

Calendar No. 629

104TH CONGRESS
2^D SESSION
S. RES. 285

RESOLUTION

Expressing the sense of the Senate that the Secretary of State should make improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct among the primary objectives in our bilateral relations with Cambodia.

SEPTEMBER 25, 1996

Reported with an amendment, an amendment to the preamble, and an amendment to the title

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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]

RESOLUTION

Expressing the sense of the Senate that the Secretary of State should make improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct among the primary objectives in our bilateral relations with Cambodia.

Whereas the Paris Peace Accords of 1991 and the successful national elections of 1993 ended the genocide in Cam-

bodia; 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 billion 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 in 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 the independent Buddhist Liberal Democratic Party of Cambodia, mob attacks against 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 rampant corruption in the RGC has emerged as a major cause of public dissatisfaction, which—when expressed by opposition 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;

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 farm-

ers, and helped finance both the Royal Cambodian Armed Forces and the Khmer Rouge in their civil war; and

Whereas the desire to cite Cambodia United Nations peacekeeping success story has stifled official international expressions of concern about deteriorating conditions in Cambodia: Now, therefore, be it

Whereas the Paris Peace Accords of 1991 and the successful national elections 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 billion 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 in 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 reintegrate 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 U.S. policy
3 toward Cambodia should be improvements in Cam-
4 bodia’s human rights conditions, environmental and
5 narcotics trafficking record, and the RGC’s conduct;

6 (2) the Secretary of State should closely mon-
7 itor preparations for upcoming Cambodian elections
8 in 1997 and 1998 and should attempt to secure the
9 agreement of the RGC to full and unhindered par-
10 ticipation of international observers for those elec-
11 tions to ensure that those elections are held in a free
12 and fair manner complying with international stand-
13 ards;

14 (3) the Secretary of State should support the
15 continuation of human rights monitoring in Cam-

1 bodia by the United Nations, including monitoring
2 through the office of the United Nations Center for
3 Human Rights in Phnom Penh and monitoring by
4 the Special Representative of the United Nations
5 Secretary General for Human Rights in Cambodia;
6 and

7 (4) the Secretary of State should encourage
8 Cambodia's other donors and trading partners to
9 raise concerns with the RGC over Cambodia's
10 human rights, environmental, narcotics trafficking,
11 and governmental conduct.

12 *That it is the sense of the Senate that:*

13 (1) *among the primary objectives in U.S. policy*
14 *toward Cambodia should be enforcement of the Cam-*
15 *bodian Genocide Justice Act, improvements in Cam-*
16 *bodia's human rights conditions, environmental and*
17 *narcotics trafficking record, and the RGC's conduct;*

18 (2) *in compliance with the Cambodian Genocide*
19 *Justice Act, the United States should support efforts*
20 *to bring to justice members of the Khmer Rouge for*
21 *their crimes against humanity, and that the Presi-*
22 *dent deem it appropriate to encourage the establish-*
23 *ment of a national or international criminal tribunal*
24 *for the prosecution of Ieng Sary and to provide that*
25 *tribunal with any information available on Ieng*

1 *Sary's alleged involvement in the Cambodian geno-*
2 *cide;*

3 *(3) the Secretary of State should closely monitor*
4 *preparations for upcoming Cambodian elections in*
5 *1997 and 1998 to ensure that those elections are held*
6 *in a free and fair manner in compliance with inter-*
7 *national standards, and toward that end should at-*
8 *tempt to secure the agreement of the RGC to full and*
9 *unhindered participation of international observers*
10 *for those elections;*

11 *(4) the Secretary of State should support the*
12 *continuation of human rights monitoring in Cam-*
13 *bodia by the United Nations, including monitoring*
14 *through the office of the United Nations Center for*
15 *Human Rights in Phnom Penh and monitoring by*
16 *the Special Representative of the United Nations Sec-*
17 *retary General for Human Rights in Cambodia; and*

18 *(5) the Secretary of State should encourage Cam-*
19 *bodia's other donors and trading partners to raise*
20 *concerns with the RGC over Cambodia's record on*
21 *human rights, the environment, narcotics trafficking*
22 *and governmental conduct.*

Amend the title so as to read: "A resolution express-
ing the sense of the Senate that enforcement of the Cam-
bodian Genocide Justice Act, improvements in Cam-
bodia's record on human rights, the environment, narcot-

ics trafficking and the Royal Government of Cambodia's conduct should be among the primary objectives of the United States in its relations with Cambodia.”.