

ASEAN FOREIGN MINISTERS' MEETING\*

The ASEAN Foreign Ministers' Meeting took place in Kuala Lumpur on 8 and 9 July.

A new element in the Joint Communique was the formal adoption of a proposal that 'proximity talks' be held on Cambodia. ASEAN has for some months been discussing a Malaysian proposal for talks bringing together the various Cambodian factions through an intermediary. In the event, the meeting adopted a Thai proposal for talks between Vietnam and the Coalition Government of Democratic Kampuchea (CGDK) led by Prince Sihanouk. Under this formula, the 'People's Republic of Kampuchea' - the Phnom Penh administration supported by Vietnam - could not participate separately but could be included as a member of the Vietnamese delegation. Although early comment from Vietnam has been negative, it has not formally rejected the ASEAN proposal but has raised queries about the particular format ASEAN is advocating.

At the Post Ministerial Conference Mr Hayden supported the concept, of proximity talks on Cambodia and expressed the hope, repeated at a joint Ministerial Press Conference on 13 July, that Vietnam would be able to find some way of responding positively.

The following is the extract on Kampuchea from the Joint Communique issued on 9 July.

THE FOREIGN MINISTERS REVIEWED THE SITUATION IN KAMPUCHEA AND EXPRESSED THEIR DEEP CONCERN AT THE CONTINUED ILLEGAL OCCUPATION OF KAMPUCHEA BY VIETNAMESE MILITARY FORCES WHICH POSED A SERIOUS THREAT TO THE PEACE AND STABILITY OF SOUTHEAST ASIA.

THE FOREIGN MINISTERS REAFFIRMED THE VALIDITY OF THE APPEAL FOR KAMPUCHEAN INDEPENDENCE OF 21 SEPTEMBER 1983 AND REITERATED THEIR CALL FOR A COMPREHENSIVE POLITICAL SETTLEMENT IN KAMPUCHEA WHICH WOULD HAVE AS ITS PRIMARY OBJECTIVE THE RESTORATION OF THE INDEPENDENCE AND SOVEREIGNTY OF KAMPUCHEA FOLLOWING TOTAL WITHDRAWAL OF FOREIGN FORCES, THE EXERCISE OF SELF-DETERMINATION AND THE ACHIEVEMENT OF NATIONAL RECONCILIATION IN KAMPUCHEA.

THE FOREIGN MINISTERS DEPLORED VIETNAM'S RECENT DRY-SEASON OFFENSIVE ALONG THE THAI-KAMPUCHEAN BORDER WHICH HAD RESULTED IN UNTOLD HARDSHIP AND SUFFERING FOR HUNDREDS OF THOUSANDS OF DISPLACED KAMPUCHEANS WHO HAD BEEN COMPELLED TO SEEK REFUGE IN THAILAND. THEY NOTED WITH CONCERN THE PARTICULAR SEVERITY AND SCOPE OF THE OFFENSIVE AND EXPRESSED DEEP REGRET AND DISAPPOINTMENT AT VIETNAM'S PERSISTENT

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\*[This introduction and extract was published in Backgrounder, 17 July, 1985, published by the Australian Department of Foreign Affairs. That publication comes with the following advice

ASEAN Foreign Ministers' Meeting - Extract on  
Kampuchea from the Joint Communique, 9 July 1985

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PURSUIT OF A MILITARY SOLUTION IN KAMPUCHEA. SUCH MILITARY ACTIONS BELIED VIETNAM'S OWN PROFESSIONS FOR A NEGOTIATED SOLUTION OF THE KAMPUCHEAN PROBLEM AND WENT AGAINST THE APPEALS FOR RESTRAINT MADE TO VIETNAM BY THE INTERNATIONAL COMMUNITY.

