adequate monitoring of their borders and did not allow the UN to establish check points in their territories. As a result, the monitoring of external weapons supplies could never become effective.<sup>300</sup> Thirdly, there was a prosperous black market of weapon throughout the country where readily available weapons such as AK-47's, M-16 rifles and grenades exchanged hands for quite low prices.<sup>301</sup>

Even if the disarmament had been a success for the regular forces of the four factions, weapons control outside of cantonment sites was not going to be easy. After more than two decades of conflict, all of Cambodia became a big arsenal. As a military observed remarked, "you cannot imagine how many weapons there are here. You can find every kind of Kalashnikov (rifle)-Czech, Yugoslavian,

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<sup>295</sup> Kimball personal correspondence, *op. cit.*, n. 139; Akashi, *op. cit.*, n. 2, p. 198. As early as November 1990, China announced that it had stopped supplying arms to the PDK. *Strategic Survey 1990-1991* (London: The International Institute for Strategic Studies), p. 211.

<sup>296</sup> *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 32.

<sup>297</sup> *Phnom Penh Post*, 22 August 1992, p. 4.

<sup>298</sup> Chopra, *et al. op. cit.*, n. 44, p. 9.

<sup>299</sup> Huijssoon personal correspondence, *op. cit.*, n. 136, and interviews, *op. cit.*, n. 129.

<sup>300</sup> Sanderson and Healy personal correspondence, *op. cit.*, n. 126; *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 33.

<sup>301</sup> *Phnom Penh Post*, 26 March-8 April 1993, p. 3; Chopra, *et al. op. cit.*, n. 44, p. 10.

Chinese... It's enough for years of war. Here weapons are power".<sup>302</sup> The war-seasoned Cambodians developed a sort of gun-culture and were very reluctant to give up their weapons. An interview with journalists, soldiers, policemen, schoolboys, women and doctors found that nobody thought the elimination of guns was a good idea, regarding them as a symbol of power and pride.<sup>303</sup> This was also a necessity under constant military and bandit attack. Most homes had at least one weapon.<sup>304</sup>

So weapons control in Cambodia was not simply a military issue, but a social problem as well. Officially, other than the formal cantonment process, UNTAC troops initially had no authority to take weapons from individuals. Therefore UNTAC soldiers sometimes ran into problems in implementing weapons control.<sup>305</sup> Some military battalions, however, did take discrete measures to confiscate weapons in their controlled areas. For instance, after receiving a lot of complaints from civilians who were stopped on the road by former CPAF soldiers for money and illegal taxes, the Dutch battalion in Sector 1 reported the situation to the UNTAC HQ. At the sector MMWG meeting, the Sector Commander declared that from a certain day on, nobody would be allowed to walk around armed except authorized personnel. Soldiers were driving around to confiscate weapons from individuals.<sup>306</sup> With the increase of violence before the election, UNTAC took tougher measures to control the possession of guns, ammunition and explosives. Mr. Akashi issued a directive which required owners of weapons to get a licence from the police force of the relevant ruling faction. Possession of weapons became illegal as of midnight 18 March. But there would be a three-week grace period to allow people either to surrender their weapons or to get their papers in order. Gun holders were supposed to surrender their arms at the local UNTAC, CIVPOL, or military contingent where they would be given a receipt for their weapon and would face no legal action. Those who wished to retain their weapons could apply to the police force of the relevant authorities for a firearms licence. After 9 April, any person found illegally holding weapons, explosives or ammunition would incur the confiscation of these items and imprisonment from six months to three years.<sup>307</sup> UNTAC also at one point contemplated a weapon buy-back program; however, the idea was soon dropped because it was realized

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<sup>302</sup> *Phnom Penh Post*, 7 August 1992, p. 4.

<sup>303</sup> *Phnom Penh Post*, 25 September 1992, p. 4.

<sup>304</sup> *Phnom Penh Post*, 26 March-8 April 1993, p. 3.

<sup>305</sup> *Analysis Report: Cambodia, op. cit.*, n. 134, p. 7.

<sup>306</sup> Dukers interview, *op. cit.*, n. 130.

