

14. The situation in Cambodia

Decision of 8 March 1993 (3181st meeting): resolution 810 (1993)

On 13 February 1993, pursuant to resolution 792 (1992) of 30 November 1992, the Secretary-General submitted to the Security Council a report¹ on the implementation of that resolution and on measures necessary to ensure the realization of the fundamental objectives of the Paris Agreements on Cambodia. The Secretary-General reported that on 28 January 1993, the Supreme National Council (SNC) had met in Beijing under the chairmanship of Prince Sihanouk and had agreed that elections for the constituent assembly be held from 23 to 25 May 1993. In addition, the SNC had discussed the possibility of issuing a declaration denouncing all acts of violence, urging self-restraint on the Cambodian parties and calling for an end to violence directed against the United Nations Transitional Authority in Cambodia (UNTAC). Despite the objection of the Party of Democratic Kampuchea's (PDK) to such a declaration, Prince Sihanouk had issued a statement² in his own name and on behalf of three³ of the four parties. He had also announced that he would not advance his candidacy for the presidential elections until a new constitution, which would lay down the modalities for the election of the head of State and the related term of office and powers, was adopted. The SNC had met again, on 10 February 1993, and had adopted a moratorium on the export of minerals and gems from Cambodia in accordance with resolution 792 (1992). It had further decided to consider adopting limits on the export of sawn timber in order to protect Cambodia's natural resources.

The Secretary-General noted that, despite the fact that progress had been made in implementing resolution 792 (1992), the response of some Cambodian parties had not been satisfactory. The Party of the State of Cambodia (SOC) had offered substantial cooperation to

1 S/25289. The report should be read in conjunction with the third progress report of the Secretary-General on UNTAC (S/25124).

2 See Annex I of the report of the Secretary-General of 13 February 1993.

3 Khmer People's National Liberation Front (KPNLF-BLDP), Front uni national pour un Cambodge independent, neuter, pacifique et cooperatif (FUNCINPEC) and Party of the State of Cambodia (SOC).

UNTAC but recently there had been serious difficulties relating to the maintenance of law and order in the areas under its control. The Cambodian People's Armed Forces (CPAF) had also launched military attacks against the National Army of Democratic Kampuchea (NADK) which went beyond its right of self-defence. As for PDK, by failing to admit UNTAC to its zones and to register for the elections, it had again refused to avail itself of the many opportunities offered to it by UNTAC and the international community to rejoin the peace process. At the same time, it was important to resist any pressure to exclude PDK representatives from the SNC. The Secretary-General was convinced that the framework of the Paris Agreements still offered the best hope for a solution to the problems of Cambodia and for the promotion of national reconciliation. He also stressed that the primary responsibility for the implementation of the Paris Agreements rested with the Cambodian signatories and that the future stability and well-being of the country depended on the Cambodians themselves. Referring to the Declaration of 28 January 1993⁴ issued by Prince Sihanouk, he suggested that the Council might issue a similar call, broadening the demand contained in paragraph 17 of its resolution 792 (1992) and further appeal to the three parties, which had aligned themselves with the Declaration, to continue their close cooperation with UNTAC and to prevent or punish acts of violence, particularly those politically motivated.

The Secretary-General concluded by saying that it was imperative for UNTAC to maintain the momentum towards the holding of the constituent assembly elections as scheduled. Meanwhile, he had instructed his Special Representative to assess post-election security requirements and would, in due course, present appropriate recommendations to the Council.

At its 3181st meeting, on 8 March 1993, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the President (New Zealand) drew the attention of the members of the Council to the text of a draft resolution⁵

⁴ See Report of the Secretary-General dated 13 February 1993, Annex I.

⁵ S/25376.

prepared in the course of the Council's prior consultations. He also drew their attention to other documents⁶.

Speaking before the vote, the representative of France stated that the draft resolution focused primarily on the elections in Cambodia, which constituted the cornerstone of the peace process and one of the central purposes of the Paris Agreements, which created the most ambitious United Nations operation in history. It was therefore essential, at that stage of the process, for the Security Council to take a unanimous decision. In his view, the draft resolution would send a clear political signal to all the Cambodian parties that violence would not be tolerated and that they had no other choice but to respect the rules of democracy. The Security Council would endorse the outcome of the elections, provided they were certified free and fair by the United Nations. It would also continue to lend its support to the elected constituent assembly and to the process of drafting a constitution and establishing a new Government for Cambodia. Contending that the Cambodians themselves bore the responsibility to restore peace and stability in their own country, he appealed to the people and the leaders of the Cambodian parties to exercise tolerance, moderation and political maturity so that the elections could take place in a neutral political climate.⁷

The representative of China recalled that the Paris Agreements constituted the foundation for a comprehensive settlement of the Cambodian question. Difficulties and differences arising from their implementation should be resolved by the joint efforts of the parties concerned, through consultation and dialogue. It was regrettable, however, as pointed out by the Secretary-General in his report, that politically motivated violence had been occurring continuously and that a neutral political environment, a key factor in ensuring free and fair elections in the country, had yet to be established.⁸

The draft resolution was thereupon put to the vote and was adopted unanimously as resolution 810 (1993), which reads as follows:

6 Letter dated 20 January 1993 from the representative of Singapore, addressed to the President of the Security Council (S/25133); letter dated 4 March 1993 from the representative of Viet Nam, addressed to the Secretary-General (S/25366).

7 S/PV.3181, pp. 3-5

8 Ibid., pp.8-10.

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990 and 745 (1992) of 28 February 1992 and other relevant resolutions,

Taking note of the report of the Secretary-General of 13 February 1993,

Paying tribute to His Royal Highness Prince Norodom Sihanouk, Chairman of the Supreme National Council, for his continuing efforts to restore peace and national unity in Cambodia,

Recalling that under the agreements on a comprehensive political settlement to the Cambodia conflict signed in Paris on 23 October 1991 the Cambodian people have the right to determine their own political future through the free and fair election of a constituent assembly, which will draft and approve a new Cambodian constitution and transform itself into a legislative assembly, which will create the new Cambodian government,

Welcoming the achievements of the Secretary-General and the United Nations Transitional Authority in Cambodia in the implementation of the Paris agreements, in particular regarding voter registration and refugee repatriation, and reaffirming its continuing support for the activities of the Authority,

Welcoming the decision taken by the Supreme National Council at its meeting on 10 February 1993 to adopt a moratorium on the export of minerals and gems and to consider limits on the export of sawn timber from Cambodia in order to protect Cambodia's natural resources,

Deploring the violations of the cease-fire by the Party of Democratic Kampuchea and the Party of the State of Cambodia,

Concerned by the increasing number of acts of violence perpetrated on political grounds, in particular in areas under the control of the Party of the State of Cambodia, and on ethnic grounds, and by the negative implications of such acts for the implementation of the Paris agreements,

Underlining the importance of measures by the Authority in order to ensure a neutral political environment in Cambodia,

Condemning attacks, threats and intimidation against the Authority, in particular the recent detention of Authority personnel,

Deploring the failure of the Party of Democratic Kampuchea to meet its obligations under the Paris agreements, notably as regards unrestricted access by the Authority to the areas under its control and as regards the application of phase II of the cease-fire, and urging the party concerned to join fully in the implementation of the Paris agreements,