THE FOREIGN MINISTERS EXPRESSED THEIR SERIOUS CONCERN OVER THE FACT THAT IN CARRYING OUT THE OFFENSIVE, VIETNAMESE TROOPS HAD COMMITTED RECURRENT ACTS OF UNPROVOKED AGGRESSION ALONG THE THAI-KAMPUCHEAN BORDER IN BLATANT DISREGARD FOR AND OPEN VIOLATION OF THAILAND'S SOVEREIGNTY AND TERRITORIAL INTEGRITY. THEY STRONGLY CONDEMNED THESE ILLEGAL AND HOSTILE ACTIONS WHICH HAD NOT ONLY RESULTED IN CASUALTIES AND DEATHS AMONG INNOCENT THAI VILLAGERS LIVING ALONG THE BORDER, BUT ALSO EXACERBATED TENSION IN THE REGION. THEY REITERATED THEIR CALL FOR VIETNAM TO DESIST FROM LAUNCHING THESE PROVOCATIVE ACTIONS AND URGED THE INTERNATIONAL COMMUNITY TO CONTINUE TO PREVAIL UPON VIETNAM TO REFRAIN FROM FURTHER CONDUCTING SIMILAR ACTIONS.

THE FOREIGN MINISTERS EXPRESSED FULL SUPPORT FOR THAILAND'S ACTIONS IN THE EXERCISE OF HER LEGITIMATE RIGHT OF SELF-DEFENCE AND REAFFIRMED THEIR SOLIDARITY WITH THE GOVERNMENT AND PEOPLE OF THAILAND IN THE FACE OF SUCH EXTERNAL PROVOCATIONS.

THE FOREIGN MINISTERS WERE OF THE VIEW THAT VIETNAM'S LATEST SO-CALLED ANNUAL PARTIAL WITHDRAWAL OF ITS TROOPS FROM KAMPUCHEA IN APRIL 1985, WHICH IN FACT HAD BEEN MERE TROOP ROTATION, WAS ANOTHER ATTEMPT BY VIETNAM TO MISLEAD THE INTERNATIONAL COMMUNITY, THE KAMPUCHEAN PEOPLE AND VIETNAMESE PEOPLE.

THE FOREIGN MINISTERS NOTED WITH SERIOUS CONCERN THE OPPRESSIVE CONDITIONS UNDER WHICH THE KAMPUCHEAN PEOPLE HAVE TO LIVE, UNDER VIETNAMESE OCCUPATION, ESPECIALLY THE PRACTICE OF COMPELLING CIVILIANS TO WORK IN THE WAR ZONES IN THE COUNTRY WHICH HAD CAUSED NUMEROUS CASUALTIES. THEY SHARED THE SERIOUS APPREHENSION OF THE KAMPUCHEAN PEOPLE ABOUT THE DANGERS OF CONTINUING DEMOGRAPHIC CHANGES IN THEIR COUNTRY AS A RESULT OF VIETNAMESE SETTLEMENTS. THEY ALSO CONTINUED TO BE CONCERNED AT THE ON-GOING PROCESS OF VIETNAMIZATION OF KAMPUCHEA. THEY NOTED THAT INCREASING DISSATISFACTION WITH VIETNAMESE COLONIZATION HAS CONTINUED TO DRIVE MASSES OF KAMPUCHEAN PEOPLE TO THE THAI-KAMPUCHEAN BORDER.

THE FOREIGN MINISTER REAFFIRMED THEIR SUPPORT FOR THE COALITION GOVERNMENT OF DEMOCRATIC KAMPUCHEA UNDER THE PRESIDENCY OF SAMDECH NORODOM SIHANOUK WHOSE CONTINUED LEADERSHIP IS AN IMPORTANT AND CRUCIAL FACTOR IN THE STRUGGLE OF THE KAMPUCHEAN PEOPLE TO RESTORE THEIR COUNTRY AS AN INDEPENDENT, SOVEREIGN, NEUTRAL AND NON-ALIGNED NATION. THEY ALSO REAFFIRMED THEIR SUPPORT FOR PRESIDENT SAMDECH NORODOM SIHANOUK'S CALL FOR NATIONAL RECONCILIATION AMONG ALL THE KAMPUCHEAN FACTIONS AS A POSITIVE AND CONSTRUCTIVE APPROACH TOWARDS REALISING THE OBJECTIVES OF SELF-DETERMINATION, INDEPENDENCE, SOVEREIGNTY AND UNITY OF THE KAMPUCHEAN PEOPLE.