<sup>307</sup> *Phnom Penh Post*, 26 March-8 April 1993, p. 3.



that the supply of weapons was so abundant that speculators could start a profitable business of selling weapons to UNTAC.<sup>308</sup>

## 2. Demining

Another important aspect of weapons control is demining. As a war-torn country for twenty years, Cambodia literally became a land of mines. Estimates of the number of mines vary, ranging from 2 million to 10 million.<sup>309</sup> In fact, it is very difficult to figure out the exact number since the factions usually did not take record. But even taking a middle number like 4 million as the approximation, there is nearly one mine for every two Cambodians.<sup>310</sup> Roughly half the country has a dense concentration of land mines, which claim from 100 to 700 victims each month. As a result, Cambodia has more than 40,000 amputees, and mines have handicapped 1 out of every 236 Cambodians, giving Cambodia the highest proportion of amputees in the world. Most of them are civilians who were injured in the course of making their living tending their rice fields, cattle and children, fishing, or gathering firewood. The Cambodian conflict may be the first war in history in which land mines have claimed more victims than any other weapon.<sup>311</sup>

Large quantities of mines in Cambodia were imported from China and Vietnam and the most common is the M-72, a small plastic anti-personnel mine which is difficult to find with a metal detector. Mines were used in Cambodia for many purposes, including to close border routes, to enhance the security of villages, garrison perimeters, roads and bridges, and also to terrorise farmers and villagers.<sup>312</sup> Cambodian faction troops were heavily supplied with mines. For instance, the NADK was usually equipped with about ten mines per man.<sup>313</sup>

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<sup>308</sup> Huijssoon interview, *op. cit.*, n. 129; *Analysis Report: Cambodia, op. cit.*, n. 134, p. 33.

<sup>309</sup> Susan Aitkin, "Getting the Message About Mines, Towards A National, Public Information Strategy and Program on Mines and Mines' Safety, Volume I: Report", September 1993, p. 2; United States General Accounting Office, *op. cit.*, n. 254, p. 25; Human Rights Watch/Asia, "Arms Project", Advanced Press Copy, p. 59.

<sup>310</sup> Heining, *op. cit.*, n. 158, p. 73.

<sup>311</sup> Aitkin, *op. cit.*, n. 309, p. 2; Human Rights Watch/Asia, *op. cit.*, n. 309, p. 59; Heining, *op. cit.*, n. 158, p. 72; Susan Ruel, "The Source of Land Mines, UN Tackles Hidden Peacetime Killers", United Nations Focus, (United Nations Department of Public Information, October 1993, p. 1; Findlay, *op. cit.*, n. 3, p. 72.

<sup>312</sup> Chopra, *et al. op. cit.*, n. 44, p. 10.

<sup>313</sup> Human Rights Watch/Asia, *op. cit.*, n. 309, p. 60.

To clear such huge numbers of mines is a daunting task. Even if everything goes according to plan, experts have concluded that it will take 30-40 years to rid Cambodia of most of its mines, and the country may never be completely clear of them.<sup>314</sup> From the very beginning, the United Nations was aware of the seriousness of this problem.<sup>315</sup> Before the establishment of UNTAC, the UNAMIC mandate already included a mine-awareness and mine-clearance program. In his implementation plan submitted to the Security Council on 19 February 1992, the Secretary-General stressed that "the magnitude of the mine problem in Cambodia requires that a sizeable and intense effort should be undertaken in the very early stages to facilitate UNTAC's deployment and its manifold activities".<sup>316</sup> UNTAC itself suffered from the mine problems. Its casualties from mine explosions between 19 June 1992 and 6 June 1993 amounted to 2 dead and 29 injured.<sup>317</sup> Almost all the respondents to UNIDIR's Practitioners' Questionnaires experienced mine problems during their mission.<sup>318</sup> However, UNTAC was widely criticised for its slow pace in mine-clearance and the low priority the job was given in the mission.<sup>319</sup>

There are several reasons for this problem. First of all, compared to other military tasks, the UNTAC mandate in this respect was defined in a quite general fashion in the Secretary-General's implementation plan. It only mentioned that once UNTAC was established and deployed, the mine-programs initiated by UNAMIC would be taken over by its military component and expanded. The engineer unit was in charge of these programs.<sup>320</sup> Yet no timetable or specific tasks were set up from the very beginning. The responsibility for mine-clearance was not clearly defined. Secondly, the slowness was a function of the abortion of the cantonment and demobilization process. The Paris Agreement had anticipated that after the completion of the regroupment and cantonment processes, a large number of cantoned soldiers would join mine-clearing teams which, under the supervision and control of UNTAC military personnel, would leave the cantonment areas in order to assist in removing, disarming, or deactivating the

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<sup>314</sup> Findlay, *op. cit.*, n. 3, p. 72.

<sup>315</sup> S/23331, Blue Book II, *op. cit.*, n. 10, p. 153.

