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SPEECH BY MR TOMMY KOH, SINGAPORE'S PERMANENT REPRESENTATIVE
TO THE UNITED NATIONS, IN THE PLENARY SESSION
DURING THE DEBATE ON KAMPUCHEA ON WEDNESDAY, 22 OCTOBER 1980

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In the past ten years, tragedy has visited Kampuchea on three successive occasions. The first tragedy occurred soon, after the overthrow of Prince Sihanouk by his Prime Minister, General Lon Nol. Between 1970 and 1973, Kampuchea suffered from a bloody civil war between the forces of General Lon Nol and the forces of the National United Front of Kampuchea, formed by Prince Sihanouk and his former enemies, the Khmer Rouge. During this period the flames of the Vietnam War also spread to Kampuchea.

On 17 April 1975, the forces of Lon Nol were defeated and the capital city of Phnom Penh was captured by the Khmer Rouge. From April 1975 until December 1978 the people of Kampuchea suffered under the cruel and oppressive rule of the Khmer Rouge.

In late December 1978, a third tragedy struck the unfortunate people of Kampuchea. Beginning on Christmas Day 1978, the Vietnamese launched a large scale invasion of Kampuchea involving an invasion force of over 100,000 troops. The Government of Democratic Kampuchea was forced to flee its capital for the countryside and to continue armed resistance to the Vietnamese occupation army. Meanwhile, the Vietnamese installed Heng Samrin as the head of its puppet regime in Phnom Penh. Two months after the invasion a treaty was signed between Vietnam and Heng Samrin. This treaty has been cited as the justification for the invasion and for the continued presence of over 200,000 Vietnamese troops in Kampuchea.

Mr President, I wish to say at the outset that Vietnam, as one of the countries in the region in Southeast Asia, can claim to have a legitimate interest in Kampuchea. Vietnam has the right to expect that Kampuchea, which is its neigh-

bour, would respect the independence, sovereignty and territorial integrity of Vietnam. Vietnam has the right to expect that Kampuchea would pursue a policy of peace and good neighbourliness towards her. Vietnam has a right to demand that no extra-regional power should use Kampuchea as a base for subversion or aggression against Vietnam. On these points, I do not differ with my Vietnamese colleague. I would, of course, point out that Kampuchea also has the right to demand and expect that Vietnam would observe the same principles and norms.

Where my Vietnamese colleague and I differ, is over the question whether the Government of Vietnam has the right, under the principles of UN Charter and under international law, to launch a large scale military invasion of Kampuchea, to overthrow its Government and to impose a puppet regime on the Kampuchean people.

My contention is that what the Vietnamese Government has done exceeds the act of self-defence. It exceeds the act of self-defence because the invasion and occupation of Kampuchea are completely disproportionate to the incidents along their common border. It is also my contention that the gross and extensive violations of the human rights of the Kampuchean people by the Pol Pot Government give no right to Vietnam to invade Kampuchea and overthrow its Government.

My Vietnamese colleague has argued that Vietnam was invited to send its armed forces into Kampuchea in order to help the Kampucheans to overthrow their hated regime. By whom were the Vietnamese invited? The Vietnamese answer: By the Kampuchean National United Front for National Salvation. The Front was organised by Vietnam, on Vietnamese territory, approximately three weeks before the Vietnamese invasion. The Front had no legal or other acceptable authority to invite Vietnamese intervention. My Vietnamese colleague has also argued that Vietnamese intervention and the continued presence of Vietnamese troops in Kampuchea is justifiable under the Treaty of Friendship and Cooperation concluded between Vietnam and the Heng Samrin regime. To demolish this argument it is only necessary to point out that the treaty was signed on 18 February 1979, almost two months after the Vietnamese invasion.

More recently, my Vietnamese colleague has tried to justify the action of his Government in Kampuchea on the ground that it was taken in response to the Chinese threat to Southeast Asia. He has argued that until the Chinese threat is removed Vietnamese troops must remain in Kampuchea. I do not wish to dispute Vietnam's claim that she fears China. Such fears are obviously not unfounded in the light of the Chinese armed attack on Vietnam in February 1979. I wish only to point out that until Vietnam's invasion of Kampuchea, relations between Vietnam and China were good. The following extract from a speech by the Secretary-General of the Vietnamese Communist Party, Mr Le Duan, made on 21 November 1977 in Peking at a banquet given in his honour by the Chairman of the Chinese Communist Party, Mr Hua Guo-Feng, will illustrate my point:

"Vietnam and China share mountains and rivers
 For many decades our two peoples have shared weal and woe, constantly supporting and assisting each other and building a great and militant solidarity as both comrades and brothers. The Vietnamese people's victory is closely associated with the vigorous support and great assistance provided by the party, the Government and the fraternal people of China. The Vietnamese people will remember this selfless aid for ever."