Expressing strong concern at recent reports by the Authority of a small number of foreign military personnel serving with the armed forces of the Party of the State of Cambodia in violation of the Paris agreements, calling on all parties to cooperate fully with Authority investigations of reports of foreign forces within the territory under their control, and emphasizing the importance of the immediate removal of all foreign forces, advisers and military personnel from Cambodia,

1. *Approves* the report of the Secretary-General of 13 February 1993;
2. *Endorses* the decision by the Supreme National Council that the elections for the constituent assembly shall be held from 23 to 27 May 1993;
3. *Underlines* the crucial importance of national reconciliation for the attainment of lasting peace and stability in Cambodia;
4. *Urges* all Cambodian parties to cooperate fully with the United Nations Transitional Authority in Cambodia in the preparation and holding of the elections for the constituent assembly;
5. *Expresses its satisfaction* at the extent of voter registration;
6. *Calls on* the Authority to continue to make every effort to create and maintain a neutral political environment conducive to the holding of free and fair elections, and requests the Secretary-General to inform the Security Council by 15 May 1993 of the conditions and preparations for the election;

7. *Urges* all Cambodian parties to help create in the minds of their followers tolerance for peaceful political competition and to ensure adherence to the code of conduct during the forthcoming political campaign;

8. *Urges in particular* all Cambodian parties to take all necessary measures to ensure freedom of speech, assembly and movement, as well as fair access to the media, including the press, television and radio, for all registered political parties during the electoral campaign starting on 7 April 1993, and to take all necessary steps to reassure the Cambodian people that the balloting for the election will be secret;

9. *Demands* that all Cambodian parties take the necessary measures to put an end to all acts of violence and to all threats and intimidation committed on political or ethnic grounds, and urges all those parties to cooperate with the Authority's Special Prosecutor's Office in investigations of such acts;

10. *Expresses its full confidence* in the ability of the Authority to conduct an election that is free and fair and its readiness to endorse the results of the election provided that the United Nations certifies it free and fair;

11. *Calls on* all Cambodian parties to abide by their commitment under the agreements on a comprehensive political settlement to the Cambodia conflict signed in Paris on 23 October 1991 to respect those results;

12. *Recognizes* that the Cambodians themselves bear primary responsibility for the implementation of the Paris agreements and for the future stability and well-being of Cambodia;

13. *Recognizes in particular* that the Cambodians have the responsibility, after the election for the constituent assembly, to agree on a constitution and to create a government within three months, and emphasizes the importance of completing that task on time;

14. *Expresses its readiness* to support fully the constituent assembly and the process of drawing up a constitution and establishing a new government for all Cambodia;

15. *Takes note* of the remarks of the Secretary-General in paragraph 44 of his report concerning the security situation in Cambodia during the period between the election for the constituent assembly and

the end of the mandate of the Authority upon the creation of a government, and welcomes his intention to submit recommendations in that connection;

16. *Commends* the decision of the Supreme National Council at its meeting on 10 February 1993 to adopt measures for the protection of Cambodia's natural resources, and supports steps taken by the Technical Advisory Committee on Management and Sustainable Exploitation of Natural Resources to implement these decisions;

17. *Reiterates its demand* that all parties honour in full their obligations under the Paris agreements, in particular to desist from all offensive military activity;

18. *Demands* that all parties take all action necessary to safeguard the lives and the security of Authority personnel throughout Cambodia, and desist from all threats or intimidation against Authority personnel and from any interference with them in the performance of their mandate;

19. *Requests* the Secretary-General to report to the Council in the context of his fourth progress report in April 1993 on the implementation of the present resolution and on any further measures that may be necessary and appropriate to ensure the realization of the fundamental objectives of the Paris agreements;

20. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of the United States stated that the resolution just adopted marked another milestone towards achieving the major goal of the Paris Agreements. She noted, however, that the holding of elections would be only one step towards the ultimate goal of creating a peaceful, democratic Cambodia. For elections to be successful and national reconciliation to occur, all the Cambodian parties must be prepared to respect the results. In voting for the resolution, the United States was committing itself to support the elected Government as the sole legitimate authority for Cambodia.⁹

⁹ Ibid., pp. 11-12

Decision of 5 April 1993 (3193rd meeting): statement by the President

At the Council's 3193rd meeting on 5 April 1993, the President (Pakistan) said that, after consultations among the members of the Council, he had been authorized to make the following statement¹⁰ on behalf of the Council:

“The Security Council strongly condemns all attacks on the United Nations Transitional Authority in Cambodia (UNTAC), particularly the recent attacks which have resulted in the death of two Bangladeshi members of UNTAC and the cowardly assassination of three members of the Bulgarian contingent of UNTAC on 2 April 1993.

“The Council expresses its strong support for UNTAC in carrying out its mandate within the framework of the Paris agreements. It demands that all hostile acts against UNTAC cease immediately and that all parties take measures to safeguard the lives and the security of UNTAC personnel.

“It expresses its condolences to the Governments of Bangladesh and Bulgaria and to the families of the victims; it pays tribute to the latter for their courage and dedication. It requests the Secretary-General to report urgently to the Council on the circumstances of these murderous acts and the responsibility for them.

“The Council also expresses its determination that the elections for the constituent assembly should be held on the dates decided by the Supreme National Council and endorsed by the Security Council in its resolution 810 (1993). In this respect, the Council stresses the importance of ensuring a neutral political environment in Cambodia, as well as the cessation of acts of violence and of all threats and intimidation committed on political or ethnic grounds.”

Decision of 20 May 1993 (3213th meeting): resolution 826 (1993)

On 3 May 1993, pursuant to resolution 745 (1992), the Secretary-General submitted to the Security Council a fourth progress report¹¹ on UNTAC. He reported that it had not proven possible to implement fully all aspects of the Paris Agreements in accordance with

¹⁰ S/25530.

¹¹ S/25719.

the implementation plan he had submitted to the Council in February 1992¹². The non-cooperation of the PDK had persisted and all efforts by the Security Council, by UNTAC and by others, to persuade PDK to assume its responsibilities under the Agreements, had been to no avail. In addition, PDK's refusal to open its zones to UNTAC and to canton and disarm its troops had led to the suspension of the demobilization of the armed forces of the other three factions. The SOC and the CPAF had also taken part in politically motivated attacks against opposition parties in order to intimidate them. Moreover, the massacres of Vietnamese-speaking persons and deliberate attacks on UNTAC members reflected the growing hostility of PDK to the peace process and to the elections. Although cease-fire violations were generally on a small scale and UNTAC had achieved some successes in reducing political violence, it appeared that the elections would not be taking place in an environment as disarmed and politically neutral as had been envisaged in the Paris Agreements and in the implementation plan. At the same time, however, Cambodians were strongly committed to the electoral process. About 96 per cent of the eligible population had registered to vote and twenty political parties had completed the formalities for registration to compete in the elections. The three Cambodian parties cooperating with UNTAC had also pledged to accept the election results and preparations for the conduct of the elections were well under way. Despite imperfect conditions and taking into account all circumstances, the Secretary-General saw no reason to hold back an election which was not the end, but rather the beginning of the process of Cambodia's renewal.