<sup>316</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 167.

<sup>317</sup> UNTAC Spokeman's Office, "UNTAC Casualties Resulting from Mine Explosions", 10 June 1993.

<sup>318</sup> *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 36.

<sup>319</sup> Aitkin, *op. cit.*, n. 309, p.7; United States General Accounting Office, *op. cit.*, n. 254, p. 25; Ledgerwood, *op. cit.*, n. 227, p. 8.

<sup>320</sup> S/23613, Blue Book II, *op. cit.*, n. 10, p. 167.

remaining unexploded ordnance devices.<sup>321</sup> Since the disarmament of troops were effectively suspended, these human resources, as well as their knowledge and experience, were unavailable for demining activities. Moreover, because the fight between the CPAF and NADK never stopped, the clearance work was often wasted as new mines were laid in freshly demined areas, especially if they were conflict zones.<sup>322</sup> Thirdly, insufficient funds and resources had been allocated to demining programs. Mine-clearance is both a dangerous and expansive business. Funds were needed not only for monthly wages for deminers, but also for compensation for families in the case of death or disablement.<sup>323</sup> It was estimated that a demining team cleared about 1,300 square meters each week at a cost of about \$2,000. Clearing one mine, including the training of deminers, would cost \$300 to \$1,000.<sup>324</sup> Donor countries usually were reluctant to put money into the demining program. UNTAC itself did not have enough resources.<sup>325</sup> Fourth, it was very difficult to get and coordinate accurate information from the four factions about the number and location of mine fields. The Paris Agreement asked that soon after its arrival in Cambodia, the military component should ensure that all known minefields were clearly marked.<sup>326</sup> This condition was never realized. To some extent, the information was simply unavailable. Soldiers usually did not map or mark minefields when they laid down mines. It was not unusual for the faction forces to be hit by the mines they laid down themselves.<sup>327</sup> Many practitioners' considered it would be a good idea to have the exchange of mine maps as a part of the peace agreement at the outset. Finally, UNTAC was quite reluctant to get its own personnel directly involved in demining. Most troop-contributing countries were unwilling to authorize their troops to participate in this dangerous business and they were also not trained for the task. The prevailing attitude was that Cambodians had created the problem and should therefore bear the responsibility for solving it. The Force Commander concluded that there could be no quick solutions to the problem. UNTAC, therefore, should apply its limited resources to training a significant mine-clearing force rather than carrying out the

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<sup>321</sup> Paris Agreement, Annex 2, Blue Book II, *op. cit.*, n. 10, p. 143.

<sup>322</sup> *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 36; Huijssoon interview, *op. cit.*, n. 129; Heininger, *op. cit.*, n. 158, p. 73; Aitkin, *op. cit.*, n. 309, p. 7; *Phnom Penh Post*, 7 August 1992, p. 3; Human Rights Watch/Asia, *op. cit.*, n. 309, p. 63.

<sup>323</sup> S/23870, Blue Book II, *op. cit.*, n. 10, p. 188.

<sup>324</sup> Heininger, *op. cit.*, n. 158, p. 73.

<sup>325</sup> *Analysis Report: Cambodia*, *op. cit.*, n. 134, pp. 9, 15. Aitkin, *op. cit.*, n. 309, p. 7; Findlay, *op. cit.*, n. 3, p. 73; S/25719, Blue Book II, *op. cit.*, n. 10, p. 292.

<sup>326</sup> Paris Agreement, Annex 2, Blue Book II, *op. cit.*, n. 10, p. 143.

<sup>327</sup> Human Right Watch/Asia, *op. cit.*, n. 309, pp. 60-61.

mine-clearance itself.<sup>328</sup> Consequently, as UNTAC's force engineer, Col. Neil Bradley put it, "plenty were prepared to supervise but none to actually do mineclearing".<sup>329</sup> For most of 1992 and 1993, the only groups regularly engaged in mine-clearance operations were NGO's. Not until August and September did UNTAC personnel themselves start demining.<sup>330</sup>

UNTAC's mission of demining was carried out under these constraints. The mine-awareness program was begun even before the establishment of UNAMIC in November 1991. It was carried out among Cambodian refugees and displaced persons in the camps along the Cambodia/Thailand border.<sup>331</sup> The initial mission of UNAMIC was to deploy small teams of military personnel with experience in training the civilian population on how to avoid injury from mines or booby traps. The priority was given to populations living in or close to areas of recent military confrontation and then expanded to repatriation routes, reception centers and resettlement areas.<sup>332</sup> In December 1991, this mandate was expanded to include training in mine clearance and the initiation of a demining program to prepare for the safe and orderly repatriation of refugees, taking the advantage of the dry season at that time.<sup>333</sup> The work was carried out in cooperation with the UNHCR and a mine-clearance commission established by the SNC.<sup>334</sup>

