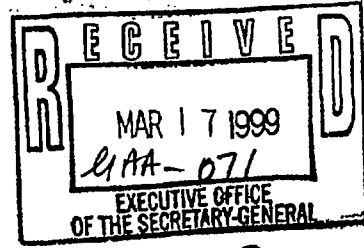


*Circulated to all concerned*

*HR/Cambodia*



NATION-RELIGION-KING



KINGDOM OF CAMBODIA

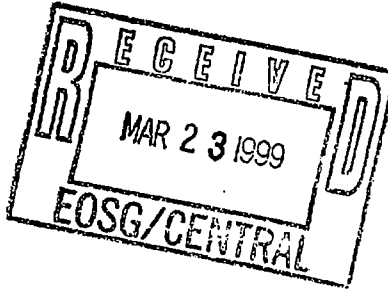
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TO THE UNITED NATIONS

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Excellency,



New York, March 17, 1999

*SG (Highly)*  
*(Familiar position)*

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I have the honour to enclose herewith an Aide-Memoire on Report of the UN Group of Experts for Cambodia of 18 February 1999, issued by the Royal Government of Cambodia dated 12 March 1999.

I should be very grateful if You would have the text of the present letter circulated as a document of the 53<sup>rd</sup> Session of the General Assembly under agenda item 110.

Please accept, Excellency, the assurances of my highest consideration.

OUCH BORITH  
Ambassador Extraordinary and Plenipotentiary,  
Permanent Representative

H.E. Mr. KOFI ANNAN  
Secretary General  
The United Nations  
New York

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**AIDE-MEMOIRE**  
**ON REPORT OF THE UN GROUP OF EXPERTS**  
**FOR CAMBODIA**  
**OF 18 FEBRUARY 1999**

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- In spite of its infamous record of the most serious human rights violation, the Democratic of Kampuchea was allowed to occupy Cambodian seat at the United Nations until the signing of the Paris Peace Accords for Cambodia in 1991.
- In the framework of the Paris Peace Accords, the Khmer Rouge was not only legitimized by the international community as one of the parties to the peace talks, but was also seated in the Supreme National Council (SNC) of Cambodia - the organ of the supreme power of Cambodian during the transition period.
- By refusing to take part in the 1993 election organized under the provisions of the Paris Peace Agreements, the Khmer Rouge made itself outlawed for boycotting the peace process and resuming the guerilla warfare.
- Hence the Paris Peace Accords have not brought a total peace and full national reconciliation to the country, as laid down in the Peace Accords.
- Even though the Khmer Rouge kept on waging war against the Royal Government of Cambodia, *His Majesty the King of Cambodia, Samdech Preah Bat Norodom Sihanouk*, being desirous for peace and national reconciliation, graciously offered to preside over the further peace talks between the legitimate National Assembly and Royal Government of Cambodia on the one side, and the Group of Khmer Rouge leaders on the other, held in the Democratic People's Republic of Korea in May 1994.

- These peace talks continued through a working group until July 1994, when the Law on Outlawing the "Democratic of Kampuchea" Group was adopted by the National Assembly.
- In June 1997, while the Khmer Rouge still continued its acts of war against the Royal Government of Cambodia, and thereby causing insecurity in many parts of the country, the two Prime Ministers of the Kingdom of Cambodia requested the assistance of the United Nations to bring the Khmer Rouge leaders to justice.
- Nevertheless, the fore-said request of the two Prime Minister has not obtained any concrete response from the United Nations until the second half of November 1998. Only when process of gradual disintegration and capitulation of the Khmer Rouge leaders and the ranks and file virtually reached its conclusion, then the 3 UN Experts arrived in Cambodia on a mission.
- Very soon after that, the defection on 25 November 1998, of the two former top leaders of the Khmer Rouge, namely **Khieu Samphan** and **Nuon Chea** to the Royal Government of Cambodia, culminated in the total collapse of the Khmer Rouge movement militarily and politically.
- The Royal Government of Cambodia has, therefore achieved what UNTAC and Paris Peace Accords failed.
- With the end of the Khmer Rouge as a military and political movement, the Royal Government of Cambodia is committed to focus all its attention and resources on implementing effectively and efficiently the political platform of the government for promoting the protection and respect for human rights and democratic process, as well as for economic and social development for the benefit of the people.
- So, Peace, stability and national reconciliation are *sine qua non* conditions for economic development and poverty alleviation for the Cambodian people, who already suffered so much for more than two decades.

- The most recent arrest of **Ta Mok** - the cold-blooded butcher of the Khmer Rouge - by the Royal Cambodian Armed Forces signifies the doomsday of the last remnant of the Khmer Rouge hard-liners.
- While, **Khieu Samphan** and **Noun Chea** have surrendered themselves to the Royal Government of Cambodia, **Ta Mok** as a top Khmer Rouge hard-liner, remains the most vicious murderer and has committed countless, most serious crimes until the very day he is captured by the Royal Cambodian Armed Forces.
- Thus, the national judiciary system will undertake the investigation, prosecution and trial of **Ta Mok**, the culprit, under the Cambodian law in force. The process will ensure the standards of judicial fairness and effectiveness.
- Article 33 of the Constitution of the Kingdom of Cambodia prohibits the Royal Government of Cambodia to arrest and extradite Cambodian national to any foreign country. It stipulates that : " Cambodian nationals shall not be deprived of their Cambodian nationality, exiled or arrested and extradited to any foreign country unless there is a mutual agreement."
- Moreover, the culprit is a Cambodian national, the victims are Cambodians, the place of the commission of the crimes is also in Cambodia; therefore the trial by a Cambodian court is fully in conformity with the legal process.

New York, 12 March 1999

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