On 15 May 1993, pursuant to resolution 810 (1993), the Secretary-General submitted to the Council a report¹³ in which he described the conditions and the preparations for the holding of elections in Cambodia. The Secretary-General informed the Council that technical preparations had been virtually completed. At the meeting of the Supreme National Council held on 21 April 1993, his Special Representative had expressed the view that the freeness and fairness of the elections would be judged in accordance with three main criteria: the extent to which the campaign and voting were marred by violence; intimidation and harassment; the extent to which SOC, which controlled the largest zones and had the most extensive

¹² See S/23613.

¹³ S/25784.

administrative structure, enjoyed unfair advantages; and the technical conduct of the poll. The Secretary-General also reported on the security plans which UNTAC had further refined and elaborated in the light of PDK's repeatedly expressed intention to oppose the elections, including by violent means. Under those plans, no polling would be conducted in PDK-controlled areas or areas to which UNTAC had been denied access. Other parts of the country had been designated as high, medium, and low-risk zones, with different levels of security measures. In high-risk zones, armed UNTAC military personnel would be stationed at and around polling stations. Quick Reaction Forces and medical support units had also been identified for those areas. He was also giving "urgent and close consideration" to a request by the three Cambodian factions supporting the elections for the return of weapons they had placed under UNTAC control, based on the fact that they held primary responsibility for the maintenance of security in the zones under their control.

The Secretary-General noted that despite the meticulous preparations by UNTAC, the conditions for the elections had fallen short of those envisioned by the Paris Agreements, owing to PDK's progressive withdrawal from the peace process, starting with not complying with the military provisions of the Agreements and moving to boycotting the elections and then disrupting them through violence. Regrettably, SOC had also contributed, although to a lesser extent, towards the climate of violence by resorting to intimidation of other political parties. Moreover, it had not responded satisfactorily to UNTAC's efforts to prevent the use of its administrative structure for political purposes. Nevertheless, the Secretary-General had directed that the elections be held as scheduled, according to the will and intent of the Security Council and of the vast majority of the Cambodian people.

At its 3213th meeting, on 20 May 1993, the Security Council included the two reports of the Secretary-General in its agenda. Following the adoption of the agenda, the President (Russian Federation) drew the attention of the members of the Council to the text of a draft resolution¹⁴ prepared in the course of the Council's prior consultations, and read out a revision

¹⁴ S/25803.

made to the draft resolution in its provisional form. He also drew their attention to several other documents¹⁵.

The draft resolution, as orally revised, was thereupon put to the vote and adopted unanimously as resolution 826 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 745 (1992) of 28 February 1992, 810 (1993) of 8 March 1993 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 3 May 1993 and 15 May 1993,

Expressing its strong support for the almost five million Cambodians who, in spite of violence and intimidation, have registered to vote in the election of a constituent assembly, and have broadly and actively participated in the electoral campaign,

Recognizing the great importance of His Royal Highness Prince Norodom Sihanouk, Chairman of the Supreme National Council, continuing his invaluable efforts in Cambodia to achieve national reconciliation and restore peace,

1. *Approves* the reports of the Secretary-General of 3 May 1993 and 15 May 1993;
2. *Expresses its satisfaction* with the arrangements made by the United Nations for the conduct of the election for the constituent assembly in Cambodia described in the report of the Secretary-General of 15 May 1993;
3. *Demands* that all the parties abide by the agreements on a comprehensive political settlement to the Cambodia conflict signed in Paris on 23 October 1991 and give the United Nations Transitional Authority in Cambodia the full cooperation required under them;

¹⁵ Letter dated 7 April 1993 from the representative of Denmark, addressed to the Secretary-General (S/25563); letter dated 23 April 1993 from the representatives of France and Indonesia, addressed to the Secretary-General (S/25658); letter dated 26 April 1993 from the Secretary-General, addressed to the President of the Security Council (S/25669); letter dated 18 May 1993 from the representative of Singapore, addressed to the Secretary-General (S/25794).

4. *Commends* those participating in the election campaign in accordance with the Paris agreements despite the violence and intimidation in order that the Cambodian people may have an opportunity to choose freely their own government;

5. *Deplores* all acts of non-cooperation with the Paris agreements and condemns all acts of violence committed on political and ethnic grounds, intimidation and attacks on Authority personnel;

6. *Expresses its full support* for the measures taken by the Authority to protect the safety of its personnel and underlines the need for the Authority to continue its efforts in this regard;

7. *Demands* that all parties take all actions necessary to safeguard the lives and the security of Authority personnel throughout Cambodia, and desist from all threats or intimidation against Authority personnel and from any interference with them in the performance of their mandate;

8. *Expresses its appreciation* for the positive efforts and the achievements of the Authority in preparation for the election, in respect both of the registration of candidates and parties and of the holding of the electoral campaign, albeit under difficult conditions;

9. *Fully supports* the decision of the Secretary-General that the election be held as scheduled in accordance with the decision of the Supreme National Council endorsed by the Security Council in its resolution 810 (1993);

10. *Calls on* the Authority to continue to work in accordance with resolution 810 (1993) to ensure a neutral political environment conducive to the holding of free and fair elections;

11. *Reaffirms* its determination to endorse the results of the election for the constituent assembly provided that the United Nations certifies it free and fair;

12. *Reminds* all the Cambodian parties of their obligation under the Paris agreements fully to comply with the results of the election;

13. *Warns* that the Council will respond appropriately should any of the parties fail to honour its obligations;

14. *Reaffirms* its readiness to support fully the constituent assembly and the process of drawing up a constitution and establishing a new government for all Cambodia and to support subsequent efforts to promote national reconciliation and peace- building;

15. *Recognizes* that the Cambodians themselves bear primary responsibility for the implementation of the Paris agreements and for the political future and well-being of their own country, and reaffirms that all Cambodian parties are expected to honour their obligations under the Paris agreements and participate constructively and peacefully in the political process after the elections;

16. *Requests* the Secretary-General to report promptly to the Council on the holding and results of the elections, including on the conduct of the parties as regards their obligations under the Paris agreements and, if necessary, to recommend any initiative and/or measures conducive to ensuring their full respect by all parties;

17. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representatives of the United States, France, the United Kingdom and the Russian Federation stated that it was important for the Council to reaffirm its commitment to bring peace and democracy to Cambodia by endorsing the results of the elections, provided that they were certified free and fair by the United Nations. They also

warned that, should any party try to interfere or overturn the outcome of the elections in Cambodia, the Security Council stood ready to take appropriate measures against those who endeavoured to do so.¹⁶

The representative of China noted that the entire international community was concerned with the issue of how to maintain peace in Cambodia after its constituent assembly elections. His country neither wished to see the flames of war rekindled in Cambodia nor supported any party in resorting to force. It stood for the realization of genuine reconciliation, embodying all the Cambodian parties, so that Cambodia would embark on the road of building up an independent, sovereign, unified, peaceful and neutral State.¹⁷

Decision of 22 May 1993 (3214th meeting): statement by the President

At the Council's 3214th meeting, on 22 May 1993, the President (Russian Federation) said that, after consultations among the members of the Council, he had been authorized to make the following statement¹⁸ on behalf of the Council:

"The Security Council strongly condemns the shelling on 21 May 1993 of the United Nations Transitional Authority in Cambodia (UNTAC), during which the Chinese engineering detachment suffered two deaths and seven wounded. It expresses its condolences to the Chinese Government and to the families of the victims; it pays tribute to the latter for their courage and dedication.