During the tenure of UNTAC, the Mine Clearance Training Unit (MCTU) was established to teach Cambodians to identify, locate, and destroy land mines and mark mine fields. The MCTU comprised more than 100 military personnel from eight countries: Bangladesh, France, India, the Netherlands, New Zealand, Pakistan, the United Kingdom and the United States. Each national contingent was organized into Mine Clearance Training Teams (MCTT's), which taught the course, and Mine Clearance Supervisory Teams (MCST's), which oversaw the mine clearance work of the teams trained, or Mine Marking Teams (MMT's), which supervised mine marking operations. The MCTU also addressed

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<sup>328</sup> Sanderson, "Successes and Failures", *op. cit.*, n. 273, p. 23.

<sup>329</sup> Heininger, *op. cit.*, n. 158, p. 72. It is interesting to note that while most respondents to the Practitioners' Questionnaire thought the UN and their host country were interested in demining, only 2 out of 24 respondents said that his or her unit played a role in the demining process. On the other hand, all the respondents considered that local groups should be encouraged to undertake demining tasks. *Analysis Report: Cambodia, op. cit.*, n. 134, p. 37.

<sup>330</sup> *Analysis Report: Cambodia, op. cit.*, n. 134, p. 37; Heininger, *op. cit.*, n. 158, pp. 73-74.

<sup>331</sup> S/23097, Blue Book II, *op. cit.*, n. 10, p. 126.

<sup>332</sup> *Ibid.*

<sup>333</sup> S/23331, Blue Book II, *op. cit.*, n. 10, p. 152.

<sup>334</sup> Blue Book II, *op. cit.*, n. 10, p. 11.

schoolchildren and villagers throughout the countryside and lectured UNTAC military and police personnel on mine awareness and mine avoidance.<sup>335</sup> In his first progress report on UNTAC on 1 May, the Secretary-General estimated that UNTAC would train 5,000 Cambodians for mine-clearance by the end of the year.<sup>336</sup> By September 1992, only some 850 soldiers were fully trained, and even by January 1993, only 1,323 had been trained, far below the target of 5,000.<sup>337</sup> Only 542 of these were really employed due to a shortage of supervisors.<sup>338</sup> When UNTAC was about to leave the country, although 2,330 Cambodians had been trained in mine-clearance techniques, only about 1,400 were employed for that purpose.<sup>339</sup> To make up for the shortage of supervisory teams, some UNTAC trainers were requested to act as supervisors while some of the trained mine cleaners were receiving additional training to become supervisors.<sup>340</sup> The mine-clearance activities by those employed were either done directly by UNTAC or by one of four non-governmental organizations (HALO Trust, Mine Awareness Group, Norwegian People's Aid and Handicap International) involved in mine clearance in Cambodia.<sup>341</sup>

The Cambodian deminers were paid about \$100 per month, much higher than other soldiers who received mere \$15-20 a month. They also received free food, health care, and disability and life insurance protection. This relatively well-off condition sometimes caused tensions between deminers and other military personnel. There had been a few instances in which deminers were killed or attacked by SOC soldiers. The PDK also occasionally attacked or kidnapped deminers, taking away their equipment.<sup>342</sup>

The speed of actual demining was not very encouraging in 1992 and early 1993. By September 1992, only an area of some 22,000 square metres was cleared of more than 1,000 mines.<sup>343</sup> By May 1992, 15,000 mines and other pieces of unexploded ordnance, out of an estimated 2-4 million, had been

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<sup>335</sup> UNTAC Spokesman's office, "Mine Clearance Training Unit", 27 April 1993; S/25719, Blue Book II, *op. cit.*, n. 10, p.292.

<sup>336</sup> S/23870, Blue Book II, *op. cit.*, n. 10, p. 188.

<sup>337</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213.

<sup>338</sup> S/25154, Blue Book II, *op. cit.*, n. 10, p. 259.

<sup>339</sup> S/26360, Blue Book II, *op. cit.*, n. 10, p. 329.

<sup>340</sup> S/25154, S/25719, Blue Book II, *op. cit.*, n. 10, pp. 259, 292.

