

104TH CONGRESS
2D SESSION

S. RES. 285

Expressing the sense of the Senate that enforcement of the Cambodian Genocide Justice Act, improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct should be among the primary objectives of the United States in its relations with Cambodia.

IN THE SENATE OF THE UNITED STATES

JULY 29, 1996

Mr. ROTH (for himself, Mrs. FEINSTEIN, and Mr. THOMAS) submitted the following resolution; which was referred to the Committee on Foreign Relations

SEPTEMBER 25, 1996

Reported by Mr. HELMS, with an amendment, an amendment to the preamble, and an amendment to the title

[Strike out the preamble and all after the resolving clause and insert the part printed in italic]

SEPTEMBER 28, 1996

Considered, amended, and agreed to

RESOLUTION

Expressing the sense of the Senate that enforcement of the Cambodian Genocide Justice Act, improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct should be among the primary objectives of the United States in its relations with Cambodia.

Whereas the Paris Peace Accords in 1991 and the successful national election of 1993 brought two decades of civil war nearer to cessation, demonstrated the commitment of the Cambodian people to democracy and stability, and led to the creation of a national constitution guaranteeing fundamental human rights;

Whereas since 1991 the international community has contributed almost \$2,000,000,000 to peacekeeping and national reconstruction in Cambodia and currently provides over 40 percent of the budget of the Royal Government of Cambodia (RGC);

Whereas recent events of Cambodia—including the arrest and exile of former Foreign Minister Prince Sirivudh, the expulsion of former Finance Minister Sam Rainsy from the FUNCINPEC Party and the National Assembly, a grenade attack against members of the independent Buddhist Liberal Democratic Party of Cambodia, mob attacks against pro-opposition newspapers, the assassination of journalist and Khmer National Party member Thun Bunly, and harassment of other journalists—suggest that Cambodia is sliding back into a pattern of violence and repression;

Whereas the RGC has failed to investigate fully incidents of political violence and prosecute the perpetrators;

Whereas, the RGC, without appropriate prior consultation with the Cambodian Parliament and despite protestations from Cambodians residing both inside the country and overseas, has obtained from King Sihanouk an amnesty for Ieng Sary, the former deputy Prime Minister of the Khmer Rouge and brother-in-law of Khmer Rouge leader Pol Pot during the period when the Khmer Rouge murdered as many as two million innocent Cambodians;

Whereas that amnesty may allow Ieng Sary to fully re-integrate into Cambodian society and from a political party that may participate in upcoming elections;

Whereas, Ieng Sary has disavowed any responsibility for the genocide perpetrated by the Khmer Rouge against the Cambodian people;

Whereas, the Cambodian Genocide Justice Act states that it is the policy of the United States to support efforts to bring to justice members of the Khmer Rouge for their crimes against humanity, and in circumstances which the President deems appropriate, to encourage the establishment of a national or international criminal tribunal for the prosecution of those accused of genocide in Cambodia and to provide such national or international tribunal with relevant information;

Whereas, rampant corruption in the RGC has emerged as a major cause of public dissatisfaction, which—when expressed by politicians and the press—has resulted in government crackdowns;

Whereas, Cambodia has been added to the Department of State's list of major narcotics trafficking countries, though Cambodia has been certified by the President as cooperating fully with the United States or taking adequate steps on its own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances;

Whereas, the RGC—in contravention to the Cambodian Constitution—has sanctioned massive deforestation and timber exploitation which has devastated the environment,

endangered the livelihoods of many of the country's farmers; and

Whereas, illegal logging has helped finance both the Royal Cambodian Armed Forces and the Khmer Rouge in their civil war: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) among the primary objectives in United
3 States policy toward Cambodia should be enforce-
4 ment of the Cambodian Genocide Justice Act, im-
5 provements in Cambodia's human rights conditions,
6 environmental and narcotics trafficking record, and
7 the RGC's conduct;

8 (2) in compliance with the Cambodian Genocide
9 Justice Act, the United States should support efforts
10 to bring to justice members of the Khmer Rouge for
11 their crimes against humanity, and that the Presi-
12 dent deem it appropriate to encourage the establish-
13 ment of a national or international criminal tribunal
14 for the prosecution of Ieng Sary and to provide that
15 tribunal with any information available on Ieng
16 Sary's alleged involvement in the Cambodian geno-
17 cide;

18 (3) the Secretary of State should closely mon-
19 itor preparations for upcoming Cambodian elections
20 in 1997 and 1998 to ensure that those elections are
21 held in a free and fair manner in compliance with

1 international standards, and toward that end should
2 attempt to secure the agreement of the RGC to full
3 and unhindered participation of international observ-
4 ers for those elections;

5 (4) the Secretary of State should support the
6 continuation of human rights monitoring in Cam-
7 bodia by the United Nations, including monitoring
8 through the office of the United Nations Center of
9 Human Rights in Phnom Penh and monitoring by
10 the Special Representative of the United Nations
11 Secretary General for Human Rights in Cambodia;
12 and

13 (5) the Secretary of State should encourage
14 Cambodia's other donors and trading partners to
15 raise concerns with the RGC over Cambodia's record
16 on human rights, the environment, narcotics traf-
17 ficking and governmental conduct.

Attest:

Secretary.