"The Council takes note of the preliminary report by the Secretariat indicating that the shelling was carried out by the National Army of Democratic Kampuchea. It requests the Secretary-General to investigate further and to report urgently to the Council.

"The Council expresses its strong support for UNTAC in carrying out its mandate within the framework of the Paris Agreements. It strongly condemns all attacks against UNTAC

16 S/PV. 3213, United States, pp. 7-9; France, pp. 9-11; United Kingdom, pp. 12-13; and the Russian Federation, pp. 27-29.

17 Ibid., pp. 11-12.

18 S/25822.

and demands that those responsible cease forthwith all hostile acts against UNTAC and take immediate measures to safeguard the lives and the security of UNTAC personnel.

"The Council recalls the warning contained in its resolution 826 (1993) of 20 May 1993 that it would respond appropriately should any of the parties fail to honour its obligations. It further warns that it will not countenance the use of violence to interfere with or overturn the democratic process in Cambodia and will take further appropriate measures against any of the parties failing to honour its obligations.

"The Council also expresses its determination that the election for the constituent assembly should be held on the dates decided by the Supreme National Council and endorsed by the Security Council in its resolution 810 (1993) and reaffirms its commitment to resolution 826 (1993). The Council calls upon the Cambodian people fully to exercise their right to vote in the forthcoming elections. In this respect, the Council stresses the importance of ensuring the cessation of acts of violence and of all threats and intimidation, as well as of ensuring a neutral political environment in Cambodia."

Decision of 2 June 1993 (3227th meeting): resolution 835 (1993)

At its 3227th meeting, on 2 June 1993, the Security Council resumed consideration of the item entitled "The situation in Cambodia". After the adoption of the agenda, the President (Spain) drew the attention of the members of the Council to the text of a draft resolution¹⁹ prepared in the course of prior consultations. He also drew their attention to a letter²⁰ dated 2 June 1993 from the Secretary-General, addressed to the President of the Security Council, transmitting the text of a statement made by his Special Representative for Cambodia, at a meeting of the SNC, on 29 May 1993, after the conclusion of the elections. In that statement, the Special Representative had declared that the conduct of the elections had been free and fair.

The draft resolution was thereupon put to the vote and was adopted unanimously as resolution 835 (1993), which reads as follows:

¹⁹ S/25876.

²⁰ S/25879.

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 745 (1992) of 28 February 1992, 810 (1993) of 8 March 1993, 826 (1993) of 20 May 1993 and other relevant resolutions,

Expressing its appreciation to the United Nations Transitional Authority in Cambodia and especially to the Special Representative of the Secretary-General, Yasushi Akashi, for their courage, dedication and perseverance in providing the necessary support for the electoral process despite hardships and difficulties,

Paying tribute to the leadership and continuing role of His Royal Highness Prince Norodom Sihanouk, Chairman of the Supreme National Council,

Noting with satisfaction the overwhelming number of Cambodians who demonstrated their patriotism and sense of responsibility in exercising their right to vote,

Endorsing the declaration of the Special Representative of the Secretary-General for Cambodia to the Supreme National Council of 29 May 1993 that the conduct of the election had been free and fair,

1. *Salutes* the members of the United Nations Transitional Authority in Cambodia, particularly those who gave their lives in order to make possible this extraordinary demonstration by the Cambodian people;

2. *Invites* the Secretary-General to make his report on the election available as soon as possible;

3. *Expresses its intention*, following certification of the election, to support fully the duly-elected constituent assembly in its work of drawing up a constitution, according to the principles laid down in annex 5 to the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict signed in Paris on 23 October 1991, and establishing a new government for all Cambodia;

4. *Calls upon* all parties to stand by their obligation to respect fully the results of the elections and urges them to do all in their power to bring about the peaceful establishment of a democratic government in accordance with the terms of the new constitution;

5. *Urges* the international community to contribute actively to the reconstruction and rehabilitation of Cambodia;

6. *Decides* to remain actively seized of the matter

Speaking after the vote, most speakers called the elections a great victory for the Cambodian people and for democracy, and an astonishing achievement for the United Nations. They urged all Cambodian parties to respect the outcome of the elections.²¹

Decision of 8 June 1993 (3230th meeting): statement by the President

At the Council's 3230th meeting on 8 June 1993, the President (Spain) said that, after consultations among the members of the Council, he had been authorized to make the following statement²² on behalf of the Council:

"The Security Council strongly condemns the armed attack against a Pakistani platoon and another against a Malaysian platoon of the United Nations Transitional Authority in Cambodia (UNTAC), both on 7 June 1993. In the first incident, two Pakistani personnel were injured, one of them seriously; in the second, three Malaysian Personnel were injured, one of them seriously.

"The Council takes note of the Secretariat's preliminary report that the first attack was launched against the Pakistani compound by the National Army of Democratic Kampuchea; the identity of the attackers in the second incident has not yet been determined. It requests the Secretary-General to investigate further and to report urgently to the Council.

"The Council demands that those responsible for the attacks cease

21 S/PV. 3227, United States, p. 3; France, pp. 4-6; Japan, pp. 6-7; Pakistan, pp.7-8; New Zealand, pp. 11-12; Russian Federation, pp. 12-13; and United Kingdom, pp. 13-15.

22 S/25896.

immediately all attacks against UNTAC and reiterates its warning that it will take appropriate measures against those who are threatening the safety and security of UNTAC personnel and are trying to overturn the democratic process in Cambodia through violence."

Decision of 15 June 1993 (3237th meeting): resolution 840 (1993)

On 10 June 1993, pursuant to resolutions 826 (1993) and 835 (1993), the Secretary-General submitted to the Security Council a report²³ on the conduct and results of the elections in Cambodia. The Secretary-General reported that they had been held as scheduled, from 23 to 28 May 1993, in all 21 provinces in Cambodia, and that the polling had been generally peaceful, despite a few scattered incidents of violence. Voter turnout had been impressive with 89.56 per cent of registered voters taking part.. At a meeting of the SNC, convened on 29 May 1993 to review the polling process, his Special Representative had declared that, in view of the very high turnout throughout the country, the absence of violence during the polling, the success of the technical conduct of the poll and the calm and peaceful atmosphere throughout the polling period, the conduct of the poll had been free and fair. The counting of the ballots, which had begun on 29 May 1993 had been completed.²⁴ Accordingly, the Secretary-General had authorized his Special Representative to issue a statement²⁵ declaring that the elections as a whole had been free and fair. Urging all parties to respect and accept the results and to resolve any disputes they might have through the agreed channels, the Secretary-General stated that UNTAC would give the constituent assembly full support in the process of drawing up a constitution and establishing a new Government for all Cambodia. He was also confident that the international community would continue to support efforts to promote national reconciliation and peace-building.

At its 3237th meeting, on 15 June 1993, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the President (Spain) drew

²³ S/25913.

²⁴ The number and percentage of votes won by the parties are reproduced in annex I to the report.

²⁵ See Annex II to the report of the Secretary General of 10 June 1993.

the attention of the members of the Council to the text of a draft resolution²⁶ submitted by China, France, Japan, the Russian Federation, the United Kingdom and the United States, and read out some revisions made to the draft in its provisional form. He also drew their attention to a letter²⁷ dated 11 June 1993 from the representative of Denmark, addressed to the Secretary-General, transmitting the text of a statement issued by the European Community and its Member States on the Cambodian elections.