<sup>341</sup> S/25669, Blue Book II, *op. cit.*, n. 10, p. 292.

<sup>342</sup> Human Rights Watch/Asia, *op. cit.*, n. 309, p. 64.

<sup>343</sup> S/24578, Blue Book II, *op. cit.*, n. 10, p. 213.

cleared.<sup>344</sup> By December 1992, 43 hectares had been cleared by UNTAC.<sup>345</sup> The rate of mine-clearance accelerated significantly during the summer of 1993. By 26 August, before UNTAC's withdrawal, the Secretary-General claimed that more than 4 million square meters had been cleared of mines, about 37,000 mines and other unexploded devices had been destroyed.<sup>346</sup> A better job was done along major highways and in association with road repair.<sup>347</sup> However, this figure only represented roughly 0.2% of Cambodia's mines.<sup>348</sup>

Soon after its deployment, UNTAC started its "Cambodianization" of demining activities. In May 1992, the Secretary-General pointed out that the mine problems should be addressed increasingly by Cambodians themselves.<sup>349</sup> On 20 April, the SNC agreed to the establishment of the Cambodian Mine Action Centre (CMAC) with Prince Norodom Sihanouk as the president and Mr. Akashi as the vice president. It was supposed to assist in undertaking long-term programs in mine awareness, mine-marking and mine-clearance. It was managed by a 10-member Governing Council with 5 Cambodian members appointed by Prince Sihanouk and 5 other members appointed by Mr. Akashi.<sup>350</sup> Initially, CMEC was still basically run by UNTAC. Later on, more Cambodians were recruited and trained to take eventual responsibility for the four main branches: information and policy, operations, training, and administration. Cambodians were also trained on the computer-assisted mine database.<sup>351</sup> This effort also included training the most qualified graduates to become supervisors or instructors.<sup>352</sup> To make CMAC also financially independent, UNTAC made efforts to seek international funding for the organization. It was no easy job. The result, in the Secretary-General's words, was "disappointing".<sup>353</sup> In August 1993, the Secretary-General decided to maintain the United Nations Trust Fund for Demining Programmes in Cambodia until alternative funding arrangements could be made.<sup>354</sup>

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<sup>344</sup> S/25719, Blue Book II, *op. cit.*, n. 10, p. 292.

<sup>345</sup> Heinger, *op. cit.*, n. 158, p. 73.

<sup>346</sup> S/26360, Blue Book II, *op. cit.*, n. 10, p. 329.

<sup>347</sup> Findlay, *op. cit.*, n. 3, p. 74.

<sup>348</sup> Aitkin, *op. cit.*, n. 309, p. 7.

<sup>349</sup> S/23870, Blue Book II, *op. cit.*, n. 10, p. 188.

<sup>350</sup> *Ibid.*

<sup>351</sup> S/25719, Blue Book II, *op. cit.*, n. 10, p. 292.

<sup>352</sup> UNTAC Spokesman's office, "Mine Clearance Training Unit", *op. cit.*, n. 335.

<sup>353</sup> S/25719, Blue Book II, *op. cit.*, n. 10, p. 292.

<sup>354</sup> S/26095, Blue Book II, *op. cit.*, n. 10, p. 329. CMAC requires approximately \$10 million each year to field about 40 platoons of deminers. In October 1993, CMAC almost stopped operating as it made the transition from UNTAC to independent status because of a lack of funds and arrangements to transfer equipment and foreign advisers. As of February 1995,

Since UNTAC's withdrawal, CMAC has acted as the focus and coordinating agency for all demining activities in the country. In October 1993, it was announced that all foreign employees of CMAC would be withdrawn by November, although this deadline was extended for another month. Until April 1996, CMAC will be working under the auspices of the UNDP Trust Fund for Demining. After that, CMAC is expected to be a fully indigenous and autonomous Cambodian government agency. By February 1995, CMAC consisted of 41 demining platoons (32 man teams). Each unit could clear between 500-1000 square meters per day, depending on the terrain. There are 10 explosive ordnance disposal (EOD) teams and 16 mine marking and survey report teams.<sup>355</sup>

## Conclusion

On balance, UNTAC fulfilled its mandate. The United Nations managed to carry out its primary mission and to follow the original timetable without much delay. It realized its major objective of establishing a legitimate Cambodian government through democratic election. It also bore accomplishment in repatriation, human rights and rehabilitation. While military conflict continues, the probability of it escalating again into a large scale regional conflict is very low. However, from the perspective of disarmament, UNTAC failed to carry its mission to the end. As a result, two years after UNTAC left the country, Cambodia is still suffering from chronic military clashes, and the country is not unified. Although people have heard a lot of reports that the PDK has been considerably weakened since the peacekeeping operation, it remains a military or even political force that the new government seems unable to eliminate by military means. Also "we must not underestimate the popular support that the Khmer Rouge has within Cambodia".<sup>356</sup> In July 1994, after the national assembly outlawed it, the PDK announced the formation of a provisional government of national unity in Preah Vihear province. In short, the failed disarmament operation has serious consequences for Cambodia's national reconciliation and for its role as a coherent state in the world community.