My thesis is therefore that the quarrel between Vietnam and China, and the Chinese attack upon Vietnam were caused, in large part, by Vietnam's invasion of Kampuchea. If this thesis is correct then the Chinese threat to Vietnam can only be removed if Vietnam puts an end to her armed intervention in and occupation of Kampuchea.

Mr President, in the Draft Resolution A/35/L.2 Rev.1, the co-sponsors have put forward a proposal for ending the conflict in Kampuchea in a manner which is consistent with the principles of the UN Charter, consistent with the right of Kampuchea to independence, sovereignty and territorial integrity, consistent with the right of the Kampuchean people to determine their own destiny, free from outside interference

and consistent with the legitimate interest of Kampuchea's neighbours, including Vietnam.

We propose that an international conference on Kampuchea be held as soon as possible in 1981. We propose that all the parties to the conflict in Kampuchea and others concerned should be invited to participate in the conference. We do not insist on any pre-condition for the convening of the conference. The purpose of the conference is to find a comprehensive political settlement to the Kampuchean problem. A comprehensive political settlement must include the following seven elements:

First, the Vietnamese troops in Kampuchea must be totally withdrawn within a specified time-frame and the withdrawal must be verified by the United Nations.

Second, during the process of the withdrawal of the Vietnamese troops from Kampuchea, measures must be undertaken by the United Nations in order to maintain law and order, to ensure the observance of human rights and to prevent Kampuchean armed elements from seizing power.

Third, the United Nations will undertake measures in order to ensure that no outside powers interfere in the internal affairs of Kampuchea.

Fourth, free elections in Kampuchea will be held under the supervision of the United Nations.

Fifth, the conference will agree to prohibit the introduction of any foreign forces in Kampuchea.

Sixth, the conference will negotiate and agree on guarantees to respect the sovereignty, independence and territorial integrity of Kampuchea.

Seventh and finally, the conference will conclude guarantees to ensure that Kampuchea will not be a threat to any of its neighbours. In this way, Vietnam's interest that Kampuchea should not be a hostile and aggressive neighbour and that

Kampuchea would not be used by any extra-regional power as a base of subversion or aggression against her would be safeguarded.

Mr President, in the past our colleagues from Vietnam have been in the habit of saying that their invasion and occupation of Kampuchea have created a reality which the world must accept. The situation, our Vietnamese colleagues have been fond of saying, is non-negotiable and irreversible. I would like, on behalf of the co-sponsors of Draft Resolution L.2, to appeal to Vietnam not to reject our proposal to negotiate a political settlement. We assure Vietnam that any political settlement will take into account Vietnam's legitimate interest. We urge Vietnam, in her own enlightened self-interest, to reconsider the course which she has taken in Kampuchea. As the vote on the credentials of Democratic Kampuchea has demonstrated, and as the vote on this Draft Resolution will further demonstrate, the world has not and will not accept the fait accompli which Vietnam has perpetrated by military force. We appeal to Vietnam to consider the heavy price she has paid and will continue to pay for her action in Kampuchea. Vietnam's word is no longer believed and her reputation is tainted. Vietnam's position in the world is isolated. The international support for the reconstruction of the war-ravaged economy of Vietnam has dried up. Vietnam is completely dependent upon the succour and support of one super-power, thus undermining her claim to pursue a foreign policy of non-alignment.

Mr President, we, the ASEAN countries, contemplate the sorry state of Vietnam at home and abroad with no pleasure. We would like to see Vietnam become a strong, prosperous and non-aligned country for such a Vietnam would be an asset to Southeast Asia. We would like Vietnam to resume her interrupted mission to rebuild her economy and to channel the talents and energies of her people to the task of development. We, the ASEAN countries, would like to help in such efforts. We would also like to see the process of confidence-building in Southeast Asia, begun in 1975 and interrupted by Vietnam's invasion of Kampuchea, begin anew. All these developments are possible

only if we can negotiate an acceptable political solution to the conflict in Kampuchea. We ask Vietnam to eschew the path of force and to come to the conference table. We appeal, earnestly and in good faith, to Vietnam to accept our proposal. We ask all members of the UN to help us persuade Vietnam by voting for our Draft Resolution.

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