The draft resolution, as orally revised, was thereupon put to the vote and was adopted unanimously as resolution 840 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 745 (1992) of 28 February 1992, 810 (1993) of 8 March 1993, 826 (1993) of 20 May 1993, 835 (1993) of 2 June 1993 and other relevant resolutions,

Taking note of the report of the Secretary-General of 10 June 1993, and in particular the statement contained therein concerning the election that took place in Cambodia from 23 to 28 May 1993,

Paying tribute to the leadership and continuing role of His Royal Highness Prince Norodom Sihanouk, Chairman of the Supreme National Council, in bringing about national reconciliation and restoring peace in Cambodia,

Expressing its appreciation to the United Nations Transitional Authority in Cambodia and especially to the Special Representative of the Secretary-General for the smoothness of the electoral process,

Reaffirming the national unity, territorial integrity and inviolability and independence of Cambodia,

26 S/25931.

27 S/25940.

Welcoming the fact that on 14 June 1993 the newly elected constituent assembly held its first meeting,

1. *Approves* the report of the Secretary-General;
2. *Endorses* the results of the election, which has been certified free and fair by the United Nations;
3. *Calls upon* all parties to stand by their obligation to respect fully the results of the election and to cooperate in securing a peaceful transition and welcomes, in this context, the efforts of His Royal Highness Prince Norodom Sihanouk to achieve national reconciliation and his leadership and continuing role in maintaining stability and in promoting cooperation among Cambodians by appropriate means;
4. *Fully supports* the newly elected constituent assembly which has begun its work of drawing up and approving a constitution according to the principles laid down in annex 5 to the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict contained in the agreements signed in Paris on 23 October 1991, and will subsequently transform itself into a legislative assembly, which will establish a new government for all Cambodia;
5. *Emphasizes* the necessity to complete this work and to establish a new government for all Cambodia as soon as possible and within the time allotted by the Paris agreements;
6. *Requests* the United Nations Transitional Authority in Cambodia to continue to play its role in conjunction with the Supreme National Council during the transitional period in accordance with the Paris agreements;
7. *Also requests* the Secretary-General to report to the Security Council by the middle of July, including his recommendations on the possible role the United Nations and its agencies might play after the end of the mandate of the Authority according to the Paris agreements;
8. *Urges* all States and relevant international organizations to contribute actively to the reconstruction and rehabilitation of Cambodia;
9. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of France said that, in voting for the resolution, his country had intended to emphasize its support for the statement of the Special Representative for Cambodia as to the free and fair nature of the elections. The last stage of the peace process remained to be carried out with the leading role of the United Nations. He stressed the need for a coalition plan to expedite pending matters while the Constituent Assembly drafted the constitution.²⁸

The representative of Russia saw the elections in Cambodia as an important factor for peace and stability not only in that country, but in the whole South-East Asia. He contended that the necessary concrete preconditions for achieving the main goal of the Paris Agreements were in place: the restoration of peace on the basis of national reconciliation and the formation of a new Cambodia – a sovereign, independent, neutral and territorial integral State that respected human rights and maintained good-neighbourly relations with all countries of the world.²⁹

Decision of 16 July 1993: letter from the President of the Security Council addressed to the Secretary-General

By a letter³⁰ dated 14 July 1993, addressed to the President of the Security Council, the Secretary-General stated that the success of the elections in Cambodia marked the beginning of a particularly delicate phase in the country's transition from conflict to peace and democracy. After careful consideration, he had concluded, on the recommendation of his Special Representative for Cambodia and in consultation with a number of concerned Governments, that urgent measures must be taken to enable UNTAC to provide, for the remainder of the transitional period, and in consultation with the Cambodian authorities, emergency financial assistance for the restructuring and adjustment of the administrative, police and military structures of the Interim Joint Administration. His Special Representative had advised that the

28 S/PV.3237, pp. 4-5.

29 Ibid., pp. 11-12.

30 S/26095.

amount of funding required to achieve the objectives for the remainder of the transitional period would be \$20 million. It was the Secretary-General's view that such a step was fully consistent with the uniquely broad mandate which UNTAC had been given by the Council to help implement the Paris Agreements.

By a letter³¹ dated 16 July 1993, the President of the Security Council informed the Secretary-General that the members of the Council had considered his letter of 14 July concerning Cambodia and they agreed with the views contained therein.

Decision of 26 July 1993: letter from the President of the Security Council addressed to the Secretary-General

On 16 July 1993, pursuant to resolution 840 (1993), the Secretary-General submitted to the Council a report³² in which he outlined the plan³³ for the withdrawal of UNTAC, to be completed by 15 November 1993, and described the possible role of the United Nations after the end of UNTAC's mandate.

The Secretary-General noted that Cambodia still faced enormous problems of security, stability, mine clearance, infrastructure improvement and general economic and social development. Moreover, despite the positive developments of the last few weeks, the political-military situation remained fragile and the task before the new Government could be expected to be difficult and challenging. Clearly, Cambodia would require continued international assistance and support. He indicated, in that regard, that various programmes and agencies of the United Nations system, as well as international financial institutions, would be prepared, in consultation with the Cambodian Government, to continue to play their traditional role in rehabilitation, reconstruction, development and humanitarian assistance. In addition, a continued human rights presence had been mandated both under the Paris Agreements and by a

31 S/26096.

32 S/26090.

33 See para. 9 to 33 of the report of the Secretary-General dated 16 July 1993. See also Chapter V of the present Supplement.

decision of the Commission on Human Rights. The United Nations could also undertake mine clearance which would continue to be a major need for years to come.

The Secretary-General also addressed the question of maintaining a United Nations military presence. He said that should the Cambodian Government request the stationing of a small number of United Nations Military Observers in the country for a limited period as a confidence-building measure and to monitor and report on the security of its borders, the Council would without any doubt consider such a request at the appropriate time.

By a letter³⁴ dated 26 July 1993, the President of the Security Council informed the Secretary-General that the members of the Council had considered his report and they endorsed the overall concept and arrangements contained in paragraphs 9 to 33 of the report concerning the withdrawal of UNTAC. They would continue their consideration of the remainder of the report.

Decision of 27 August 1993 (3270th meeting): resolution 860 (1993)

On 26 August 1993, pursuant to resolution 840 (1993), the Secretary-General submitted a further report³⁵ to the Council in which he described new developments in Cambodia as well as UNTAC's withdrawal and preparations for the post-UNTAC period.

The Secretary-General noted that post-election developments had been encouraging. The Constituent Assembly was about to adopt the new Constitution and establish the new Government. In view of the need to allow sufficient time for the approval of the Constitution and the emergence of the new Government, he recommended that the mandate of UNTAC be extended until 15 September 1993. Concerning the suggestion that the United Nations should maintain a small military presence in Cambodia following the withdrawal of UNTAC, he had decided not to recommend, at that stage, the retention of United Nations military personnel in Cambodia after UNTAC's departure, but to concentrate the resources available on civilian

34 S/26150.

35 S/26360.

activities in support of peace-building. Should the new Government request a post-UNTAC military presence, with a clear indication of its mandate, he would, however, be ready to submit a report to the Security Council on the feasibility of the tasks proposed and the resources that would be required to carry them out.