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CMAC still lacked the \$8 million necessary to operate through its proposed cycle ending April 1996. Human Rights Watch/Asia, *op. cit.*, n. 309, p. 64.

<sup>355</sup> Heininger, *op. cit.*, n. 158, p. 73; Special paid supplement to the *Phnom Penh Post*, Volume 4, Number 3, 10-23 February 1995.

<sup>356</sup> Brown, *op. cit.*, n. 46, p. 22.

As many scholars as well as practitioners have pointed out, no single reason can be pointed at for the abortion of disarmament. Rather it was a result of the interaction of multiple factors at multiple levels. Putting things in the broader perspective of post-Cold War international relations, the United Nations underestimated the ability of local forces to derail the peace agreements brokered by major powers. The underlying assumption was that if major powers and the UN could bring the warring parties together to sign a peace agreement, they might also have the clout to make them turn the agreement into reality. Therefore, the Paris Accords and UN mandate for UNTAC had not even foreseen the possibility of non-compliance, let alone prepared for how to deal with it. It can be argued that if the agreements had included clear definitions of non-compliance and penalties for it, the UN and international community would have been in a much stronger position to handle or even preempt the problem. One argument suggested by UN officials for not building this mechanism in peace agreements is that any preventive measures or contingency plans would imply that the UN distrusted one or more of the parties involved, and thus would be viewed suspiciously by the factions.<sup>357</sup> However, given the profound mistrust among factions, such a mechanism could also be positively viewed by them as a check on their adversaries. Of course, non-compliance might occur anyway even with such definitions and deterrents, but UNTAC would at least have had the legal basis to take actions against non-compliance. It is remarkable that the major powers, namely the Permanent Five Members of the Security Council, were able to maintain a consensus throughout the operation on an issue that once profoundly divided them. Their consensus prevented any faction, even the PDK, from formally and publicly breaking away from the peace process. Yet major power consensus was not a sufficient condition to bring peace to Cambodia. When the major powers stopped providing military and economic support to their respective proxies in Cambodia, their influence on these factions also diminished.<sup>358</sup> Consequently, the tail wagged the dog. Moreover, once the UN began to invest money and resources in the operation, as Michael Doyle put it, the bargaining relationship altered its balance. The larger the UN investments, the greater the influence of the parties became and the greater the possibility of their defiance.<sup>359</sup>

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<sup>357</sup> Heininger, *op. cit.*, n. 158, p. 43.

<sup>358</sup> For instance, China had repeatedly told the PDK to adhere to the Paris Agreements and cooperate with UNTAC. The effect, however, was marginal. See Akashi, *op. cit.*, n. 2, p. 198.

<sup>359</sup> Doyle, *op. cit.*, n. 179, p. 97.



There is no doubt that the PDK should be blamed for the failure of disarmament. To be sure, the PDK was sceptical about the peace settlement from the very beginning because it realized that there was no chance for it to regain power through a democratic election given its notorious track-record. On the other hand, the PDK realized that if it was left out of the peace process while the other three factions got on board, it would be internationally isolated. Therefore, if the peace process could provide an adequate incentive for the PDK to maintain its minimum political viability and to significantly weaken the SOC's power, the PDK would choose the lesser of two evils. As reflected in the mixed signals sent by the PDK at various phases of UNTAC's mission and the policy paralysis since April 1992, the internal struggle for compliance or noncompliance persisted within the PDK throughout the operation.<sup>360</sup> If the right signals had been cultivated at the right time with the right incentives, there might have been a possibility of the PDK walking into the cantonment sites and disarming at least a portion of its armed forces.