THE FOREIGN MINISTERS NOTED THE INCREASING COOPERATION, UNITY AND SOLIDARITY AMONG THE COMPONENT PARTIES OF THE COALITION GOVERNMENT OF DEMOCRATIC KAMPUCHEA ON ALL FRONTS IN THEIR STRUGGLE TO LIBERATE THEIR COUNTRY FROM VIETNAMESE OCCUPATION. THEY WERE PARTICULARLY GRATIFIED AT THE STEADY GROWTH AND HIGH STATE OF MORALE OF THE RESISTANCE FORCES WHICH IN SPITE OF THE FEROCITY OF THE VIETNAMESE DRY-SEASON OFFENSIVE ARE ENJOYING GROWING SUPPORT FROM THE KAMPUCHEAN

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PEOPLE. THEY HAVE ALSO ENHANCED COORDINATION OF THEIR ACTIONS IN THE FIELD AND HAVE CONTINUED TO CAUSE SERIOUS DISRUPTION TO THE VIETNAMESE OCCUPATION FORCES.

THE FOREIGN MINISTERS WERE EQUALLY GRATIFIED AND EXPRESSED DEEP APPRECIATION FOR THE EVER-INCREASING SUPPORT GIVEN BY THE INTERNATIONAL COMMUNITY TO THE STRUGGLE LED BY THE COALITION GOVERNMENT OF DEMOCRATIC KAMPUCHEA UNDER THE PRESIDENCY OF SAMDECH NORODOM SIHANOUK. THIS SUPPORT IS EVIDENCED BY THE INCREASE IN THE NUMBER OF VOTES IN FAVOUR OF THE RESOLUTION ON THE SITUATION IN KAMPUCHEA AT THE 39TH UNITED NATIONS GENERAL ASSEMBLY. THIS DEMONSTRATED THE CONTINUED OVERWHELMING REJECTION BY THE INTERNATIONAL COMMUNITY OF VIETNAM'S POLICIES IN KAMPUCHEA.

THE FOREIGN MINISTERS REAFFIRMED THEIR STATEMENT OF 11 FEBRUARY 1985 ISSUED AT BANGKOK AND URGED THE INTERNATIONAL COMMUNITY TO GIVE GREATER SUPPORT TO THE STRUGGLE OF THE COALITION GOVERNMENT OF DEMOCRATIC KAMPUCHEA. THE FOREIGN MINISTERS REAFFIRMED THEIR INTENTION TO CONTINUE CLOSE CONSULTATIONS WITH ALL FRIENDLY COUNTRIES ON CONSTRUCTIVE APPROACHES WHICH WOULD REINFORCE INTERNATIONAL EFFORTS TO ACHIEVE A COMPREHENSIVE POLITICAL SETTLEMENT OF THE KAMPUCHEAN PROBLEM.

THE FOREIGN MINISTERS EXPRESSED THEIR APPRECIATION TO THE PRESIDENT OF THE INTERNATIONAL CONFERENCE ON KAMPUCHEA, HIS EXCELLENCY WILLIBALD PAHR, FOR HIS EFFORTS TOWARDS THE IMPLEMENTATION OF THE OBJECTIVE OF THE ICK DECLARATION AND RESOLUTION. THEY ALSO NOTED THE EFFORTS OF THE ICK AD-HOC COMMITTEE AND EXPRESSED THEIR APPRECIATION TO HIS CHAIRMAN, HIS EXCELLENCY AMBASSADOR MASSAMBA SARRE OF SENEGAL AND ALL THE MEMBERS OF THE COMMITTEE FOR THEIR COMMITMENT AND DEDICATION.