The Secretary-General reiterated his intention to establish an integrated office in Phnom Penh to be headed by a United Nations Representative who would coordinate, in close consultation with the Cambodian Government, the full range of civilian activities to be undertaken by various agencies of the United Nations system. In addition, the Office would deal with a number of residual issues arising from the Paris Agreements and UNTAC's presence in the country.

At its 3270th meeting, on 27 August 1993, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the President (United States) drew the attention of the members of the Council to the text of a draft resolution³⁶ prepared in the course of prior consultations.

The draft resolution was thereupon put to vote and adopted unanimously as resolution 860 (1993), which reads as follows:

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 745 (1992) of 28 February 1992, 840 (1993) of 15 June 1993 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 16 July 1993²⁰ and 26 August 1993,

Paying tribute to the continuing role of His Royal Highness Prince Norodom Sihanouk in achieving peace, stability and genuine national reconciliation for all Cambodia,

³⁶ S/26362.

Recalling that, according to the agreements on a comprehensive political settlement to the Cambodian conflict signed in Paris on 23 October 1991, the transitional period shall terminate when the Constituent Assembly elected through free and fair elections, organized and certified by the United Nations, has approved the constitution and transformed itself into legislative assembly, and thereafter a new government has been created,

Noting the expressed wish of the Cambodian interim joint administration to maintain the mandate of the United Nations Transitional Authority in Cambodia until the establishment of a new government in Cambodia as conveyed by the Secretariat,

1. *Welcomes* the reports of the Secretary-General of 16 July 1993²⁰ and 26 August 1993, and approves the United Nations Transitional Authority in Cambodia withdrawal plan contained in the former;
2. *Fully supports* the Constituent Assembly in its work of drawing up and approving a constitution, and stresses the importance of completing this work in accordance with the agreements on a comprehensive political settlement to the Cambodian conflict signed in Paris on 23 October 1991;
3. *Confirms* that the functions of the Authority under the Paris agreements shall end upon the creation in September of a new government of Cambodia consistent with those agreements;
4. *Decides* that, in order to ensure a safe and an orderly withdrawal of the military component of the Authority, the period of such withdrawal shall end on 15 November 1993;
5. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of China said that, as a signatory to the Paris Agreements, his country had devoted its efforts to the comprehensive settlement of the issue before the Council. The ultimate solution, however, rested with the Cambodian people themselves. No outside forces should interfere in the internal affairs of Cambodia. As for the post-UNTAC United Nations activities in that country, that decision should be based on the provisions of the Agreements and the requests of the new national Government.³⁷

³⁷ S/PV.3270, pp. 3-4.

The representative of France said that the resolution just adopted, while purely technical in nature, clarified the conditions for completing the political role of the United Nations and of the maintenance, for practical reasons, of a residual military presence in Cambodia until 15 November 1993. Clearly, that country needed assistance. That would be the objective of the first meeting of the International Committee on the Reconstruction of Cambodia. The United Nations would also have a role to play, however that could only happen at the request of the new national Government. That would be the thrust of a future resolution, which at the same time would take stock of the United Nations accomplishments in Cambodia over the past 18 months.³⁸

The representative of the United Kingdom said that UNTAC's withdrawal did not mean that the United Nations and the international community could afford to turn its back on Cambodia, but the relationship would, in future, be of a different kind. First, it had to depend on the wishes of the new Government, and only thereafter on the Organization's decisions.³⁹

The representative of New Zealand stated that, although a new Cambodian Government was almost at hand, many aspects of the country's legacy of fighting and repression remained. Moreover, as noted by the Secretary-General in his last report, "massive reconstruction" was still required throughout the country. While the future of Cambodia lay in the hands of its people, the end of UNTAC did not mean the end of Cambodia's problems or of the United Nations involvement in that country. That issue must soon be addressed by the Council, in consultation with countries of the region. In that regard, New Zealand welcomed the initiative to convene a working group, which would include those countries, to begin work on a more comprehensive statement on the post-UNTAC United Nations presence.⁴⁰

The President, speaking in her capacity as representative of the United States, said that although UNTAC was on the verge of completing its mission, the international

38 Ibid., p. 5.

39 Ibid., pp. 6-7.

40 Ibid., pp. 7-8.

community's responsibility to assist Cambodia was far from over, and the Council still had an important role to play. Concerned countries would also have the opportunity to address Cambodia's many urgent needs for rehabilitation and reconstruction at the upcoming Paris meeting of the International Committee on Reconstruction of Cambodia.⁴¹

Decision of 5 October 1993 (3287th meeting): statement by the President

On 5 October 1993, pursuant to resolution 745 (1992), the Secretary-General submitted a further report⁴² to the Security Council in which he reported the formation, on 24 September, of the new Government of Cambodia, based on the will of the people expressed through free and fair elections organized and conducted by the United Nations. On the same date, Prince Sihanouk had promulgated the Constitution according to which Cambodia had become a constitutional monarchy, with the official name "The Kingdom of Cambodia", and an independent, sovereign, peaceful, neutral and non-aligned State. The Constitution also stipulated that the Kingdom of Cambodia should recognize and respect human rights, in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and all relevant international instruments. Accordingly, Prince Sihanouk was elected King. Subsequently, he appointed Prince Ranariddh as First Prime Minister and Hun Sen, as Second Prime Minister. The Secretary-General noted that UNTAC's mandate had been successfully concluded on 24 September 1993. Meanwhile, action was taken to establish a United Nations presence in the post-UNTAC period to carry out a variety of functions, including de-mining, economic rehabilitation and human rights, with a view to consolidating peace and stability in the country.

At its 3287th meeting, on 5 October 1993, the Security Council included the further report of the Secretary-General in its agenda. After the adoption of the agenda, the Council invited the representatives of Australia, Cambodia and Thailand, at their request, to participate in the discussion without the right to vote. The President (Brazil) then drew the attention of the

41 S/PV.3270, pp. 8-9.

42 S/26529.

members of the Council to a letter⁴³ dated 30 September 1993 from the representatives of China, France, the Russian Federation, the United Kingdom and the United States, addressed to the Secretary-General.

The representative of Cambodia stated that, in his opinion, three essential elements had contributed to the success of the United Nations operation: the commitment of the international community, the will of the Cambodians to work together with the United Nations and the will of the Cambodian parties to seek reconciliation. He pointed out that his country would have to face two issues. First, the internal security issue resulting from the presence of armed bands, and the Khmer Rouge, the latter needing to dismantle its army and administration in order to form a single national royal army and administration. Secondly, the national rehabilitation and reconstruction issue. Recalling that under the Paris Agreements, the international community had an obligation to assist Cambodia on those two issues, he called for a United Nations presence in Cambodia to reinforce the confidence of its people. De-mining operations must continue and the presence of 20 or more military observers for a period of six months would be required. He also called for a permanent centre to deal with human rights. Furthermore, his Government would prefer to maintain the International Committee on the Reconstruction of Cambodia, rather than to establish another coordinating body.⁴⁴

The representative of France said that the United Nations had the duty to live up to the expectations of the Cambodian people and to continue to play a role in the area of reconstruction and development, as well as the enhancement and protection of human rights. France supported the Government's request for the maintenance of a team of military observers, and welcomed the Secretary-General's intention to open an integrated United Nations office in Cambodia. The situation of the Khmer Rouge group remained however a problem. They must recognize Cambodia's legitimate authorities, accept the rules of democracy and renounce violence. The speaker recalled, in that regard, the third instrument in