Such an incentive structure, however, was never really sufficient to convince the suspicious PDK to lay down their arms. Western countries were reluctant to include the PDK in the peace process. With the end of the Cold War, they felt less and less compelled to accommodate the PDK's concerns. As Peter Bartu observed, France and the United States, after strenuously arguing for the inclusion of the PDK in the process initially, moved away from a "neutral" posture to one of public condemnation of the PDK.<sup>361</sup> This mentality was also reflected in the UN mission in Cambodia. UNAMIC, at the critical early stage, was perceived as biased against the PDK. It tended to indiscriminately blame the PDK for cease-fire violations without serious investigations.<sup>362</sup> The PDK also became the easy target to pick on for initiating the breaches of the peace process due to its notorious international image.<sup>363</sup> As a result, they felt that General Loidon was not impartial in his dealings with them in the MMWG.<sup>364</sup> All this let the PDK believe that the UN favored the SOC's side and was not a neutral force. When UNTAC arrived, the PDK hoped that it would be more stern with the SOC and more lenient with itself. However, it was soon disappointed. UNTAC seemed to

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<sup>360</sup> Bartu, *op. cit.*, n. 139.

<sup>361</sup> *Ibid.*

<sup>362</sup> Sanderson, "UNTAC: The Military Component View", *op. cit.*, n. 124, p. 73.

<sup>363</sup> According to General Sanderson, it was the SOC and Sihanouk that first corrupted the peace agreement by maneuvering to squeeze the PDK out of the process. John Sanderson, "A Review of Recent Peacekeeping Operations", *op. cit.*, n. 277, p. 6.

<sup>364</sup> Bartu, *op. cit.*, n. 139.

be unwilling to accommodate its demands in small things such as dispatching an Asian battalion to PDK-controlled areas.<sup>365</sup> Moreover, especially in the initial stage, UNTAC failed to effectively neutralize the SOC's key government agencies. The control of the SOC was seen as a test of UNTAC's neutrality and hence the determining factor in the PDK's compliance.<sup>366</sup> In fact, during the pre-treaty negotiations, the PDK dropped its insistence on power-sharing only after the Agreement promised this control-mechanism.<sup>367</sup> Only after the SOC had been sufficiently weakened in both political and military terms, did the PDK see a possibility for its survival in the forthcoming political competition after disarmament. Yet UNTAC did not do much substantially to address this issue. Besides technical issues, UNTAC was also unenthusiastic in pursuing this course. Privately UNTAC officers recognized what the PDK claimed was true; however, they thought that maintaining the SOC's support was more important than addressing the PDK's concerns. Some also doubted that the PDK would cooperate even if UNTAC exercised tougher control of the SOC administrative structure.<sup>368</sup> Therefore, when Phase II started in June, the PDK perceived that the process could offer nothing for its survival.<sup>369</sup>

Some deficiencies at operational levels certainly did not help the course of disarmament. Many who were involved in the UNTAC mission believe that if the UN could have had a precipitate deployment and forceful UN presence after the signing of the peace agreement and carried out the disarmament soon after, it would have been much more difficult for the PDK and SOC to degenerate from the peace agreement they had just signed.<sup>370</sup> In fact, from the very beginning, factions including the PDK repeatedly asked for a quick deployment. The slow

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<sup>365</sup> Col. Huijssoon, however, argued that the demand was turned down out of fear that Asian troops had a tendency to make deals with the NADK. Interview, *op. cit.*, n. 129.

<sup>366</sup> Bartu, *op. cit.*, n. 139.

<sup>367</sup> Sanderson, "Successes and Failures", *op. cit.*, n. 273, p. 19.

<sup>368</sup> Conversation with Eric Berman (Assistant Spokesman, Office of the Special Representative, UNTAC), 1 May 1995, United Nations, Geneva, Switzerland.

<sup>369</sup> Bartu, *op. cit.*, n. 139.

<sup>370</sup> Among others, the Force Commander, General Sanderson considered the excessive delay of the UNTAC deployment the key reason for the failure of the disarmament. Sanderson and Healy personal correspondence, *op. cit.*, n. 126. Mary Kimball also pointed out that the delay permitted factions to have second thoughts on aspects of the agreement that did not suit them (including disarmament) and renege on their promises. Kimball personal correspondence, *op. cit.*, n. 139. When citing three reasons for the failure of disarmament, some military officers involved in the operation also mentioned that if the disarmament could have been carried out in due time, the result could have been much better. The delay led to a lack of will of all factions to comply; *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 5.