THE FOREIGN MINISTERS EXPRESSED THEIR DEEP APPRECIATION FOR THE EFFORTS OF THE UNITED NATIONS SECRETARY GENERAL TO FIND A COMPREHENSIVE POLITICAL SETTLEMENT OF THE KAMPUCHEAN PROBLEM IN ACCORDANCE WITH THE RELEVANT UNITED NATIONS GENERAL ASSEMBLY RESOLUTIONS. IN THIS REGARD THEY APPRECIATED THE UNITED NATIONS SECRETARY GENERAL'S VISIT TO SOUTHEAST ASIA EARLY IN THE YEAR AND THEY HOPED THAT THE SECRETARY-GENERAL WOULD CONTINUE TO USE HIS GOOD OFFICES TO BRING ABOUT A POLITICAL SETTLEMENT IN KAMPUCHEA. THEY WELCOMED THE PRESENCE OF THE SECRETARY GENERAL'S SPECIAL REPRESENTATIVE ON HUMANITARIAN AFFAIRS IN SOUTHEAST ASIA, HIS EXCELLENCY RAFEEUDDIN AHMED, AT THE EIGHTEENTH ASEAN MINISTERIAL MEETING.

THE FOREIGN MINISTERS REVIEWED THE DIPLOMATIC EFFORTS OF ASEAN IN ITS SEARCH FOR A COMPREHENSIVE POLITICAL SOLUTION TO THE KAMPUCHEAN PROBLEM. IN CONTINUING TO PURSUE A MILITARY SOLUTION, VIETNAM HAS NOT INDICATED ANY GENUINE DESIRE FOR A NEGOTIATED AND PEACEFUL SETTLEMENT AS CALLED FOR BY THE OVERWHELMING MAJORITY OF COUNTRIES AT THE UNITED NATIONS. ALL THE PROPOSALS OF VIETNAM HAVE BEEN THOROUGHLY EXAMINED BY ASEAN WHICH FOUND THEM TO BE VARIATIONS OF VIETNAM'S WELL-KNOWN POSITIONS AND PRECONDITIONS THAT HAVE NOT CONTRIBUTED TOWARDS THE COMPREHENSIVE POLITICAL SETTLEMENT OF THE KAMPUCHEAN PROBLEM.

THE FOREIGN MINISTERS WERE DETERMINED TO CONTINUE THEIR EFFORTS IN SEEKING A COMPREHENSIVE AND LASTING POLITICAL SOLUTION OF THE

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KAMPUCHEAN PROBLEM AS ENVISAGED BY THE INTERNATIONAL COMMUNITY. IN THIS REGARD, THEY NOTED WITH APPRECIATION THE EFFORTS OF THE FOREIGN MINISTER OF INDONESIA WHO, AS THE DESIGNATED INTERLOCUTOR OF ASEAN VIS-A-VIS VIETNAM, HAS ENDEAVOURED TO REINFORCE ASEAN EFFORTS IN SEEKING A GENUINE DIALOGUE: AND AT THE BROADER LEVEL, TO FIND A VIABLE APPROACH TOWARDS SUCH A SOLUTION WITHIN A STRATEGIC FRAMEWORK FOR THE FUTURE OF SOUTHEAST ASIA. THEY WERE ALSO APPRECIATIVE OF THE LATEST EFFORTS IN THE SEARCH FOR A POLITICAL SETTLEMENT UNDERTAKEN BY THE FOREIGN MINISTER OF MALAYSIA DURING HIS CHAIRMANSHIP OF THE ASEAN STANDING COMMITTEE. IN PURSUIT OF THIS OBJECTIVE THE FOREIGN MINISTERS ISSUED A JOINT STATEMENT ON 8 JULY 1985 CALLING UPON VIETNAM TO ACCEPT THE REALITY AND STRENGTH OF THE COALITION GOVERNMENT OF DEMOCRATIC KAMPUCHEA AND URGED VIETNAM TO HAVE TALKS WITH THE CGDK WHICH MIGHT TAKE THE FORM OF INDIRECT OR PROXIMITY TALKS WHICH COULD BE ATTENDED BY REPRESENTATIVES OF HENG SAMRIN AS PART OF THE VIETNAMESE DELEGATION.