43 S/26517.

44 S/PV.3287, pp. 3-19.

the Paris Agreement which concerned the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity for Cambodia.⁴⁵

The representative of the United States said that the future of Cambodia's freedom and democracy was first and foremost the responsibility of its people. It was, however, also a matter of great importance to the United Nations and the international community, which had invested so much to help the Cambodian people. The challenge ahead was to assist the Cambodian Government as appropriate to ensure the continuation of the great progress that had been achieved so as to allow Cambodia to enjoy the peace it so richly deserved.⁴⁶

The representative of Thailand, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), expressed full support for the requests put forward by the Cambodian Government, which called for the establishment of a United Nations Integrated Office in Phnom Penh, the maintenance of representative offices of United Nations programmes and specialized agencies, the maintenance of the human rights component of UNTAC and its expansion into a permanent human rights centre, the continuation of the de-mining operations and lastly, the presence of a small number of military observers in Phnom Penh. ASEAN also looked forward to the appointment by the Secretary-General of a Special Representative to Cambodia. In conclusion, ASEAN shared the hope of the Cambodian Government and people that the United Nations and the international community would continue to assist their country in its reconstruction and rehabilitation process. ASEAN stood ready to contribute in such efforts.⁴⁷

A number of other speakers endorsed the United Nations continuing close involvement in Cambodia.⁴⁸ Some supported more specifically the requests of the Cambodian Government,⁴⁹ while others were in favour of the adoption of a resolution which would address

45 Ibid., pp. 20-24.

46 S/PV.3287, pp. 24-25.

47 Ibid., pp. 45-47.

48 Ibid., China, pp. 26-28; Pakistan, pp. 28-31; New Zealand, pp. 31-35; United Kingdom, pp. 35-36; Japan, pp. 37-40; Russian Federation, pp. 42-44; Australia, pp. 48-50.

49 Ibid., Pakistan, pp. 28-31; New Zealand, pp. 31-35.

all aspects of the post-UNTAC presence, including the dispatch of military observers.⁵⁰

At the same meeting, the President made the following statement⁵¹ on behalf of the Council:

"On behalf of the members of the Security Council, I wish to thank Prince Norodom Ranariddh, First Prime Minister, and Mr. Hun Sen, Second Prime Minister, of the Royal Government of Cambodia for their presence here and to express the satisfaction of the Security Council at the auspicious developments that have taken place in Cambodia since the holding of the elections of 23 to 28 May 1993, in particular the proclamation of the Cambodian Constitution on 24 September 1993 and the creation of the new government of Cambodia.

"I also take this opportunity to congratulate His Majesty King Norodom Sihanouk, Head of State of Cambodia, on his accession to the throne and to pay tribute to the continuing role played by His Majesty in the quest for national reconciliation and a better future for all Cambodia.

"In the light of the successful completion of the mandate of the United Nations Transitional Authority in Cambodia, the Council reiterates its recognition at the remarkable work carried out by the Authority, under the leadership of the Secretary-General and his Special Representative, Mr. Yasushi Akashi.

"The Security Council stresses the importance of the continued support of the international community to the consolidation of peace and democracy and the promotion of development in Cambodia.

"Taking into account the letter dated 26 September 1993 addressed to the Secretary-General by Prince Norodom Ranariddh, First Prime Minister, and Mr. Hun Sen, Second Prime Minister, and the further report of the Secretary-General on the implementation of Security Council resolution 745 (1992) of 28 February 1992 which members of the Council have just received, the Council will continue to study the situation in Cambodia and will consider what action it should take."

⁵⁰ Ibid., New Zealand, pp. 31-35; Japan, pp. 37-40; Australia, pp. 48-50.

⁵¹ S/26531.

Decision of 12 October 1993: letter from the President of the Security Council addressed to the Secretary-General

On 7 October 1993, pursuant to resolution 840 (1993), the Secretary-General submitted to the Security Council a further report⁵² in which he reported having received a letter⁵³ dated 26 September 1993 from the Government of Cambodia, requesting the dispatch of some 20 to 30 unarmed United Nations military observers to Cambodia for a period of six months following the end of UNTAC's mandate. That request was made in the context of the tensions that would still remain in Cambodia, after UNTAC's withdrawal and the need to strengthen confidence among the people. The request was reiterated on 4 October.

The Secretary-General restated his belief that United Nations efforts and resources in Cambodia should henceforth be concentrated on civilian activities in the fields of reconstruction and development, as well as human rights and mine clearance. He was not fully convinced, however, that a small group of military officers based in Phnom Penh would in practice be able to play an effective part in controlling or resolving the remaining security problems in Cambodia. He also voiced doubt about deploying a merely symbolic military presence at a time of acute financial crisis. Should the Security Council decide, however, to respond positively to the request, he would recommend that a team of 20 military liaison officers contributed by Governments, be established for a single period of six months. Those liaison officers would be separate from the proposed integrated office and their mandate would be limited to maintaining liaison with the Cambodian Government and reporting to the Secretary-General on matters affecting security in Cambodia.

By a letter⁵⁴ dated 12 October 1993, the President of the Security Council informed the Secretary-General that the members of the Council had considered his report concerning the request from the Government of Cambodia. They had agreed in principle with his

52 S/26546.

53 The letter had been brought to the attention of the members of the Council, but was not published as a document.

54 S/26570.

recommendation and invited him to submit as soon as possible a further report setting out in greater detail the proposed objectives, and terms of reference of such a team, together with detailed plans for its dispatch and an estimate of the resources required. The members of the Council also invited the Secretary-General to consider, and address the implications of, the possibility of incorporating the officers in the United Nations office to be established in Cambodia, as had been suggested in the letter from the Government of Cambodia.

Decision of 4 November 1993 (3303rd meeting): resolution 880 (1993)

On 27 October 1993, pursuant to resolution 840 (1993), the Secretary-General submitted to the Security Council a further report⁵⁵ setting out the proposed objectives and terms of reference of a military liaison team⁵⁶. The report also addressed the issue of incorporating the team in the proposed United Nations office in Cambodia. In that regard, the Secretary-General reiterated his recommendation that the military liaison team should be separate from the proposed integrated office on the basis that it would seem better to keep the short term military activity separate from the long term civilian activities which would be coordinated through the integrated office.

By a letter⁵⁷ dated 28 October 1993, addressed to the President of the Security Council, the Secretary-General informed the Council of a request made by the officer-in-charge of UNTAC's withdrawal to extend the deployment of UNTAC military police and medical unit beyond 15 November due to deteriorating security conditions in the country. The Secretary-General believed that these limited extensions were necessary in order to ensure the safety and security of UNTAC personnel and its equipment as they completed the withdrawal. He also proposed to extend the deployment of 17 existing members of the Mine Clearance and Training Unit of UNTAC until 30 November 1993.

55 S/26649 and Add.1.

56 For additional details and the terms of reference of the team, see Chapter V of the present *Supplement*.

57 S/26675.

The Secretary-General also stated that mine clearance would continue to be a major need in the post-conflict peace-building in Cambodia. He indicated that the United Nations Trust Fund for Demining in Cambodia would be maintained and that continued technical support and capacity-building would also be required to enable the Cambodian Mine Action Centre to become self-sufficient. The Secretary-General had therefore asked the United Nations Development Programme (UNDP) to enter into consultations with the new Cambodian Government with a view to providing technical support and capacity-building as required for a limited duration. Pending such arrangements, and in order to avert a damaging break in that important activity, he proposed to extend the deployment of 17 existing members of the Mine Clearance and Training Unit of UNTAC until 30 November 1993.