and less than effective start of UNTAC both increased factions' doubt about the UN's seriousness and emboldened PDK and SOC defiance. The lack of adequate administrative personnel, on the other hand, made UNTAC powerless in controlling the SOC administrative structure. It was this flaw which "served up on a silver platter spurious justification for the PDK not to comply with key provisions of the Paris Agreements".<sup>371</sup> The possibility for a successful disarmament was further compromised by an extremely tight and somewhat unrealistic timetable for the whole operation. To some extent, UNTAC became the hostage of its own timetable. Apparently, sticking with the original schedule sometimes became UNTAC's first priority irrespective of whether the conditions were ready for implementation. General Sanderson had to start Phase II although his battalions were not fully deployed. The cantonment was then to be finished within a month although facilities for large-scale cantonment were simply not there. Even if all conditions were met, the time-frame for completing the process was too rushed.<sup>372</sup> It seems that UNTAC just had the wrong rhythm of implementation. It started too slow and then raced through the main steps. Yet the momentum lost in a sluggish deployment could not be regained by simply hastening the subsequent operations. In retrospect, UNTAC should have made more efforts to minimize the time gap between the signing of the peace agreement and the actual deployment while adopting a more evenly phased approach in the following implementation. Such an approach might allow more time for consultation before making major decisions on issues such as the commencement of Phase II. A more decisive start and a less ambitious timetable could reduce the uncertainty prior to the operation and increase confidence and stability once it takes off.

To a great extent, the unsatisfactory outcome of disarmament was a political rather than a military issue. The UNTAC military component, especially the Force Commander, firmly believed that an international military force is unable to solve domestic conflict if those concerned parties failed to strike a deal. It is interesting to note that it was the civilian component which advocated more strongly the use of more forceful means to deal with the PDK, while the military component resisted the temptation to turn peacekeeping into peace-enforcement and plunge itself into a potentially costly and prolonged war against a guerrilla faction. In this respect, sometimes UNTAC was even more conservative than traditional peacekeeping missions as the military component was reluctant to put its troops between the PDK and CPAF to stop the fighting. What distinguished

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<sup>371</sup> Ken Berry, "UNTAC: A Flawed Paradigm/Success", in *Conference Papers*, p. 179.

<sup>372</sup> Kimball personal correspondence, *op. cit.*, n. 139.

UNTAC from other peacekeeping missions was the functional change of the military component from disarming warring parties to providing security for the election process. Judging from the result, this functional transition was quite effective and successful. The coordination between the military and civilian components, which had been quite weak before the functional change, was considerably enhanced during the whole process of election as all the resources were devoted to a single objective. A peaceful polling process would have been very unlikely without this change of mandate. To some degree, a relatively secure environment, at least around polling stations, was created not by disarming warring factions but rather by protecting the electoral process with military forces.

With the failure of disarming and demobilizing faction forces, other dimensions of the military mandate such as weapons control and demining became more difficult to implement. However, this was not the only reason. The above analysis revealed numerous gaps between the mandate on paper and reality on the ground. In some UNTAC military officers' words, many parts of the mandate, such as massive regroupment and cantonment, effective monitoring of external weapons flow, detailed data on mine fields, and so on, "were unexecutable", and UN decisions were often made with no regard to the operational consequences.<sup>373</sup> The Paris agreement and UN mandate after all were the product of politicians and diplomats. Not a few military personnel involved in UNTAC suggested that in future peacekeeping operations, more military experts and officers should have more input during negotiation and planning stages so that many unrealistic mandates could be eliminated and problems minimized before the operation takes off.

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<sup>373</sup> Huijssoon interview, *op. cit.*, n. 129; *Analysis Report: Cambodia*, *op. cit.*, n. 134, p. 20.



## Biographical Note

Jianwei Wang received his B.A. and M.A. in international relations from Fudan University in Shanghai, China, and his Ph.D. in political science from the University of Michigan. Before he joined the DCR Project at UNIDIR, he was a Research Fellow in the Program on International Politics and Economics at the East-West Center in Honolulu. He has also held research and teaching positions at the University of Michigan, George Washington University, Stanford University, and Fudan University. He is currently teaching international politics and international organization at the University of Wisconsin. He is also a Senior Fellow at the Atlantic Council of the United States. His research interests include UN peacekeeping and post-Cold War international order, security affairs in the Asia-Pacific region, US-China relations, and Chinese foreign policy. He has been involved in various research projects sponsored by the Council on Foreign Relations, the Social Science Research Council, the Asia Society, and the East-West Center. In addition to other publications, he is now working on two book projects: *Sino-American Mutual Images in the Post-Cold War Era* and *Modernizing China's Diplomacy*.



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