THE FOREIGN MINISTERS WELCOMED THE MEASURES TAKEN BY THAILAND TO EASE THE TENSIONS THAT HAD ARISEN AS A RESULT OF THE THAI-LAO BORDER INCIDENTS LAST YEAR AND TO RESTORE GOODWILL AND UNDERSTANDING IN HER RELATIONS WITH LAOS. THEY WELCOMED THAILAND'S CONTINUED ADHERENCE TO THE POLICY OF RESOLVING DIFFERENCES WITH LAOS IN THE SPIRIT OF AMITY AND GOOD NEIGHBOURLINESS, WITHOUT INTERFERENCE BY OUTSIDE POWERS.

## INDOCHINESE REFUGEES

THE FOREIGN MINISTERS REPLY DEPLORED THE PREMEDIATED AND INDISCRIMINATE ATTACKS BY THE VIETNAMESE OCCUPATION FORCES AGAINST THE KAMPUCHEAN CIVILIAN ENCAMPMENTS ALONG THE THAI-KAMPUCHEAN BORDER SINCE NOVEMBER 1984. NEARLY A QUARTER OF A MILLION KAMPUCHEAN CIVILIANS WERE FORCED TO SEEK TEMPORARY ASYLUM INSIDE THAI TERRITORY WHILE SOME 200,000 THAI VILLAGERS LIVING ALONG THE THAI-KAMPUCHEAN BORDER HAD TO BE RELOCATED BECAUSE OF THE INTENSITY OF THE VIETNAMESE MILITARY OPERATIONS AND NUMEROUS INTRUSIONS INTO THAI TERRITORY.

THE FOREIGN MINISTERS TOOK NOTE ONCE AGAIN THAT SINCE 1978 HUNDREDS OF THOUSANDS OF INDOCHINESE REFUGEES AND DISPLACED PERSONS STILL REMAINED IN THE ASEAN COUNTRIES AND REITERATED THAT, EVER SINCE THE FIRST INFLUX OF THE INDOCHINESE REFUGEES IN 1975, ASYLUM IN ASEAN COUNTRIES WAS GRANTED ON THE UNDERSTANDING THAT RESETTLEMENT IN THIRD COUNTRIES WOULD BE GUARANTEED AND THAT THERE WOULD NOT BE RESIDUAL PROBLEMS IN THE ASEAN COUNTRIES. THEY ALSO REITERATED THAT INDOCHINESE REFUGEES AND DISPLACED PERSONS REMAIN A TRAGIC INTERNATIONAL PROBLEM, WHICH REQUIRES CONTINUING EFFORTS AND BURDEN SHARING BY THE INTERNATIONAL COMMUNITY.

THE FOREIGN MINISTERS WERE IN AGREEMENT THAT THE CONTINUING EXODUS OF ASYLUM SEEKERS FROM VIETNAM, LAOS AND KAMPUCHEA IS EVIDENCE OF THE UNABATED HARDSHIP AND SUFFERING EXISTING IN THEIR OWN COUNTRIES.

THE FOREIGN MINISTERS NOTED THAT, WHILE THOUSANDS OF VIETNAMESE WERE STILL FLEEING THEIR OWN COUNTRY BY SEA, THE RATE OF DEPARTURE HAD DECREASED OVER THE PAST YEAR, DUE TO THE ORDERLY DEPARTURE PROGRAMME (ODP). IN THIS CONNECTION, THEY COMMENDED THE EFFORTS OF UNHCR AND THE RESETTLEMENT COUNTRIES IN PROVIDING THE NECESSARY ASSISTANCE FOR THE ODP AND CALLED ON THEM AS WELL AS VIETNAM TO INTENSIFY THEIR EFFORTS AND FURTHER TO ENHANCE THE EFFECTIVENESS OF THE ODP.