At its 3303rd meeting, on 4 November 1993, the Security Council included the reports⁵⁸ of the Secretary-General of 5, 7 and 27 October, as well as the above letter, in its agenda. After the adoption of the agenda, the Council, in accordance with the decisions taken at its 3287th meeting, invited the representatives of Australia, Cambodia and Thailand to participate, without the right to vote, in the discussion. The President (Cape Verde) then drew the attention of the members of the Council to the text of a draft resolution⁵⁹ prepared in the course of the Council's prior consultations, and read out a revision to be made to the draft in its provisional form.

The draft resolution, as orally revised, was thereupon put to the vote and was adopted unanimously as resolution 880 (1993), which reads as follows:

The Security Council,

Recalling its resolution 745 (1992) of 28 February 1992 concerning the implementation plan of the agreements on a comprehensive political settlement to the Cambodian conflict signed in Paris on 23 October 1991, and subsequent relevant resolutions,

⁵⁸ S/26529, 26546 and S/26649 and Add. 1, dated 5, 7 and 27 October 1993, respectively.

⁵⁹ S/26687.

Taking note of the further reports of the Secretary-General of 5 October 1993, 7 October 1993 and 27 October and 3 November 1993, and of his letter dated 28 October 1993 to the President of the Security Council,

Noting with satisfaction the success during the transitional period of the Cambodian people, under the leadership of His Royal Highness Prince Norodom Sihanouk, King of Cambodia, in promoting peace, stability and national reconciliation,

Welcoming the adoption of the constitution in accordance with the Paris agreements on Cambodia,

Recognizing the termination of the mandate of the United Nations Transitional Authority in Cambodia following the establishment of the constitutional government on 24 September 1993 in accordance with the Paris agreements,

Noting with great satisfaction that, with the successful conclusion of the Authority's mission following the election of 23 to 28 May 1993, the goal of the Paris agreements of restoring to the Cambodian people and their democratically elected leaders their primary responsibility for peace, stability, national reconciliation and reconstruction in their country has been achieved,

Paying tribute to those Member States which contributed personnel to the Authority and expressing sympathy and sorrow to those Governments whose nationals lost their lives or suffered casualties for the cause of peace in Cambodia, as well as to their families,

Stressing the importance of consolidating the achievements of the Cambodian people by smooth and rapid delivery of appropriate international assistance towards rehabilitation, reconstruction and development in Cambodia and towards peace-building in that country,

Noting the need to ensure the safe and orderly completion of the withdrawal of the military component of the Authority from Cambodia, and the continuity of the vital mine clearance and training functions of the Cambodian Mine Action Centre,

1. *Welcomes* the accession to the throne of His Royal Highness Prince Norodom Sihanouk, King of Cambodia, and stresses the importance of his continuing role in consolidating peace, stability and genuine national reconciliation in Cambodia;

2. *Welcomes also* the formation of the new Government of all Cambodia, established in accordance with the constitution and based upon the recent election;

3. *Pays tribute* to the work of the United Nations Transitional Authority in Cambodia whose success, under the authority of the Secretary-General and his Special Representative, constitutes a major achievement for the United Nations;

4. *Calls upon* all States to respect the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia;

5. *Demands* the cessation of all illegal acts of violence, on whatever grounds, and the cessation of military activities directed against the democratically elected Government of Cambodia, as well as against the personnel of the Authority and other United Nations and international agencies;

6. *Affirms* the importance, particularly in view of the recent tragic history of Cambodia, of ensuring respect for international humanitarian law in that country, welcomes in this regard the commitment of the First Prime Minister of the Royal Government of Cambodia to the implementation of the relevant provisions of the new Cambodian Constitution, and endorses the arrangements foreshadowed in paragraphs 27 to 29 of the report of the Secretary-General of 26 August 1993²² for appropriate United Nations activities in support of this commitment in accordance with the relevant provisions of the agreements on a comprehensive political settlement to the Cambodian conflict signed in Paris on 23 October 1991;

7. *Urges* Member States to assist the Cambodian Mine Action Centre with technical experts and equipment, and to support demining work through voluntary contributions;

8. *Expresses the hope* that arrangements can be made as soon as possible so that relevant trust fund monies can be disbursed to the Centre and so that technical experts can be provided to the Centre through the United Nations Development Programme;

9. *Notes* that, with the exceptions set out in paragraphs 10 and 11 below, the safe and orderly withdrawal of the military component of the Authority provided for in resolution 860 (1993) of 27 August 1993 continues and will end on 15 November 1993;

10. *Decides* to extend the period of withdrawal of the Mine Clearance and Training Unit of the Authority until 30 November 1993;

11. *Also decides* to extend the period of withdrawal beyond 15 November 1993 for elements of the military police and medical components of the Authority in accordance with the detailed recommendations set out in the letter dated 28 October 1993 from the Secretary-General to the President of the Security Council, on the basis that all of these elements will be withdrawn by 31 December 1993;

12. *Further decides* to establish a team of twenty military liaison officers for a single period of six months with a mandate to report on matters affecting security in Cambodia, to maintain liaison with the Government of Cambodia and to assist the Government in dealing with residual military matters relating to the Paris agreements;

13. *Welcomes* the intention of the Secretary-General, in the light of the request by the Royal Government of Cambodia and the continuing commitment of the United Nations to Cambodia, to appoint for a period to be agreed upon by the Secretary-General and the Government of Cambodia, a person to coordinate the United Nations presence in Cambodia, in accordance with the spirit and principles of the Paris agreements;

14. *Urges* Member States to continue to help the Government of Cambodia in achieving its objectives of national reconciliation and rehabilitation of Cambodia and requests them to implement without delay the undertakings made during the meeting of the International Committee on the Reconstruction of Cambodia and stresses the need for quick disbursing assistance to provide support to help alleviate the fiscal crisis currently facing the new Government;

15. *Welcomes* the intention of the Secretary-General to report on the lessons learned during the course of the Authority in the context of the Agenda for Peace.

Speaking after the vote, the representative of the United States, referring to the dispatch of a team of military liaison officers to Cambodia, said that the length of time of the

deployment would depend on how long they were wanted and needed by the Cambodians. The Council must be prepared to re-examine and, if necessary and so requested by the Cambodian Government, to renew the mission after six months. That would also apply to the United Nations representative in Cambodia whose tenure should correspond to the needs on the ground rather than to any arbitrary time limit.⁶⁰

Other representatives⁶¹ also welcomed the establishment of a team of military liaison officers to report on matters affecting security in Cambodia and to deal with residual military matters relating to the Peace Agreements, as well as the Secretary-General's intention to appoint, in consultation with the Cambodian Government, a representative to coordinate the United Nations presence in the country. They further endorsed the Council's call, urging Member States to continue to assist the Cambodian Government in achieving its objectives of national reconciliation and rehabilitation.

60 S/PV.3303, pp.4-5.

61 Ibid., France, pp. 3-4; China, p. 7; New Zealand, pp. 10-11; and Spain, pp. 11-14.