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THE FOREIGN MINISTERS REITERATED THEIR CONVICTION THAT IT IS THE INALIENABLE RIGHT OF THE INDOCHINESE REFUGEES AND DISPLACED PERSONS CURRENTLY IN NEIGHBOURING COUNTRIES TO RETURN SAFELY TO THEIR HOMELAND AND, IN THIS CONNECTION, REQUESTED UNHCR TO INTENSIFY ITS EFFORTS IN PROMOTING VOLUNTARY REPATRIATION FOR THESE PEOPLE. THE FOREIGN MINISTERS ALSO URGED THE INTERNATIONAL COMMUNITY TO RENDER ALL NECESSARY ASSISTANCE TO FACILITATE THE RETURN OF THESE REFUGEES.

THE FOREIGN MINISTERS EXPRESSED THEIR DEEP APPRECIATION TO THE UNITED NATIONS SECRETARY GENERAL FOR HIS VALUABLE HUMANITARIAN ROLE ON BEHALF OF THE KAMPUCHEAN DISPLACED PERSONS ALONG THE THAI-KAMPUCHEAN BORDER AND HIS VISIT TO THE BORDER AREA IN JANUARY THIS YEAR. THEY ALSO NOTED WITH APPRECIATION THE EFFECTIVE AND DEDICATED EFFORTS OF MR TATSURO KUNUGI, THE UNITED NATIONS SECRETARY GENERAL'S SPECIAL REPRESENTATIVE FOR THE COORDINATION OF HUMANITARIAN ASSISTANCE PROGRAMMES TO KAMPUCHEA. THE FOREIGN MINISTERS ALSO REITERATED THEIR APPRECIATION FOR THE HIGHLY VALUABLE AND NECESSARY HUMANITARIAN WORK RENDERED BY THE UNITED NATIONS BORDER RELIEF OPERATION IN CONJUNCTION WITH WORLD FOOD PROGRAMME, THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND ALL THE VOLUNTARY AGENCIES TOWARD THE RELIEF OF THE PLIGHT OF THE INDOCHIENSE REFUGEES/DISPLACED PERSONS/ILLEGAL IMMIGRANTS ALONG THE THAI-KAMPUCHEAN BORDER AND IN THE HOLDING CENTRES IN SOUTHEAST ASIA, AS WELL AS THE AFFECTED THAI VILLAGERS.

THE FOREIGN MINISTERS EXPRESSED THEIR PROFOUND APPRECIATION ONCE AGAIN FOR THE CONTINUING RESPONSE OF VARIOUS GOVERNMENTS TOWARD EASING THE HUMANITARIAN NEEDS ARISING FROM THE REFUGEE SITUATION IN SOUTHEAST ASIA AND APPEALED TO THEM TO CONTINUE AND TO INTENSIFY THEIR ASSISTANCE IN COOPERATION WITH THE AGENCIES OF THE UNITED NATIONS AND THE SECRETARY GENERAL'S SPECIAL REPRESENTATIVE.

THE FOREIGN MINISTERS EXPRESSED THE HOPE THAT HUMANITARIAN EFFORTS AND ASSISTANCE RENDERED BY THE INTERNATIONAL COMMUNITY, WITH THE COORDINATION OF THE SECRETARY GENERAL'S SPECIAL REPRESENTATIVE, WOULD BE DIRECTED TOWARDS RELIEVING THE PLIGHT ESPECIALLY OF THOSE UPROOTED KAMPUCHEANS ALONG THE THAI-KAMPUCHEAN BORDER WHO HAVE THE GREATEST AND MOST URGENT NEED FOR HUMANITARIAN ASSISTANCE WHILE THE CONFLICT IN KAMPUCHEA REMAINED UNRESOLVED.

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\* [This document was provided by the embassy of the Lao People's Democratic Republic, Canberra. Other relevant documents were published in [1985] Australian International Law News pp.205-215]